

September 8, 2008

Mr. J. R. Morris
Site Vice President
Catawba Nuclear Station
Duke Energy Carolinas, LLC
4800 Concord Road
York, SC 29745

SUBJECT: CATAWBA NUCLEAR STATION, UNITS 1 AND 2 - ISSUANCE OF
AMENDMENTS REGARDING SPECIFIC ISOLATION TIME FOR ISOLATION
VALVES (TAC NOS. MD6961 AND MD6962)

Dear Mr. Morris:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 244 to Renewed Facility Operating License NPF-35 and Amendment No. 238 to Renewed Facility Operating License NPF-52 for the Catawba Nuclear Station, Units 1 and 2, respectively. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated September 27, 2007.

The amendments revise TS 3.7.2, "Main Steam Isolation Valves," and TS 3.7.3, "Main Feedwater Isolation Valves, Main Feedwater Control Valves, Associated Bypass Valves and Tempering Valves," by removing the specific isolation time for the isolation valves from the associated surveillance requirements.

A copy of the related Safety Evaluation is also enclosed. A Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

/RA by LOlshan for/

John Stang, Senior Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-413 and 50-414

Enclosures:

1. Amendment No. 244 to NPF-35
2. Amendment No. 238 to NPF-52
3. Safety Evaluation

cc w/encls: See next page

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Vice President
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NAME	JStang	MOBrien	EWilliamson	RElliott	MCWong
DATE	08/20/08	08/29/08	08/27/08	09/02/08	09/03/08

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DUKE ENERGY CAROLINAS, LLC
NORTH CAROLINA ELECTRIC MEMBERSHIP CORPORATION
SALUDA RIVER ELECTRIC COOPERATIVE, INC.
DOCKET NO. 50-413
CATAWBA NUCLEAR STATION, UNIT 1
AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 244
Renewed License No. NPF-35

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment to the Catawba Nuclear Station, Unit 1 (the facility) Renewed Facility Operating License No. NPF-35 filed by the Duke Energy Carolinas, LLC, acting for itself, North Carolina Electric Membership Corporation and Saluda River Electric Cooperative, Inc. (licensees), dated September 27, 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 as 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 hereby amended by page changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Renewed Facility Operating License No. NPF-35 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 244 , which are attached hereto, are hereby incorporated into this license. Duke Energy Carolinas, LLC shall operate the facility in accordance with the Technical Specifications.

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

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Melanie C. Wong, Chief
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to License No. NPF-35
and the Technical Specifications

Date of Issuance: September 8, 2008

DUKE ENERGY CAROLINAS, LLC
NORTH CAROLINA MUNICIPAL POWER AGENCY NO. 1
PIEDMONT MUNICIPAL POWER AGENCY
DOCKET NO. 50-414
CATAWBA NUCLEAR STATION, UNIT 2
AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 238
Renewed License No. NPF-52

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment to the Catawba Nuclear Station, Unit 2 (the facility) Renewed Facility Operating License No. NPF-52 filed by the Duke Energy Carolinas, LLC, acting for itself, North Carolina Municipal Power Agency No. 1 and Piedmont Municipal Power Agency (licensees), dated September 27, 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 as 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 hereby amended by page changes to the Technical Specifications as indicated in the attachment to this license amendment, and Paragraph 2.C.(2) of Renewed Facility Operating License No. NPF-52 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 238 , which are attached hereto, are hereby incorporated into this license. Duke Energy Carolinas, LLC shall operate the facility in accordance with the Technical Specifications.

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

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Melanie C. Wong, Chief
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to License No. NPF-52
and the Technical Specifications

Date of Issuance: September 8, 2008

ATTACHMENT TO LICENSE AMENDMENT NO. 244
RENEWED FACILITY OPERATING LICENSE NO. NPF-35
DOCKET NO. 50-413
AND LICENSE AMENDMENT NO. 238
RENEWED FACILITY OPERATING LICENSE NO. NPF-52
DOCKET NO. 50-414

Replace the following pages of the Renewed Facility Operating Licenses and the Appendix A Technical Specifications (TSs) with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove

License Pages
NPF-35 page 4
NPF-52 page 4

TSs

3.7.2-2
3.7.3-2

Insert

License Pages
NPF-35 page 4
NPF-52 page 4

TSs

3.7.2-2
3.7.3-2

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO
AMENDMENT NO. 244 TO RENEWED FACILITY OPERATING LICENSE NPF-35
AND
AMENDMENT NO. 238 TO RENEWED FACILITY OPERATING LICENSE NPF-52
DUKE ENERGY CAROLINAS, LLC
CATAWBA NUCLEAR STATION, UNITS 1 AND 2
DOCKET NOS. 50-413 AND 50-414

1.0 INTRODUCTION

By application dated September 27, 2007 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML072760125), Duke Energy Carolinas, LLC (Duke, the licensee), requested changes to the Technical Specifications (TSs) for the Catawba Nuclear Station, Units 1 and 2 (Catawba 1 and 2).

The proposed amendments would revise TS 3.7.2, "Main Steam Isolation Valves," and TS 3.7.3, "Main Feedwater Isolation Valves, Main Feedwater Control Valves, Associated Bypass Valves and Tempering Valves," by removing the specific isolation time for the isolation valves from the associated Surveillance Requirements. The changes to TSs are consistent with U.S. Nuclear Regulatory Commission (NRC)-approved Industry/Technical Specification Task Force (TSTF) Traveler TSTF-491, Revision 2, "Removal of Main Steam and Feedwater Valve Isolation Times from Technical Specifications."

2.0 REGULATORY EVALUATION

Section 182a of the Atomic Energy Act (the "Act") requires applicants for nuclear power plant operating licenses to include TSs as part of the license. The TSs ensure the operational capability of structures, systems and components that are required to protect the health and safety of the public. The Commission's regulatory requirements related to the content of the TSs are contained in Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Section 50.36. That regulation requires that the TSs include items in the following specific categories: (1) safety limits, limiting safety systems' settings, and limiting control settings (50.36(c)(1)); (2) Limiting Conditions for Operation (50.36(c)(2)); (3) Surveillance Requirements (50.36(c)(3)); (4) design features (50.34(c)(4)); and (5) administrative controls (50.36(c)(5)).

In general, there are two classes of changes to TSs: (1) changes needed to reflect modifications to the design basis (TSs are derived from the design basis), and (2) voluntary changes to take advantage of the evolution in policy and guidance as to the required content

and preferred format of TSs over time. This amendment deals with the second class of changes.

In determining the acceptability of revising the Standard Technical Specifications (STS) 3.7.2 and 3.7.3, the NRC staff used the accumulation of generically approved guidance in NUREG-1430, "Standard Technical Specifications, Revision 3 Babcock and Wilcox Plants," dated June 2004; NUREG-1431, Revision 3, "Standard Technical Specifications, Westinghouse Plants," dated June 2004; and NUREG-1432, "Standard Technical Specifications, Revision 3 Combustion Engineering Plants," dated June 2004.

Licensees may revise the TSs to adopt current improved STS format and content provided that plant-specific review supports a finding of continued adequate safety because: (1) the change is editorial, administrative or provides clarification (i.e., no requirements are materially altered), (2) the change is more restrictive than the licensee's current requirement, or (3) the change is less restrictive than the licensee's current requirement, but nonetheless still affords adequate assurance of safety when judged against current regulatory standards. The detailed application of this general framework, and additional specialized guidance, are discussed in Section 3.0 in the context of specific proposed changes.

3.0 TECHNICAL EVALUATION

The NRC staff has reviewed the justification for the proposed TSTF as described in the licensee's September 27, 2007, submittal for Catawba 1 and 2. The detailed evaluation below supports the conclusion for Catawba 1 and 2 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.

3.1 Main Steam Isolation Valves (MSIVs)

One MSIV is located in each main steam line outside of the containment. Closing the MSIVs isolates each steam generator from the others and isolates the turbine, steam bypass system and other auxiliary steam supplies from the steam generator.

By isolating the steam flow from the secondary side of the steam generator the MSIVs prevent over cooling the reactor core following a high energy line break (HELB). By preventing core overcooling, the MSIVs protect the reactor core from being damaged.

The licensee is proposing to relocate the required closure times for the MSIVs to the TSs Bases. The licensee has a TSs Bases Program as required by Section 5.5.14 of the TSs. Changes to the Bases are subject to the 10 CFR 50.59 process. The 10 CFR 50.59 criteria provide adequate assurance that prior NRC staff review and approval will be requested by the licensee for changes to the TSs Bases requirements with the potential to affect the safe operation of the plant. Furthermore, the MSIVs are subject to periodic testing and acceptance criteria in accordance with the Inservice Testing (IST) Program. Compliance with the IST Program is required by Section 5.5.8 of the Catawba 1 and 2 TSs and 10 CFR 50.55a. The IST Program includes specific reference value baseline operating times for valves that are not subject to arbitrary changes.

Section 50.36 requires the inclusion of the periodic testing of the MSIVs in the surveillance requirements not the actual closure time of the valves. The TSs will still maintain the periodic testing requirements for MSIVs in accordance with 10 CFR 50.36.

Based on the requirements of 10 CFR 50.36, 10 CFR 50.59 and the IST Program, the NRC staff concludes that relocating the MSIV closure time to the TSs Bases is acceptable.

3.2 Main Feedwater Isolation Valves (MFIVs), Main Feedwater Regulation/Control Valves (MFRVs) and Associated Bypass Valves (BVs)

The MFIVs and BVs or the MFRVs and BVs isolate the nonsafety-related portions from the safety-related portions of the system. In the event of a secondary side pipe rupture inside containment, these valves limit the quantity of high energy fluid that enters the containment through the break and provide a pressure boundary for the controlled addition of auxiliary feedwater to the intact loops.

By isolating the feedwater flow from the affected steam generator, the MFIVs, MFRVs and BVs prevent over cooling the reactor core and over pressurizing the containment from feedwater pump runoff.

As with the MSIVs, the licensee is also proposing to relocate the required closure times for the MFIVs, MFRVs and BVS to the TSs Bases. The licensee has a TSs Bases Program as required by Section 5.5.14 of the TSs. The 10 CFR 50.59 criteria provide adequate assurance that prior NRC staff review and approval will be requested by the licensee for changes to the TSs Bases requirements with the potential to affect the safe operation of the plant. Furthermore, the MFIVs, MFRVs and BVs are subject to periodic testing and acceptance criteria in accordance with the IST Program. Compliance with the IST Program is required by Section 5.5.8 of the Catawba 1 and 2 TSs and 10 CFR 50.55. The IST Program includes specific reference value baseline operating times for valves that are not subject to arbitrary changes.

Section 50.36 requires the periodic testing of the MFIVs, MFRVs and BVs in the surveillance requirements not the actual closure time of the valves. The TSs will still maintain the periodic testing requirements for the MFIVs, MFRVs and BVs in accordance with 10 CFR 50.36.

Based on the requirements of 10 CFR 50.36, 10 CFR 50.59 and the IST Program, the NRC staff concludes that relocating the MFIVs, MFRVs and BVs closure times to the TSs bases is acceptable.

4.0 CONCLUSION

The changes proposed by the licensee in the September 27, 2007, application would make the affected surveillances more consistent with the Engineered Safety Feature Actuation System (ESFAS) response time requirement in SR 3.3.2.10 which states "Verify ESFAS RESPONSE TIMES are within limits". The NRC staff concludes that the proposed changes are consistent with the requirements as contained in 10 CFR 50.36. On this basis, the NRC staff concludes that the changes proposed to the TSs are acceptable.

5.0 STATE CONSULTATION

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

6.0 ENVIRONMENTAL CONSIDERATION

The amendments change a requirement with respect to the installation or use of facility components located within the restricted area as defined in 10 CFR Part 20 and change surveillance requirements. 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 (73 FR 10297). 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.

7.0 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: J. Stang

Date: September 8, 2008