March 5, 2008

Vice President, Operations
Entergy Nuclear Operations
Palisades Nuclear Plant
27780 Blue Star Memorial Highway
Covert, MI 49043-9530

SUBJECT: PALISADES PLANT - ISSUANCE OF AMENDMENT RE: CHANGES TO TECHNICAL SPECIFICATION USE AND APPLICATION, AND ADMINISTRATIVE CONTROLS SECTIONS (TAC NO. MD4971)

Dear Sir or Madam:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 231 to Renewed Facility Operating License No. DPR-20 for Palisades Nuclear Plant. The amendment consists of changes to the Technical Specification (TS) in response to the application dated March 15, 2007 by Nuclear Management Company, LLC (the licensee at the time). Entergy Nuclear Operations, Inc. has since become the licensee, following a license transfer that occurred on April 11, 2007.

The amendment revises TS 1.4, “Frequency,” located in Section 1, “Use and Application,” and revises portions of Section 5.0, Administrative Controls. The amendment incorporates changes in accordance with the TS Task Force (TSTF) Change Travelers TSTF-258, TSTF-273, TSTF-284, and TSTF-485.

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

Sincerely,

Farideh E. Saba, Sr. Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-255

Enclosures:
1. Amendment No. 231 to DPR-20
2. Safety Evaluation

cc w/encls: See next page

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ENTERGY NUCLEAR OPERATIONS, INC.

DOCKET NO. 50-255

PALISADES NUCLEAR PLANT

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 231
License No. DPR-20

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment by Nuclear Management Company, LLC (the licensee at the time) dated March 15, 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. Entergy Nuclear Operations, Inc. has since become the current licensee, following a license transfer that occurred on April 11, 2007;

   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;

   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;

   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 the license amendment and Paragraph 2.C.(2) of Renewed Facility Operating License No. DPR-20 is hereby amended to read as follows:

> The Technical Specifications contained in Appendix A, as revised through Amendment No. 231, and the Environmental Protection Plan contained in Appendix B are hereby incorporated in the license. ENO [Entergy Nuclear Operations, Inc.] shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of the date of issuance and shall be implemented within 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Patrick D. Milano, Acting Chief
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Renewed Facility Operating License
and Technical Specifications

Date of Issuance: March 5, 2008

ATTACHMENT TO LICENSE AMENDMENT NO. 231

RENEWED FACILITY OPERATING LICENSE NO. DPR-20

DOCKET NO. 50-255

Replace the following page of the Renewed Facility Operating License No. DPR-20 with the attached revised page. The changed area is identified by a marginal line.

REMOVE	INSERT
Page 3	Page 3

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	INSERT
1.4-1	1.4-1
1.4-2	1.4-2
1.4-3	1.4-3
1.4-4	1.4-4
-------	1.4-5, 1.4-6, 1.4-7, and 1.4-8
5.0-2	5.0-2
5.0-4	5.0-4
5.0-20	5.0-20
5.0-21	5.0-21
5.0-23	5.0-23

(1) Pursuant to Section 104b of the Act, as amended, and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," (a) ENP to possess and use, and (b) ENO to possess, use and operate, the facility as a utilization facility at the designated location in Van Buren County, Michigan, in accordance with the procedures and limitation set forth in this license;

(2) ENO, pursuant to the Act and 10 CFR Parts 40 and 70, to receive, possess, and use source and special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Updated Final Safety Analysis Report, as supplemented and amended;

(3) ENO, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use byproduct, source, and special nuclear material as sealed sources for reactor startup, reactor instrumentation, radiation monitoring equipment calibration, and fission detectors in amounts as required;

(4) ENO, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use in amounts as required any byproduct, source, or special nuclear material for sample analysis or instrument calibration, or associated with radioactive apparatus or components; and

(5) ENO, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operations of the facility.

C. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations in 10 CFR Chapter I and is subject to all applicable provisions of the Act; to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) ENO is authorized to operate the facility at steady-state reactor core power levels not in excess of 2565.4 Megawatts thermal (100 percent rated power) in accordance with the conditions specified herein.

(2) The Technical Specifications contained in Appendix A, as revised through Amendment No. 231 , and the Environmental Protection Plan contained in Appendix B are hereby incorporated in the license. ENO shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) ENO shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report for the facility and as approved in the SERs dated 09/01/78, 03/19/80, 02/10/81, 05/26/83, 07/12/85, 01/29/86, 12/03/87, and 05/19/89 and subject to the following provisions:

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 231 TO FACILITY OPERATING LICENSE NO. DPR-20

ENTERGY NUCLEAR OPERATIONS, INC.

PALISADES NUCLEAR PLANT

DOCKET NO. 50-255

1.0 INTRODUCTION

By application dated March 15, 2007 (Agencywide Documents Access and Management System Accession No. ML070740653), Nuclear Management Company, LLC, (the licensee at the time) requested changes to the technical specifications (TSs) for the Palisades Nuclear Plant. Entergy Nuclear Operations, Inc. (ENO, the licensee) has since become the current licensee, following a license transfer that occurred on April 11, 2007. The staff's no significant hazards consideration determination was published in the *Federal Register* on June 19, 2007, (72 FR 33782).

The proposed amendment would revise TS 1.4, “Frequency,” located in Section 1, “Use and Application,” and revise portions of Section 5.0, Administrative Controls.

Specifically, the licensee proposes to revise TS as follows:

- Modify TS 1.4, “Frequency,” by adding text and examples consistent with Technical Specification Task Force (TSTF) Standard Technical Specification Change TSTF-284, revision 3, “Add ‘Met vs. Perform’ to Specification 1.4, Frequency,” to facilitate the use and application of Surveillance Requirement (SR) notes that use the terms “met” and “perform.”

- Modify TS 1.4, “Frequency,” by revising example 1.4-1 to be consistent with the requirements of SR 3.0.4. The proposed changes are consistent with TSTF-485-A, revision 0, “Correct Example 1.4-1.”

- Modify TS Section 5.0, Administrative Controls, to incorporate changes in TSTF-258, revision 4, “Changes to Section 5.0, Administrative Controls,” related to control room staffing and qualifications. Specifically, the licensee proposes the following:

    1. Delete part 5.2.2.b which requires that at least one licensed reactor operator (RO) shall be present in the control room when fuel is in the reactor. Deletion of part 5.2.2.b also removes requirements for when the plant is in MODES 1, 2, 3, or 4, that at least one licensed senior reactor operator (SRO) shall be present in the control room.

2. Add 5.3.5 which states that, for the purpose of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 55 Section 55.4, a licensed SRO and a licensed RO are those individuals who, in addition to meeting the requirements of TS 5.3.1, perform the functions described in 10 CFR 50.54(m).

- Modify TS Section 5.0, Administrative Controls, by revising TS 5.5.13, "Safety Functions Determination Program (SFDP)," to add text consistent with TSTF-273, revision 2, "SFDP Clarifications," to clarify the intent of limiting condition for operation (LCO) 3.0.6 if a single inoperable TS support system makes both redundant subsystems of a supported system inoperable (a loss of safety function condition). The revision also adds clarification for determining when a loss of safety function condition exists and what LCO Actions are required to be taken when a safety function is lost.

- Modify TS Section 5.0, Administrative Controls, by deleting 5.3.4 which requires that plant staff who perform reviews which ensure compliance with 10 CFR 50.59 shall meet or exceed the minimum qualifications of American Nuclear Society (ANS) 3.1 1987, Section 4.7.1 and 4.7.2.

- Modify TS Section 5.0, Administrative Controls, by revising TS 5.5.15.b.1 to use a generic title for the quality assurance program (QAP) by replacing the reference to "CPC-2A" with a reference to the "Quality Assurance Program."

2.0 REGULATORY EVALUATION

As required by 10 CFR 50.36(d)(5) TS must contain administrative controls relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner. The proposed changes continue to meet these objectives and are consistent with NUREG-1432 and approved TSTFs.

3.0 TECHNICAL EVALUATION

3.1 TS 1.4 - "Frequency"

The proposed changes to TS 1.4 revise the use and application of frequency requirements in surveillance requirements (SRs) as necessary to appropriately use "met" and "perform" exceptions. The proposed changes insert a discussion and new examples to facilitate the use and application of SR Notes that use the terms "met" and "perform". The use of "met" or "performed" in these instances conveys specific meanings. A surveillance is "met" only when the acceptance criteria are satisfied. Known failure of the requirements of a surveillance, even without a surveillance specifically being "performed," constitutes a Surveillance not "met." "Performance" refers only to the requirement to specifically determine the ability to meet the acceptance criteria. These changes are considered clarifications that provide explicit direction and alleviate misunderstanding. They do not change requirements or affect operation of the plant. The changes are consistent with TSTF-284, revision 3, "Add 'Met vs. Perform' to Specification 1.4, Frequency."

The proposed change to modify the discussion of TS 1.4, SR Example 1.4-1 provides clarification to the discussion on surveillances that exceed the interval without being performed while in the applicability. The proposed change is considered administrative in that it modifies the example to demonstrate the proper application of SR 3.0.4 and LCO 3.0.4. The proposed change to modify the discussion of TS 1.4 SR Example 1.4-1 is consistent with TSTF-485-A, revision 0, "Correct Example 1.4-1."

3.2 TS Section 5.0 Administrative Controls

The proposed deletion of TS 5.2.2.b removes specific shift staffing requirements from TS. The requirements of 10 CFR 50.54(m)(2)(iii) and 50.54(k) adequately provide for shift manning. According to 10 CFR 50.54(m)(2)(iii), "when a nuclear power unit is in an operational mode other than cold shutdown or refueling, as defined by the unit's technical specifications, each licensee shall have a person holding a senior operator license for the nuclear power unit in the control room at all times. In addition to this senior operator, for each fueled nuclear power unit, a licensed operator or senior operator shall be present at the controls at all times." Further, 10 CFR 50.54(k) requires, "An operator or senior operator licensed pursuant to part 55 of this chapter shall be present at the controls at all times during the operation of the facility." Current TS 5.2.2.b requirements are already met through compliance with these regulations and are not required to be duplicated in TS. The proposed deletion of TS 5.2.2.b is consistent with TSTF-258, revision 4, "Changes to Section 5.0, Administrative Controls."

The proposed addition of TS 5.3.5 provides clarification to specific staffing requirements. Definitions in 10 CFR 55.4 state, "Actively performing the functions of an operator or senior operator means that an individual has a position on the shift crew that requires the individual to be licensed as defined in the facility's technical specifications, and that the individual carries out and is responsible for the duties covered by that position." The proposed addition of TS 5.3.5 clarifies that for the purposes of 10 CFR 55.4, a licensed SRO and licensed RO are those individuals who, in addition to meeting the requirements of TS 5.3.1, perform the functions described in 10 CFR 50.54(m). The proposed addition of TS 5.3.5 is consistent with TSTF-258, revision 4, "Changes to Section 5.0, Administrative Controls."

The proposed changes to TS 5.5.13 clarify the requirements for the SFDP. The proposed changes clarify that the Actions for a single support system inoperability are addressed by that support system's Actions, without cascading to the supported system. The proposed changes clarify the SFDP to be consistent with LCO 3.0.6. By clarifying the intent of the existing requirements of the SFDP, these changes remove an ambiguity that could lead to a misinterpretation of those requirements. The proposed changes to TS 5.5.13 are consistent with TSTF-273, revision 2, "SFDP Clarifications," as amended by Westinghouse Operating Group (WOG) editorial change WOG-ED-23.

The proposed deletion of TS 5.3.4 removes 10 CFR 50.59 reviewer qualifications from TS. There are no requirements to list 10 CFR 50.59 reviewer qualifications in TS and the Combustion Engineering Plants Standard Technical Specifications (NUREG-1432), Vol. 1, Rev. 3.0 does not list 10 CFR 50.59 reviewer qualifications. As a result, the NRC staff finds the deletion of TS 5.3.4 to be acceptable.

The proposed change to TS 5.5.15.b.1 removes the title of the former quality assurance program. The proposed change to add a generic title facilitates future quality assurance program name changes by eliminating the need to process a license amendment application. Changes to the QAP are processed per 10 CFR 50.54(a).

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to administrative procedures or requirements. The Nuclear Regulatory Commission (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 amendments involve no significant hazards consideration and there has been no public comment on such finding 72 FR 33782. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). 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. TSTF-258, “Changes to Section 5.0, Administrative Controls,” Revision 4.

2. TSTF-273, “SFDP Clarifications,” Revision 2 as amended by editorial change WOG-ED-23.

3. TSTF-284, “Add ‘Met vs. Perform’ to Specification 1.4, Frequency,” Revision 3.

4. TSTF-485, “Correct Example 1.4-1,” Revision 0.

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Date: March 5, 2008

Palisades Plant

cc:

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