

June 2, 2008

Vice President, Operations
Entergy Operations, Inc.
River Bend Station
5485 US Highway 61N
St. Francisville, LA 70775

SUBJECT: RIVER BEND STATION, UNIT 1 - ISSUANCE OF AMENDMENT RE:
ADOPTION OF TECHNICAL SPECIFICATION TASK FORCE (TSTF)-2,
RELOCATE THE 10-YEAR SEDIMENT CLEANING OF THE FUEL OIL
STORAGE TANK TO LICENSEE CONTROL (TAC NO. MD7380)

Dear Sir or Madam:

The Commission has issued the enclosed Amendment No. 160 to Facility Operating License No. NPF-47 for the River Bend Station, Unit 1. The amendment consists of changes to the Technical Specifications (TSs) in response to your application dated November 15, 2007.

The amendment removes Surveillance Requirement (SR) 3.8.3.6 from the TS and relocates the requirement to a licensee-controlled document. SR 3.8.3.6 requires the Emergency Diesel Generator Fuel Oil Storage Tank to be drained, sediment removed, and cleaned on a 10-year interval.

The Notice of Issuance will be included in the Commission's next biweekly *Federal Register* notice.

Sincerely,

/RA/

Jack N. Donohew, Senior Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-458

Enclosures: 1. Amendment No. 160 to NPF-47
2. Safety Evaluation

cc w/encls: See next page

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ADAMS Accession Nos.: PKG ML081230396, Amendment ML081230493, License/TS ML081230525

OFFICE	NRR/LPL4/PE	NRR/LPL4/PM	NRR/LPL4/LA	DIRS/ITSB/BC	OGC – NLO	NRR/LPL4/BC
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DATE	05/06/08	5/7/08	5/6/08	5/14/08	5/19/08	6/2/08

OFFICIAL AGENCY RECORD

River Bend Station

(2/25/2008)

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ENERGY GULF STATES LOUISIANA, LLC

AND

ENERGY OPERATIONS, INC.

DOCKET NO. 50-458

RIVER BEND STATION, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 160
License No. NPF-47

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Entergy Operations, Inc. (the licensee), dated November 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;
 - B. The facility will operate in conformity with the application, as amended, 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 license 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-47 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. 160 and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. EOI 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 60 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Thomas G. Hiltz, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Facility
Operating License No. NPF-47
and Technical Specifications

Date of Issuance: June 2, 2008

ATTACHMENT TO LICENSE AMENDMENT NO. 160

FACILITY OPERATING LICENSE NO. NPF-47

DOCKET NO. 50-458

Replace the following pages of the Facility Operating License No. NPF-47 and Appendix A Technical Specifications with associated bases with the attached revised pages. The revised pages are identified by Amendment number and contain marginal lines indicating the areas of change.

Facility Operating License

Remove

Insert

-3-

-3-

Technical Specifications

Remove

Insert

3.8-23

3.8-23

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 160 TO

FACILITY OPERATING LICENSE NO. NPF-47

ENERGY OPERATIONS, INC.

RIVER BEND STATION, UNIT 1

DOCKET NO. 50-458

1.0 INTRODUCTION

By application dated November 15, 2007 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML073250377), Entergy Operations, Inc. (the licensee), requested changes to the Technical Specifications (TSs) for the River Bend Station, Unit 1 (RBS).

The proposed change to TS 3.8, "Electrical Power System," would remove Surveillance Requirement (SR) 3.8.3.6 from the TSs and relocate the requirement to a licensee-controlled document. SR 3.8.3.6 requires the Emergency Diesel Generator (EDG) Fuel Oil Storage Tank (FOST) to be drained, sediment removed, and cleaned on a 10-year interval.

2.0 REGULATORY EVALUATION

In Section 50.36 of Title 10 of the *Code of Federal Regulations* (10 CFR 50.36), the Commission established its regulatory requirements related to the content of the TSs. Pursuant to 10 CFR 50.36, TSs are required to include items in the following five specific categories related to station operation: (1) safety limits, limiting safety system settings, and limiting control settings; (2) limiting conditions for operation (LCOs); (3) SRs; (4) design features; and (5) administrative controls. The rule does not specify the particular requirements to be included in a plant's TSs.

As stated in 10 CFR 50.36(d)(2)(i), LCOs are "the lowest functional capability or performance levels of equipment required for safe operation of the facility. When a limiting condition for operation of a nuclear reactor is not met, the licensee shall shut down the reactor or follow any remedial action permitted by the technical specifications ..." The remedial actions in the TSs are specified in terms of LCO conditions, required actions, and completion times (CTs), or allowed outage times, to complete the required actions. The conditions and required actions specified in the TSs must be acceptable remedial actions for the LCO not being met, and the CTs must be a reasonable time for completing the required actions while maintaining the safe operation of the plant.

As required by 10 CFR 50.36(d)(3), SRs are the requirements related 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 the LCOs will be met.

3.0 TECHNICAL EVALUATION

In its application, the licensee proposed to delete SR 3.8.3.6 from TS 3.8.3, "Diesel Fuel Oil, Lube Oil, and Starting Air." SR 3.8.3.6 requires every 10 years that each diesel generator FOST is drained of fuel, the accumulated sediment is removed from each tank, and each tank is cleaned. The licensee has proposed to relocate the requirements in SR 3.8.3.6 to a licensee-controlled document. No other SRs in TS 3.8.3 are being changed by this proposed amendment and there is no change to the frequency of any SRs in TS 3.8.3.

The licensee explained that each onsite EDG has an underground fuel storage tank having a fuel oil capacity sufficient to operate that EDG for 7 days while the EDG is supplying the maximum load demand during the design basis loss-of-coolant accident.

As stated in 10 CFR 50.36(d)(3), the SRs in a technical specification are to demonstrate that the LCO in that specification is being met. For TS 3.8.3, SR 3.8.3.6 on the FOST is to demonstrate that LCO 3.8.3 is being met. Since LCO 3.8.3 requires that the "stored fuel oil, lube oil, and starting air subsystem shall be within limits for each required diesel generator (DG)," the question is whether SR 3.8.3.6 is needed to demonstrate LCO 3.8.3 is being met and, if not, will the remaining SRs in TS 3.8.3 demonstrate that LCO 3.8.3 is being met.

The licensee stated that SR 3.8.3.6 is a preventive maintenance activity and is not needed to demonstrate the operability of the EDGs. In other words, the licensee has stated that SR 3.8.3.6 is not needed to demonstrate that LCO 3.8.3 is being met since this LCO must be met for the EDGs to be considered operable. The U.S. Nuclear Regulatory Commission (NRC) staff agrees with the licensee and has not included SR 3.8.3.6 in its current revisions of the improved Standard Technical Specifications for boiling water reactors (BWRs), like the RBS, in NUREG-1433 (BWR/4) and NUREG-1434 (BWR/6).

Since SR 3.8.3.6 applies to the FOST, the question is whether the remaining SRs on the FOST are sufficient to demonstrate that the LCO 3.8.3 requirement, that the stored fuel oil is within limits, is being met. The three other SRs in TS 3.8.3 on the stored fuel oil are the following:

1. SR 3.8.3.1 to verify that each fuel oil storage tank contains > 45,495 gallons.
2. SR 3.8.3.3 to verify that the fuel oil properties of the new and stored fuel oil are tested in accordance with, and maintained in accordance with the limits of the Diesel Fuel Oil Testing Program, which is TS 5.5.9 of the plant TSs.
3. SR 3.8.3.5 to check for and remove accumulated water from each fuel oil storage tank.

The licensee stated that the operability of the EDG and its associated fuel oil system are ensured by the other SRs on the fuel oil that are not being changed in the proposed

amendment. These other fuel oil SRs are the above three SRs. Based on its review, the NRC staff concludes that these SRs on the FOST are sufficient to demonstrate per LCO 3.8.3 that the stored diesel generator fuel oil is within the limits as to the needed quantity and quality of fuel. SRs 3.8.3.1 and 3.8.3.5 ensure that the required volume of fuel is present in the tank. SR 3.8.3.3 ensures that the fuel oil is of the necessary quality in accordance with the needed fuel oil properties defined in the Diesel Fuel Oil Testing Program of TS 5.5.9. This program limits the water and sediment content of the fuel oil.

Based on the above evaluation, the NRC staff concludes that SR 3.8.3.6 is not needed to demonstrate that LCO 3.8.3 is being met and, therefore, does not meet 10 CFR 50.36 for inclusion in the plant's TSs. Based on this, the NRC staff further concludes that the proposed amendment to remove SR 3.8.3.6 from the TSs is acceptable. In removing SR 3.8.3.6 from the TSs, the licensee is replacing the surveillances in SR 3.8.3.6 by the word "Deleted" so that the requirements in SR 3.8.3.6 will no longer be in the TSs. Since this is equivalent to removing SR 3.8.3.6 from the TSs, it is acceptable to the NRC staff.

The licensee stated that in removing SR 3.8.3.6 from the TSs, the requirement to perform the actions in the SR will reside in the RBS Updated Safety Analysis Report (USAR). This is because SR 3.8.3.6 is based on Section C.2.f of Regulatory Guide (RG) 1.137, "Fuel-Oil Systems for Standby Diesel Generators," Revision 1, dated October 1979 (ADAMS Accession No. ML003740180), while compliance with RG 1.137 is addressed in Table 1.8-1 of the USAR. By this table, the licensee has stated that it will comply with the requirements of RG 1.137, with the exclusion of three exceptions, where Section C.2.f is not one of them. The mechanism to change this document is 10 CFR 50.59 for changes to the facility as described in the facility Final Safety Analysis Report (FSAR), which for the RBS is the USAR. The NRC staff finds this change mechanism is acceptable and, therefore, the relocation of the requirements in SR 3.8.3.6 to the USAR is acceptable.

In Attachment 3 to its application, the licensee identified that it would change the TS 3.8.3 Bases by deleting the reference to SR 3.8.3.6 and the paragraph explaining the bases for the SR. Given that the amendment is to remove SR 3.8.3.6 from TS 3.8.3, the NRC staff is in agreement with the licensee that the bases for SR 3.8.3.6 should also be removed from the TS 3.8.3 Bases. Changes to the TS Bases are controlled by TS 5.5.11, "Technical Specification (TS) Bases Control Program," and are not part of this amendment.

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

The NRC staff has determined that 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, or which changes an inspection or a surveillance requirement. The NRC staff has determined that the amendments involve 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 published in the *Federal Register* on December 31, 2007 (72 FR 74357). Accordingly, the amendments meet 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 amendments.

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 amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Isaac Anchondo

Date: June 2, 2008