

January 24, 2008

Mr. William Levis  
President & Chief Nuclear Officer  
PSEG Nuclear LLC - N09  
Post Office Box 236  
Hancocks Bridge, NJ 08038

SUBJECT: HOPE CREEK GENERATING STATION - ISSUANCE OF AMENDMENT RE:  
CONTROL ROOM HABITABILITY (TAC NO. MD5338)

Dear Mr. Levis:

The Commission has issued the enclosed Amendment No. 173 to Facility Operating License No. NPF-57 for the Hope Creek Generating Station. This amendment consists of changes to the Technical Specifications (TSs) and facility operating license in response to your application dated April 17, 2007, as supplemented by letter dated June 29, 2007. The amendment establishes more effective and appropriate action, surveillance, and administrative requirements related to ensuring the habitability of the control room envelop in accordance with Nuclear Regulatory Commission approved TS Task Force (TSTF) Standard Technical Specification change traveler TSTF-448, Revision 3, "Control Room Habitability."

A copy of our safety evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

*/ra/*

Richard B. Ennis, Senior Project Manager  
Plant Licensing Branch I-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-354

Enclosures:

1. Amendment No. 173 to  
License No. NPF-57
2. Safety Evaluation

cc w/encls: See next page

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Hope Creek Generating Station

cc:

Mr. Thomas Joyce  
Senior Vice President - Operations  
PSEG Nuclear  
P.O. Box 236  
Hancocks Bridge, NJ 08038

Mr. Dennis Winchester  
Vice President - Nuclear Assessment  
PSEG Nuclear  
P.O. Box 236  
Hancocks Bridge, NJ 08038

Mr. Carl Fricker  
Vice President - Operations Support  
PSEG Nuclear  
P.O. Box 236  
Hancocks Bridge, NJ 08038

Mr. John Perry  
Plant Manager - Hope Creek  
PSEG Nuclear  
P.O. Box 236  
Hancocks Bridge, NJ 08038

Mr. James Mallon  
Manager - Licensing  
PSEG Nuclear  
P.O. Box 236  
Hancocks Bridge, NJ 08038

Mr. Jeffrie J. Keenan, Esquire  
PSEG Nuclear - N21  
P.O. Box 236  
Hancocks Bridge, NJ 08038

Mr. Michael Gaffney  
Manager - Hope Creek Regulatory  
Assurance  
PSEG Nuclear  
P.O. Box 236  
Hancocks Bridge, NJ 08038

Township Clerk  
Lower Alloways Creek Township  
Municipal Building, P.O. Box 157  
Hancocks Bridge, NJ 08038

Mr. Paul Bauldauf, P.E., Asst. Director  
Radiation Protection Programs  
NJ Department of Environmental  
Protection and Energy  
CN 415  
Trenton, NJ 08625-0415

Mr. Brian Beam  
Board of Public Utilities  
2 Gateway Center, Tenth Floor  
Newark, NJ 07102

Regional Administrator, Region I  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406

Senior Resident Inspector  
Hope Creek Generating Station  
U.S. Nuclear Regulatory Commission  
Drawer 0509  
Hancocks Bridge, NJ 08038

Mr. William Levis  
President & Chief Nuclear Officer  
PSEG Nuclear LLC - N09  
P.O. Box 236  
Hancocks Bridge, NJ 08038

PSEG NUCLEAR LLC

DOCKET NO. 50-354

HOPE CREEK GENERATING STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 173  
License No. NPF-57

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment filed by PSEG Nuclear LLC dated April 17, 2007, as supplemented by letter dated June 29, 2007, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance: (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-57 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 173, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated into the license. PSEG Nuclear LLC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. The license amendment is effective as of its date of issuance and shall be implemented within 180 days.

FOR THE NUCLEAR REGULATORY COMMISSION

*/ra/*

Harold K. Chernoff, Chief  
Plant Licensing Branch I-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment: Changes to the License  
and Technical Specifications

Date of Issuance: January 24, 2008

ATTACHMENT TO LICENSE AMENDMENT NO. 173

FACILITY OPERATING LICENSE NO. NPF-57

DOCKET NO. 50-354

Replace the following pages of the Facility Operating License with the revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove

Page 3

Page 8

Page 9

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Insert

Page 3

Page 8

Page 9

Page 10

Replace the following pages of the Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove

xxv

3/4 7-6

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3/4 7-7

3/4 7-8

6-26

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Insert

xxv

3/4 7-6

3/4 7-6a

3/4 7-7

3/4 7-8

6-26

6-27

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 173 TO FACILITY OPERATING LICENSE NO. NPF-57  
PSEG NUCLEAR LLC  
HOPE CREEK GENERATING STATION  
DOCKET NO. 50-354

1.0 INTRODUCTION

By application dated April 17, 2007, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML071160158), as supplemented by letter dated June 29, 2007 (ADAMS Accession No. ML071930145), PSEG Nuclear LLC (the licensee) submitted a license amendment request for the Hope Creek Generating Station (HCGS). The proposed amendment would revise the Technical Specifications (TS) and facility operating license based on Technical Specifications Task Force (TSTF) traveler TSTF-448, Revision 3, "Control Room Habitability."

On August 8, 2006, the commercial nuclear electrical power generation industry owners group TSTF submitted a proposed change, TSTF-448, Revision 3, to the improved standard technical specifications (STS) (NUREGs 1430-1434) on behalf of the industry (TSTF-448, Revisions 0, 1, and 2 were prior draft iterations). TSTF-448, Revision 3, is a proposal to establish more effective and appropriate action, surveillance, and administrative STS requirements related to ensuring the habitability of the control room envelope (CRE).

In Nuclear Regulatory Commission (NRC) Generic Letter (GL) 2003-01 (Reference 1), licensees were alerted to findings at facilities that existing TS surveillance requirements (SRs) for the Control Room Emergency Filtration System (CREFS) may not be adequate. Specifically, the results of ASTM E741 (Reference 2) tracer gas tests to measure CRE unfiltered leakage at facilities indicated that the differential pressure surveillance is not a reliable method for demonstrating CRE boundary operability. Licensees were requested to address existing TS as follows:

Provide confirmation that your technical specifications verify the integrity [i.e., operability] of the CRE [boundary], and the assumed [unfiltered] leakage rates of potentially contaminated air. If you currently have a differential pressure surveillance requirement to demonstrate CRE [boundary] integrity, provide the basis for your conclusion that it remains adequate to demonstrate CRE integrity in light of the ASTM E741 testing results. If you conclude that your differential pressure surveillance requirement is no longer adequate, provide a schedule for: 1) revising the surveillance requirement in your technical specification to reference an acceptable surveillance methodology (e.g., ASTM E741), and 2) making any necessary modifications to your CRE [boundary] so that compliance with your new surveillance requirement can be demonstrated.

Enclosure

If your facility does not currently have a technical specification surveillance requirement for your CRE integrity, explain how and at what frequency you confirm your CRE integrity and why this is adequate to demonstrate CRE integrity.

To promote standardization and to minimize the resources that would be needed to create and process plant-specific amendment applications in response to the concerns described in the generic letter, the industry and the NRC proposed revisions to CRE habitability system requirements contained in the STS, using the STS change traveler process. This effort culminated in Revision 3 to traveler TSTF-448, "Control Room Habitability," which the NRC staff approved on January 17, 2007.

Consistent with the traveler as incorporated into NUREG-1433, the licensee proposed revising action and SRs in Specification 3.7.2, "Control Room Emergency Filtration System," and adding a new administrative controls program, Specification 6.16, "Control Room Envelope Habitability Program." The purpose of the changes is to ensure that CRE boundary operability is maintained and verified through effective surveillance and programmatic requirements, and that appropriate remedial actions are taken in the event of an inoperable CRE boundary.

Some editorial and plant specific changes were incorporated into this safety evaluation resulting in minor deviations from the model safety evaluation text in TSTF-448, Revision 3. These deviations are considered administrative in nature in that they have no material impact on TSTF-448. As an example, NUREG-1433 contains TS 3.7.4, "Main Control Room Environmental Control (MCREC) System." The equivalent system at HCGS is found in TS 3.7.2, "Control Room Emergency Filtration System."

The supplement dated June 29, 2007, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards determination as published in the *Federal Register* on June 5, 2007 (72 FR 31103).

## 2.0 REGULATORY EVALUATION

### 2.1 Control Room and Control Room Envelope

NRC Regulatory Guide 1.196, "Control Room Habitability at Light-Water Nuclear Power Reactors," Revision 0, May 2003, (Reference 4) uses the term "control room envelope" in addition to the term "control room" and defines each term as follows:

**Control Room:** The plant area, defined in the facility licensing basis, in which actions can be taken to operate the plant safely under normal conditions and to maintain the reactor in a safe condition during accident situations. It encompasses the instrumentation and controls necessary for a safe shutdown of the plant and typically includes the critical document reference file, computer room (if used as an integral part of the emergency response plan), shift supervisor's office, operator wash room and kitchen, and other critical areas to which frequent personnel access or continuous occupancy may be necessary in the event of an accident.

Control Room Envelope: The plant area, defined in the facility licensing basis, that in the event of an emergency, can be isolated from the plant areas and the environment external to the CRE. This area is served by an emergency ventilation system, with the intent of maintaining the habitability of the control room. This area encompasses the control room, and may encompass other non-critical areas to which frequent personnel access or continuous occupancy is not necessary in the event of an accident.

NRC Regulatory Guide 1.197, "Demonstrating Control Room Envelope Integrity At Nuclear Power Reactors," Revision 0, May 2003 (Reference 5), also contains these definitions, but uses the term CRE to mean both. This is because the protected environment provided for operators varies with the nuclear power facility. At some facilities this environment is limited to the control room; at others, it is the CRE. In this safety evaluation, consistent with the proposed changes to the STS, the CRE will be used to designate both. For consistency, facilities should use the term CRE with an appropriate facility-specific definition derived from the above CRE definition.

## 2.2 Control Room Emergency Filtration System

The CREFS provides a protected environment from which operators can control the unit, during airborne challenges from radioactivity, hazardous chemicals, and fire byproducts, such as fire suppression agents and smoke, during both normal and accident conditions.

The CREFS is designed to maintain a habitable environment in the CRE for 30 days of continuous occupancy after a Design Basis Accident (DBA) without exceeding a 5 rem total effective dose equivalent (TEDE).

The CREFS consists of two redundant subsystems, each capable of maintaining the habitability of the CRE. In order for the CREFS to be considered operable, the CRE boundary must be maintained such that the CRE occupant dose from a large radioactive release does not exceed the calculated dose in the licensing basis consequence analyses for DBAs, and that CRE occupants are protected from hazardous chemicals and smoke.

The CRE boundary is considered operable when the measured unfiltered air inleakage is less than or equal to the inleakage value assumed by the licensing basis analyses of DBA consequences to CRE occupants.

## 2.3 Regulations Applicable to Control Room Habitability

In Appendix A, "General Design Criteria for Nuclear Power Plants," to 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities," General Design Criteria (GDC) 1, 2, 3, 4, 5, and 19 apply to CRE habitability. A summary of these GDCs follows.

GDC 1, "Quality Standards and Records," requires that structures, systems, and components (SSCs) important to safety be designed, fabricated, erected, and tested to quality standards commensurate with the importance of the safety functions performed.

GDC 2, "Design Basis for Protection Against Natural Phenomena," requires that SSCs important to safety be designed to withstand the effects of earthquakes and other natural hazards.

GDC 3, "Fire Protection," requires SSCs important to safety be designed and located to minimize the effects of fires and explosions.

GDC 4, "Environmental and Dynamic Effects Design Bases," requires SSCs important to safety to be designed to accommodate the effects of and to be compatible with the environmental conditions associated with normal operation, maintenance, testing, and postulated accidents, including loss-of-coolant accidents (LOCAs).

GDC 5, "Sharing of Structures, Systems, and Components," requires that SSCs important to safety not be shared among nuclear power units unless it can be shown that such sharing will not significantly impair their ability to perform their safety functions, including, in the event of an accident in one unit, the orderly shutdown and cooldown of the remaining units.

GDC 19, "Control Room," requires that a control room be provided from which actions can be taken to operate the nuclear reactor safely under normal conditions and to maintain the reactor in a safe condition under accident conditions, including a LOCA. Adequate radiation protection is to be provided to permit access and occupancy of the control room under accident conditions without personnel receiving radiation exposures in excess of specified values.

Prior to incorporation of TSTF-448, Revision 3, the STS requirements addressing CRE boundary operability resided only in the following CRE ventilation system specifications:

- NUREG-1430, TS 3.7.10, "Control Room Emergency Ventilation System (CREVS);"
- NUREG-1431, TS 3.7.10, "Control Room Emergency Filtration System (CREFS);"
- NUREG-1432, TS 3.7.11, "Control Room Emergency Air Cleanup System (CREACS);"
- NUREG-1433, TS 3.7.4, "[Main Control Room Environmental Control (MCREC)] System;" and
- NUREG-1434, TS 3.7.3, "[Control Room Fresh Air (CRFA)] System."

In STS 3.7.4 in NUREG-1433, the SR associated with demonstrating the operability of the CRE boundary requires verifying that one MCREC train can maintain a positive pressure relative to the areas adjacent to the CRE during the pressurization mode of operation at a makeup flow rate. Facilities that pressurize the CRE during the emergency mode of operation of the MCREC have similar SRs. Other facilities that do not pressurize the CRE have only a system flow rate criterion for the emergency mode of operation. Regardless, the results of ASTM E741 (Reference 2) tracer gas tests to measure CRE unfiltered inleakage at facilities indicated that the differential pressure surveillance (or the alternative surveillance at non-pressurization facilities) is not a reliable method for demonstrating CRE boundary operability. That is, licensees were able to obtain differential pressure and flow measurements satisfying the SR limits even though unfiltered inleakage was determined to exceed the value assumed in the safety analyses.

In addition to an inadequate SR, the action requirements of these specifications were ambiguous regarding CRE boundary operability in the event CRE unfiltered inleakage is found to exceed the analysis assumption. The ambiguity stemmed from the view that the CRE boundary

may be considered operable but degraded in this condition, and that it would be deemed inoperable only if calculated radiological exposure limits for CRE occupants exceeded a licensing basis limit; e.g., as stated in GDC-19, even while crediting compensatory measures.

NRC Administrative Letter 98-10, "Dispositioning of Technical Specifications That Are Insufficient to Assure Plant Safety," (AL 98-10) states that "the discovery of an improper or inadequate TS value or required action is considered a degraded or nonconforming condition," which is defined in NRC Inspection Manual Chapter 9900; see latest guidance in Regulatory Issue Summary (RIS) 2005-20 (Reference 3). "Imposing administrative controls in response to an improper or inadequate TS is considered an acceptable short-term corrective action. The NRC staff expects that, following the imposition of administrative controls, an amendment to the inadequate TS, with appropriate justification and schedule, will be submitted in a timely fashion."

Licenseses that have found unfiltered inleakage in excess of the limit assumed in the safety analyses and have yet to either reduce the inleakage below the limit or establish a higher bounding limit through re-analysis, have implemented compensatory actions to ensure the safety of CRE occupants, pending final resolution of the condition, consistent with RIS 2005-20. However, based on GL 2003-01 and AL 98-10, the NRC staff expects each licensee to propose TS changes that include a surveillance to periodically measure CRE unfiltered inleakage in order to satisfy 10 CFR 50.36(d)(3), which requires a facility's TS to include SRs, which it defines as requirements relating to test, calibration, or inspection to assure that the necessary quality of systems and components is maintained, that facility operation will be within safety limits, and *that limiting conditions for operation will be met.*" (Emphasis added.)

The NRC staff also expects facilities to propose unambiguous remedial actions, consistent with 10 CFR 50.36(d)(2), for the condition of not meeting the limiting condition for operation (LCO) due to an inoperable CRE boundary. The action requirements should specify a reasonable completion time to restore conformance to the LCO before requiring a facility to be shut down. This completion time should be based on the benefits of implementing mitigating actions to ensure CRE occupant safety and sufficient time to resolve most problems anticipated with the CRE boundary, while minimizing the chance that operators in the CRE will need to use mitigating actions during accident conditions.

#### 2.4 Adoption of TSTF-448, Revision 3, by HCGS

Adoption of TSTF-448, Revision 3, will assure that the facility's TS LCO for the CREFS is met by demonstrating unfiltered leakage into the CRE is within limits; i.e., the operability of the CRE boundary. In support of this surveillance, which specifies a test interval (frequency) described in Regulatory Guide 1.197, TSTF-448 also adds TS administrative controls to assure the habitability of the CRE between performances of the ASTM E741 test. In addition, adoption of TSTF-448 will establish clearly stated and reasonable required actions in the event CRE unfiltered inleakage is found to exceed the analysis assumption.

The changes made by TSTF-448 to the STS requirements for the CREFS and the CRE boundary conform to 10 CFR 50.36(d)(2) and 10 CFR 50.36(d)(3). Their adoption will better assure that HCGS's CRE will remain habitable during normal operation and design basis accident conditions. These changes are, therefore, acceptable from a regulatory standpoint.

### 3.0 TECHNICAL EVALUATION

The NRC staff reviewed the proposed changes against the corresponding changes made to the STS by TSTF-448, Revision 3, which the NRC staff has found to satisfy applicable regulatory requirements, as described above in Section 2.0. The emergency operational mode of the CREFS at HCGS pressurizes the CRE to minimize unfiltered air inleakage. The proposed changes are consistent with this design.

#### 3.1 Proposed Changes

The proposed amendment would strengthen CRE habitability TS requirements by changing TS 3.7.2, "Control Room Emergency Filtration System," and adding a new TS administrative controls program on CRE habitability. Accompanying the proposed TS changes are appropriate conforming technical changes to the TS Bases. The proposed revision to the Bases also includes editorial and administrative changes to reflect applicable changes to the corresponding STS Bases, which were made to improve clarity, conform with the latest information and references, correct factual errors, and achieve more consistency among the STS NUREGs as revised by TSTF-448, Revision 3.

The NRC staff compared the proposed TS changes to the STS and the STS markups and evaluations in TSTF-448. The staff verified that differences from the STS were adequately justified on the basis of plant-specific design or retention of current licensing basis. The NRC staff also reviewed the proposed changes to the TS Bases for consistency with the STS Bases and the plant-specific design and licensing bases, although approval of the Bases is not a condition for accepting the proposed amendment.

#### 3.2 Editorial Changes

The licensee proposed editorial changes to TS 3.7.2, "Control Room Emergency Filtration System," to establish standard terminology, such as "control room envelope (CRE)" in place of "control room," and "radiological, chemical, and smoke hazards (or challenges)" in place of various phrases to describe the hazards that CRE occupants are protected from by the CREFS. These changes improve the usability and quality of the presentation of the TS, have no impact on safety, and therefore, are acceptable.

#### 3.3 TS 3.7.2, Control Room Emergency Filtration System

The licensee proposed to establish new action requirements in TS 3.7.2, "Control Room Emergency Filtration System," for an inoperable CRE boundary. Currently, if one CREFS subsystem is determined to be inoperable, existing Action (a) would apply and require restoring the subsystem to operable status in 7 days. If two subsystems are determined to be inoperable, immediate entry into the shutdown actions of LCO 3.0.3 are required. These existing Actions are more restrictive than would be appropriate in situations for which CRE occupant implementation of compensatory measures or mitigating actions would temporarily afford adequate CRE occupant protection from postulated airborne hazards. To account for such situations, the licensee proposed to revise the action requirements to add a new Action a.2,

“One or more Control Room Emergency Filtration System subsystems inoperable due to inoperable CRE boundary in MODE 1, 2, or 3.” New Action a.2 would allow 90 days to restore the CRE boundary (and consequently, the affected CREFS subsystems) to operable status, provided that mitigating actions are immediately implemented and within 24 hours are verified to ensure, that in the event of a DBA, CRE occupant radiological exposures will not exceed the calculated dose of the licensing basis analyses of DBA consequences, and that CRE occupants are protected from hazardous chemicals and smoke.

The 24-hour Completion Time of new Action a.2 is reasonable based on the low probability of a DBA occurring during this time period, and the use of mitigating actions. The 90-day Completion Time is reasonable based on the determination that the mitigating actions will ensure protection of CRE occupants within analyzed limits while limiting the probability that CRE occupants will have to implement protective measures that may adversely affect their ability to control the reactor and maintain it in a safe shutdown condition in the event of a DBA. The 90-day Completion Time of new Action a.2 is a reasonable time to diagnose, plan and possibly repair, and test most anticipated problems with the CRE boundary. Therefore, proposed Action a.2 is acceptable.

To distinguish new Action a.2 from the existing condition for one CREFS subsystem inoperable, Action a.1 is revised to state, “One Control Room Emergency Filtration System subsystem inoperable for reasons other than Condition a.2.” No new Actions are listed for two CREFS subsystems inoperable, during MODE 1, 2, 3 for reasons other than Condition a.2. As a result, actions for two CREFS subsystems inoperable, during MODE 1, 2, 3 for reasons other than Condition a.2, requires immediate entry into the shutdown actions of LCO 3.0.3.

The licensee also proposed to modify the CREFS LCO by adding a note allowing the CRE boundary to be opened intermittently under administrative controls. As stated in the LCO Bases, this NOTE “only applies to openings in the CRE boundary that can be rapidly restored to the design condition, such as doors, hatches, floor plugs, and access panels. For entry and exit through doors, the administrative control of the opening is performed by the person(s) entering or exiting the area. For other openings, these controls should be proceduralized and consist of stationing a dedicated individual at the opening who is in continuous communication with operators in the CRE. This individual will have a method to rapidly close the opening and to restore the CRE boundary to a condition equivalent to the design condition when a need for CRE isolation is indicated.” The allowance of this note is acceptable because the administrative controls will ensure that the opening will be quickly sealed to maintain the validity of the licensing basis analyses of DBA consequences.

The licensee proposed to add a new condition to Action b.3 of TS 3.7.2 that states, “One or more Control Room Emergency Filtration System subsystems inoperable due to an inoperable CRE boundary during movement of recently irradiated fuel and operations with a potential for draining the vessel.” The specified Required Actions proposed for this condition are the same as for the other existing condition for Action b.2, which states, “With both Control Room Emergency Filtration System subsystems inoperable.” This new Action b.3 is needed because proposed Action a will only apply in Modes 1, 2, and 3. As such, this change will ensure that the Actions table continues to specify a condition for an inoperable CRE boundary during refueling

and operations with a potential for draining the reactor vessel. Therefore, this change is acceptable for reasons cited in acceptance of new proposed Action a.

In the pressurization mode of operation, the CREFS isolates unfiltered ventilation air supply intakes, filters the emergency ventilation air supply to the CRE, and pressurizes the CRE to minimize unfiltered air leakage past the CRE boundary. The licensee proposed to modify the CRE pressurization SR 4.7.2.1.e.3, by removing criteria for a successful test based on maintaining a positive pressure. This current SR requires verifying that each CREFS subsystem, operating in the pressurization mode of operation, can maintain a pressure of 0.125 inches water gauge, relative to the adjacent areas during the pressurization mode of operation at a makeup flow rate of 1000 cubic feet per minute. The modification of this SR is proposed because measurements of unfiltered air leakage into the CRE at numerous reactor facilities demonstrated that a basic assumption of this SR, an essentially leak-tight CRE boundary, was incorrect for most facilities. Hence, meeting this SR by achieving the required CRE pressure is not necessarily a conclusive indication of CRE boundary leak tightness, i.e., CRE boundary operability. Based on the adoption of TSTF-448, Revision 3, the licensee's proposal to modify SR 4.7.2.1.e.3 is acceptable.

The proposed CRE leakage measurement SR states, "Perform required CRE unfiltered air leakage testing in accordance with the Control Room Envelope Habitability Program." The CRE Habitability Program TS, proposed TS 6.16, requires that the program include requirements for determining the unfiltered air leakage past the CRE boundary into the CRE in accordance with the testing methods and at the frequencies specified in Sections C.1 and C.2 of Regulatory Guide 1.197, Revision 0 (Reference 5). This guidance references ASTM E741 (Reference 2) as an acceptable method for ascertaining the unfiltered leakage into the CRE. The licensee has proposed to follow this method. Therefore, the proposed CRE leakage measurement SR is acceptable.

### 3.4 TS 6.16, CRE Habitability Program

The proposed administrative controls program TS is consistent with the model program TS in TSTF-448, Revision 3. In combination with proposed SR 4.7.2.2, this program is intended to ensure the operability of the CRE boundary, which as part of an operable CREFS will ensure that CRE habitability is maintained such that CRE occupants can control the reactor safely under normal conditions and maintain it in a safe condition following a radiological event, hazardous chemical release, or a smoke challenge. The program shall ensure that adequate radiation protection is provided to permit access and occupancy of the CRE under DBA conditions without personnel receiving radiation exposures in excess of 5 rem TEDE for the duration of the accident.

A CRE Habitability Program TS acceptable to the NRC staff requires the program to contain the following elements:

- Definitions of CRE and CRE boundary. This element is intended to ensure that these definitions accurately describe the plant areas that are within the CRE, and also the interfaces that form the CRE boundary, and are consistent with the general definitions

discussed in Section 2.1 of this safety evaluation. Establishing what is meant by the CRE and the CRE boundary will preclude ambiguity in the implementation of the program.

- Configuration control and preventive maintenance of the CRE boundary. This element is intended to ensure the CRE boundary is maintained in its design condition. Guidance for implementing this element is contained in Regulatory Guide 1.196 (Reference 4), which endorsed, with exceptions, NEI 99-03 (Reference 6). Maintaining the CRE boundary in its design condition provides assurance that its leak-tightness will not significantly degrade between CRE leakage determinations.
- Assessment of CRE habitability at the frequencies stated in Sections C.1 and C.2 of Regulatory Guide 1.197, Revision 0 (Reference 5), and measurement of unfiltered air leakage into the CRE in accordance with the testing methods and at the frequencies stated in Sections C.1 and C.2 of Regulatory Guide 1.197. This element is intended to ensure that the plant assesses CRE habitability consistent with Sections C.1 and C.2 of Regulatory Guide 1.197. Assessing CRE habitability at the NRC accepted frequencies provides assurance that significant degradation of the CRE boundary will not go undetected between CRE leakage determinations. Determination of CRE leakage using test methods acceptable to the NRC staff assures that test results are reliable for ascertaining CRE boundary operability. Determination of CRE leakage at the NRC accepted frequencies provides assurance that significant degradation of the CRE boundary will not occur between CRE leakage determinations.
- Measurement of CRE pressure with respect to all areas adjacent to the CRE boundary at designated locations for use in assessing the CRE boundary at a frequency of 36 months on a staggered test basis (with respect to the Control Room Emergency Filtration System subsystems). This element is intended to ensure that CRE differential pressure is regularly measured to identify changes in pressure warranting evaluation of the condition of the CRE boundary. Obtaining and trending pressure data provides additional assurance that significant degradation of the CRE boundary will not go undetected between CRE leakage determinations. It should be noted that the stated HCGS frequency is "36 months on a staggered test basis," while the TSTF frequency is "18 months on a staggered test basis." This variance is due to the difference between the HCGS TS definition of STAGGERED TEST BASIS and the definition used by STS. The HCGS definition is: "A STAGGERED TEST BASIS shall consist of a test schedule for (n) systems, subsystems, trains, or other designated components obtained by dividing the specified test interval into (n) equal subintervals. The testing of one system, subsystem, train, or other designated component at the beginning of each subinterval." The STS definition is: "a STAGGERED TEST BASIS shall consist of the testing of one of the systems, subsystems, channels, or other designated components during the interval specified by the Surveillance Frequency, so that all systems, subsystems, channels, or other designated components are tested during n Surveillance Frequency intervals, where n is the total number of systems, subsystems, channels, or other designated components in the associated function." As a result the periodicity at which the CRE boundary at HCGS is tested is the same as that stated in TSTF-448, Revision 3. As a result this difference in wording the test frequency is acceptable.

- Quantitative limits on unfiltered leakage. This element is intended to establish the CRE leakage limit as the CRE unfiltered infiltration rate assumed in the CRE occupant radiological consequence analyses of design basis accidents. Having an unambiguous criterion for the CRE boundary to be considered operable in order to meet LCO 3.7.2, will ensure that associated action requirements will be consistently applied in the event of CRE degradation resulting in leakage exceeding the limit.

Consistent with TSTF-448, Revision 3, the program states that the provisions of SR 4.0.2 are applicable to the program frequencies for performing the activities required by program paragraph number c, parts (i) and (ii) (assessment of CRE habitability and measurement of CRE leakage), and paragraph number d (measurement of CRE differential pressure). This statement is needed to avoid confusion. SR 4.0.2 is applicable to the surveillance that references the testing in the CRE Habitability Program. However, SR 4.0.2 is not applicable to Administrative Controls unless specifically invoked. Providing this statement in the program eliminates any confusion regarding whether SR 4.0.2 is applicable, and is acceptable.

Consistent with TSTF-448, Revision 3, proposed TS 6.16 states that (1) a CRE Habitability Program shall be established and implemented, (2) the program shall include all of the NRC-staff required elements, as described above, and (3) the provisions of SR 4.0.2 shall apply to program frequencies. Therefore, TS 6.16, which is consistent with the model program TS approved by the NRC staff in TSTF-448, Revision 3, is acceptable.

### 3.5 Implementation of New Surveillance and Assessment Requirements by the Licensee

The licensee has proposed a license condition regarding the initial performance of the new surveillance and assessment requirements. The new license condition adopts the conditions in section 2.3 of the model application published in the *Federal Register* on January 17, 2007 (72 FR 2022). Plant specific changes were made to the proposed license condition. The proposed plant-specific license condition is consistent with the model application, and is acceptable.

## 4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New Jersey State Official was notified of the proposed issuance of the amendment. The State official had no comments.

## 5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes SRs. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (72 FR 31103). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental

impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

## 6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

## 7.0 REFERENCES

1. NRC Generic Letter 2003-01, "Control Room Habitability," dated June 12, 2003, (GL 2003-01).
2. ASTM E 741 - 00, "Standard Test Method for Determining Air Change in a Single Zone by Means of a Tracer Gas Dilution," 2000, (ASTM E741).
3. NRC Regulatory Issue Summary 2005-20: Revision to Guidance Formerly Contained in NRC Generic Letter 91-18, "Information to Licensees Regarding Two NRC Inspection Manual Sections on Resolution of Degraded and Nonconforming Conditions and on Operability," dated September 26, 2005 (RIS 2005-20).
4. Regulatory Guide 1.196, "Control Room Habitability at Light-Water Nuclear Power Reactors," Revision 0, dated May 2003.
5. Regulatory Guide 1.197, "Demonstrating Control Room Envelope Integrity at Nuclear Power Reactors," Revision 0, May 2003.
6. NEI 99-03, "Control Room Habitability Assessment Guidance," Revision 0, dated June 2001.

Principal Contributor: A. Lewin

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