UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 30, 2009

Mr. Edward D. Halpin
Chief Nuclear Officer
STP Nuclear Operating Company
South Texas Project
P.O. Box 289
Wadsworth, TX 77483

SUBJECT: SOUTH TEXAS PROJECT, UNITS 1 AND 2 - ISSUANCE OF AMENDMENTS RE: REVISION TO TECHNICAL SPECIFICATION 3.6.1.3, "CONTAINMENT AIR LOCKS" (TAC NOS. MD8156 AND MD8157)

Dear Mr. Halpin:

The Commission has issued the enclosed Amendment No. 190 to Facility Operating License No. NPF-76 and Amendment No. 178 to Facility Operating License No. NPF-80 for the South Texas Project, Units 1 and 2, respectively. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated January 23, 2008.

The amendments revise the actions specified in TS 3.6.1.3, "Containment Air Locks," for when limiting condition for operation (LCO) 3.6.1.3 is not met. The amendments allow plant personnel to repair containment air lock components while the plant remains at power and ensure that the containment air locks will continue to meet the requirements of the design basis.

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

Sincerely,

Mohan C. Thadani, Senior Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-498 and 50-499

Enclosures:
1. Amendment No. 190 to NPF-76
2. Amendment No. 178 to NPF-80
3. Safety Evaluation

cc w/encls: Distribution via Listserv

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

STP NUCLEAR OPERATING COMPANY

DOCKET NO. 50-498

SOUTH TEXAS PROJECT, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 190
License No. NPF-76

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

   A. The application for amendment by STP Nuclear Operating Company (STPNOC)* acting on behalf of itself and for NRG South Texas LP, the City Public Service Board of San Antonio (CPS), and the City of Austin, Texas (COA) (the licensees), dated January 23, 2008, 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.

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*STPNOC is authorized to act for NRG South Texas LP, the City Public Service Board of San Antonio, and the City of Austin, Texas, and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

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-76 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 190, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. STPNOC 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 90 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Michael T. Markley, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Facility Operating License No. NPF-76 and the Technical Specifications

Date of Issuance: January 30, 2009

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

STP NUCLEAR OPERATING COMPANY

DOCKET NO. 50-499

SOUTH TEXAS PROJECT, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 178
License No. NPF-80

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

   A. The application for amendment by STP Nuclear Operating Company (STPNOC)* acting on behalf of itself and for NRG South Texas LP, the City Public Service Board of San Antonio (CPS), and the City of Austin, Texas (COA) (the licensees), dated January 23, 2008, 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.

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*STPNOC is authorized to act for NRG South Texas LP, the City Public Service Board of San Antonio, and the City of Austin, Texas, and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

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-80 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 178, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. STPNOC 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 90 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Michael T. Markley, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Facility Operating
License No. NPF-80 and the
Technical Specifications

Date of Issuance: January 30, 2009

ATTACHMENT TO LICENSE AMENDMENT NOS. 190 AND 178

FACILITY OPERATING LICENSE NOS. NPF-76 AND NPF-80

DOCKET NOS. 50-498 AND 50-499

Replace the following pages of the Facility Operating Licenses, Nos. NPF-76 and NPF-80, and 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.

Facility Operating License No. NPF-76

REMOVE	INSERT
-4-	-4-

Facility Operating License No. NPF-80

REMOVE	INSERT
-4-	-4-

Technical Specifications

REMOVE	INSERT
3/4 6-5	3/4 6-5

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 190, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. STPNOC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) Not Used

(4) Initial Startup Test Program (Section 14, SER)*

Any changes to the Initial Test Program described in Section 14 of the Final Safety Analysis Report made in accordance with the provisions of 10 CFR 50.59 shall be reported in accordance with 50.59(b) within one month of such change.

(5) Safety Parameter Display System (Section 18, SSER No. 4)*

Before startup after the first refueling outage, HL&P[**] shall perform the necessary activities, provide acceptable responses, and implement all proposed corrective actions related to issues as described in Section 18.2 of SER Supplement 4.

(6) Supplementary Containment Purge Isolation (Section 11.5, SSER No. 4)

HL&P shall provide, prior to startup from the first refueling outage, control room indication of the normal and supplemental containment purge sample line isolation valve position.

* The parenthetical notation following the title of many license conditions denotes the section of the Safety Evaluation Report and/or its supplements wherein the license condition is discussed.

** The original licensee authorized to possess, use and operate the facility was HL&P. Consequently, historical references to certain obligations of HL&P remain in the license conditions.

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 178 and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. STPNOC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) Not Used

(4) Initial Startup Test Program (Section 14, SR)*

Any changes to the Initial Test Program described in Section 14 of the Final Safety Analysis Report made in accordance with the provisions of 10 CFR 50.59 shall be reported in accordance with 50.59(b) within one month of such change.

(5) License Transfer

Texas Genco, LP shall provide decommissioning funding assurance, to be held in decommissioning trusts for South Texas Project, Unit 2 (Unit 2) upon the direct transfer of the Unit 2 license to Texas Genco, LP, in an amount equal to or greater than the balance in the Unit 2 decommissioning trust immediately prior to the transfer. In addition, Texas Genco, LP shall ensure that all contractual arrangements referred to in the application for approval of the transfer of the Unit 2 license to Texas Genco, LP to obtain necessary decommissioning funds for Unit 2 through a non-bypassable charge are executed and will be maintained until the decommissioning trusts are fully funded, or shall ensure that other mechanisms that provide equivalent assurance of decommissioning funding in accordance with the Commission's regulations are maintained.

(6) License Transfer

The master decommissioning trust agreement for Unit 2, at the time the direct transfer of Unit 2 to Texas Genco, LP is effected and thereafter, is subject to the following:

* The parenthetical notation following the title of many license conditions denotes the section of the Safety Evaluation Report and/or its supplements wherein the license condition is discussed.

LIMITING CONDITION FOR OPERATION

3.6.1.3 Each containment air lock shall be OPERABLE with:

a. Both doors closed except when the air lock is being used for normal transit entry and exit through the containment, then at least one air lock door shall be closed.

APPLICABILITY: MODES 1, 2, 3, and 4.

ACTION:

NOTE
Entry and exit through the containment air lock doors is permitted to perform repairs on the affected air lock components.

a. With only one containment air lock door inoperable:

1. Verify the OPERABLE air lock door is closed within 1 hour and either restore the inoperable air lock door to OPERABLE status within 24 hours or lock the OPERABLE air lock door closed;

2. Operation may then continue provided that the OPERABLE air lock door is verified to be locked closed at least once per 31 days;

3. Otherwise, be in at least HOT STANDBY within the next 6 hours and in COLD SHUTDOWN within the following 30 hours; and

b. With only the containment air lock interlock mechanism inoperable:

1. Verify an OPERABLE air lock door is closed within 1 hour and lock an OPERABLE air lock door closed within 24 hours;

2. Operation may then continue provided that an OPERABLE air lock door is verified to be locked closed at least once per 31 days;

3. Otherwise, be in at least HOT STANDBY within the next 6 hours and in COLD SHUTDOWN within the following 30 hours (Entry into and exit from containment is permissible under the control of a dedicated individual); and

c. With the containment air lock inoperable, except as specified in ACTION a. or ACTION b. above, immediately initiate action to evaluate overall containment leakage rate per Specification 3.6.1.2 and verify an air lock door is closed within 1 hour. Restore the inoperable air lock to OPERABLE status within 24 hours or be in at least HOT STANDBY within the next 6 hours and in COLD SHUTDOWN within the following 30 hours.

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NOS. 190 AND 178 TO

FACILITY OPERATING LICENSE NOS. NPF-76 AND NPF-80

STP NUCLEAR OPERATING COMPANY, ET AL.

SOUTH TEXAS PROJECT, UNITS 1 AND 2

DOCKET NOS. 50-498 AND 50-499

1.0 INTRODUCTION

By letter dated January 23, 2008 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML080350038), STP Nuclear Operating Company (the licensee, STPNOC) requested amendments to Facility Operating License No. NPF-76 and NFP-80 for South Texas Project (STP), Units 1 and 2, respectively. The amendments revise the actions in Technical Specification (TS) 3.6.1.3, "Containment Air Locks," to allow entry and exit through the containment air lock doors, even if the applicable action requires the containment air lock to be closed. The amendments allow plant operations to continue indefinitely with an inoperable containment air lock mechanism, provided an operable air lock door is locked closed and verified periodically to be closed. Use of the air lock for access to containment is permitted if a dedicated individual is used to ensure that only one door is opened at a time. Thus, the plant personnel can repair the containment air lock components with the plant remaining at power, and at the same time ensure that the containment air locks continue to meet their design-basis requirements.

2.0 REGULATORY REQUIREMENTS

The requirements of Title 10 of the *Code of Federal Regulations,* Part 50 (10 CFR 50), Appendix A, General Design Criterion (GDC) 16, "Containment design," are summarized as follows: "[r]eactor containment and associated systems shall be provided to establish an essentially leak-tight barrier against the uncontrolled release of radioactivity to the environment and to assure that the containment design conditions important to safety are not exceeded for as long as postulated accident conditions require."

In Section 10 CFR 50.36, "Technical specifications," 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) surveillance requirements (SRs); (4) design features; and (5) administrative controls.

As stated in 10 CFR 50.36(c)(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 (AOTs), to complete the required actions. When an LCO is not being met, the CTs specified in the TSs are the time allowed in the TSs for completing the specified 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.

Those items that do not fall within or satisfy any of the criteria of 10 CFR 50.36 are not required to be included in the TSs.

As required by 10 CFR 50.36(c)(3), SRs are "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 the limiting conditions for operation will be met."

As required by 10 CFR 50.36(c)(5), administrative controls are "the provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner."

Section 3.6.2, "Containment Air Locks (Atmospheric, Subatmospheric, Ice Condenser, and Dual)" of NUREG-1431, Revision 3, "Standard Technical Specifications Westinghouse Plant" provides guidance for TSs related to containment airlocks.

3.0 TECHNICAL EVALUATION

Containment air locks form part of the containment pressure boundary and provide a means for personnel access during all modes of normal operation. Air lock integrity and leak tightness is essential in order to maintain the containment leakage rate within design limits in the event of a design-basis accident (DBA).

Each air lock is nominally a cylinder with a door at each end. The doors are interlocked in order to prevent simultaneous opening. During periods when containment is not required to be operable, the door interlock mechanism may be disabled, allowing both doors of an air lock to remain open for extended periods of time when frequent entry is necessary. Each air lock door has been designed and tested to certify its ability to withstand a pressure in excess of the maximum expected pressure following a DBA in containment. Because of the design and testing of the air lock, closure of a single door supports containment operability.

The licensee stated in its application that the proposed amendment will allow plant personnel to enter and exit through the containment air lock doors to perform repairs of air lock components. This will also allow plant operation to continue indefinitely with an inoperable interlock mechanism provided an operable air lock door is locked closed and periodically verified. In addition, this will allow personnel to repair the air lock components while the plant is at power while ensuring the air locks will continue to meet their design-basis requirements.

LCO 3.6.1.3 requires that each containment air lock is operable with both doors closed except when the air lock is being used for normal transit entry and exit through the containment, then at least one air lock door shall be closed. The LCO, modes of applicability, and SRs are not being changed. To accomplish the purpose of the proposed amendments addressed in Section 1.0, the licensee proposed the following changes to the actions specified in TS 3.6.1.3.

The TS 3.6.1.3 is being modified by adding a Note, "Entry and exit through the containment air lock doors is permitted to perform repairs on the affected air lock components," before the specific action requirements. The Note will allow entry and exit through the containment air lock door, even if the applicable action requires the air lock door to be closed.

TS 3.6.1.3 Action a. is being revised as follows:

1. The word "only" will be added to Action a. to state "with only one containment air lock door inoperable." The licensee stated in its application that this will provide additional clarification to ensure that this action requirement will only be utilized to address one inoperable air lock door. This will not result in any technical change to the current requirement.

2. The phrase "maintain at least the OPERABLE air lock door closed" will be replaced with the phrase "verify the OPERABLE air lock door is closed within 1 hour" in Action a.1. The licensee stated in its application that this will not change the requirement to ensure the operable air lock door is closed. It will provide a specific time (1 hour) to accomplish this action. Because the current requirement does not specify a time, an immediate response would be required. This is a less restrictive change.

3. The phrase "until performance of the next required overall air lock leakage test" will be removed from Action a.2. The licensee stated in its application that because of the proposed modifications to the action requirements for an inoperable air lock, it is not necessary to specify this constraint. With the proposed changes, if an inoperable air lock door prevents performance of the overall air lock leakage test, the air lock would be declared inoperable when the current test expires and a plant shutdown would be required.

A new TS 3.6.1.3 Action b. is being added to address separately an inoperable air lock interlock mechanism as a cause for the containment air lock to be inoperable. The licensee stated in its application that the current requirement of a plant shutdown for an inoperable interlock mechanism is not necessary because this situation does not challenge containment integrity since both air lock doors are still operable.

The new Action b. would be as follows:

With only the containment air lock interlock mechanism inoperable:

1. Verify an OPERABLE air lock door is closed within 1 hour and lock an OPERABLE air lock door closed within 24 hours;

2. Operation may then continue provided that an OPERABLE air lock door is verified to be locked closed at least once per 31 days;

3. Otherwise, be in at least HOT STANDBY within the next 6 hours and in COLD SHUTDOWN within the following 30 hours (Entry into and exit from containment is permissible under the control of a dedicated individual); and

A new Action b. is proposed for the case of the containment air lock being inoperable because the air lock interlock mechanism is inoperable. This condition of the air lock interlock mechanism being inoperable is contained would be contained within the existing Action b. in that the air lock interlock mechanism being inoperable would not make an air lock door inoperable. Therefore, the current requirement for an inoperable air lock interlock mechanism being inoperable is to restore the mechanism to operable status within 24 hours or start shutting down the plant to Mode 5 within 36 hours

In its submittal, the licensee proposed that the current TS 3.6.1.3 Action b. be relabeled as Action c., to accommodate the addition of the existing Action b., and revised as described below:

a. The proposed action requirement will be clarified to ensure that this action requirement will only be utilized to address air lock inoperability conditions not specifically addressed by the proposed ACTION a. and ACTION b.

b. An additional requirement will be added to immediately initiate action to evaluate overall containment leakage rate per TS 3.6.1.2. This will ensure the impact of air lock inoperability on containment leakage will be promptly evaluated to detect degradation of the containment barrier. This is a more restrictive change.

c. A specific time (1 hour) to ensure an air lock door is closed will be added. The proposed modification will not change the requirement to ensure an air lock door is closed. Because the current requirement does not specify a time, an immediate response would be required. This is a less restrictive change.

The NRC staff evaluated the licensee's request against the regulatory requirements outlined in Section 2.0 of this safety evaluation. In its submittal, the licensee stated that compliance with GDC 16 on containment design is not being affected by the proposed changes since the operability requirements of the containment air lock will remain the same and the air locks will continue to meet their design basis requirements. Therefore, the use of the air locks to meet GDC 16, "Containment design," of Appendix A to 10 CFR Part 50, to provide an essentially leak-tight barrier against the uncontrolled release of radioactivity from containment to the environment and to meet Appendix J, "Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors," of 10 CFR Part 50, are not being changed by this amendment.

The licensee's application revises TS 3.6.1.3 on containment air locks to allow entry and exit through the containment air locks even if the LCO required actions require the air locks to be closed. The current requirements are expanded to address inoperable air lock components. In its application, the licensee stated that the proposed changes to the action requirements of TS 3.6.1.3 are consistent with generic industry guidance provided in of NUREG-1431, "Standard Technical Specifications [STS], Westinghouse Plants," Revision 3, June 2004 (TS 3.6.2).

The addition of the Note prior to Action a. in TS 3.6.1.2 would apply to all of the action requirements. This Note applies to all three required ACTIONS a, b, and c. The Note would allow entry and exit through the containment air lock doors for the purpose of performing repairs on the air lock components, even if the applicable action requires the air lock door to be closed. In its submittal, the licensee stated that, as a result, there may be a short interval during access through the operable door when the containment boundary will not be intact. After each entry and exit, the door must immediately be closed. The NRC staff agrees that this is acceptable because, during the short period of time in which the door is expected to be open, both the probability of the occurrence of an event that could pressurize containment atmosphere and the associated consequences are low.

In its submittal, the licensee stated that the addition of the word "only" to Action a. is for clarification purposes to ensure that the action requirement will only be utilized to address one inoperable air lock door. The NRC staff agrees that this addition is only for clarification and does not change any requirements in the LCO actions. Based on the above, the NRC staff concludes that the proposed change is acceptable.

The licensee proposed to revise the beginning phrase of Action a.1 to replace "Maintain the OPERABLE air lock door closed" by the phrase "Verify the OPERABLE air lock door is closed within 1 hour." The two phrases are in effect requiring the operable air lock door to be closed; however, the proposed phrase allows 1 hour to have the door closed. The licensee stated that the proposed change is considered a relaxation of the current requirement by specifying the operable air lock door is closed within 1 hour instead of the implied requirement in the current action to close that door immediately upon determining the containment air lock is inoperable due to an inoperable air lock door. However, since "immediately" is not defined in the TSs, one could only assume that the time allowed must be reasonable to close the door after determining there is an inoperable air lock door. The licensee is proposing 1 hour as a reasonable time. The licensee also stated that the 1 hour is consistent with the action requirements in TS 3.6.1.1, on primary containment integrity, where 1 hour is allowed to restore containment integrity if it is determined that containment integrity is not being maintained.

A time limit of 1 hour is not significantly different from the current "maintain at least the OPERABLE door closed" requirement, which may be interpreted as requiring immediate action. The proposed change to Action a.2. no longer restricts operation until the next overall air lock leakage test and is therefore acceptable.

Currently, Action a.2. allows continued plant operation to continue with an inoperable air lock door until performance of the next overall air lock leakage test which is required by SR 4.6.1.3.a by the Containment Leakage Rate Testing Program. This program is TS 6.8.3.j in the administrative controls section of the TSs. The frequency of leakage tests is given in the performance-based requirements of 10 CFR 50, Appendix J, Option B. This is not being

changed by the proposed amendment. The phrase "until performance of the next required overall air lock leakage test" is being deleted. The licensee stated that this requirement is not needed because of the proposed addition of the re-numbered Action c. The licensee explained that, based on the revised Action c., if an inoperable air lock door prevents the performance of the overall air lock leakage test, the air lock would be declared inoperable when the current test expires. Revised Action c. would then require the plant to shut down to Mode 5 where the containment air lock is not required to be operable. The NRC staff reviewed the revised Action c. and agrees with the licensee's statement. Based on this, the NRC staff concludes that the proposed changes are maintaining the existing requirement in the phrase "until performance of the next required overall air lock leakage test," and, based on this conclusion, further concludes the proposed deletion of the phrase is acceptable.

A new Action b. is proposed for the case of the containment air lock being inoperable because the air lock interlock mechanism is inoperable. This condition of the air lock interlock mechanism being inoperable is contained would be contained within the existing Action b in that the air lock interlock mechanism being inoperable would not make an air lock door inoperable. Therefore, the current requirement for an inoperable air lock interlock mechanism being inoperable is to restore the mechanism to operable status within 24 hours or start shutting down the plant to Mode 5 within 36 hours. The licensee is proposing, for an inoperable air lock interlock mechanism, the following:

1. Verify an OPERABLE air lock door is closed within 1 hour and lock an OPERABLE air lock door closed within 24 hours;

2. Operation may then continue provided that an OPERABLE air lock door is verified to be locked closed at least once per 31 days;

3. Otherwise, be in at least HOT STANDBY within the next 6 hours and in COLD SHUTDOWN within the following 30 hours (Entry into and exit from containment is permissible under the control of a dedicated individual); and

The proposed new action would relax the requirement on how long the licensee has to restore the air lock interlock mechanism to operable status before the plant is required to shut down. The licensee stated that this requirement is unnecessary because an inoperable air lock interlock mechanism does not affect containment integrity. Because it is only the air lock interlock mechanism that is inoperable, both air lock doors are operable although both doors could be opened at the same time because the inoperable air lock interlock mechanism would not prevent this situation.

The new Action b. is proposed to allow a dedicated individual to replace the inoperable air lock interlock mechanism. One of the two operable air lock doors would be verified closed within an hour and locked within 24 hours. Continued operation would then be allowed provided that an operable air lock door is verified to be locked at least once per 31 days. Otherwise, the plant would be shut down to Mode 5 within 36 hours. These are the same requirements specified for Action a. for an inoperable air lock door. The proposed Action b. allows entry into and exit from containment under the control of a dedicated individual. It is this statement that has the "dedicated individual" performs the role of the air lock interlock mechanism to prevent both air

lock doors being open at the same time. The licensee stated that the proposed Action b. addressed the air lock interlock mechanism being inoperable without adversely affecting containment integrity. Based on its review, the NRC staff agrees with the licensee and concludes that the proposed new Action b. for an inoperable air lock interlock mechanism is acceptable.

Because of the new Action b., the licensee has to re-number the current Action b. as the new Action c. In addition, the current Action b. is also being revised. A new requirement is being added to immediately initiate action to evaluate the overall containment leakage rate in accordance with TS 3.6.1.2, which is in accordance with TS 6.8.3.j, the Containment Leakage Rate Testing Program. The licensee stated that this new requirement provides assurance that any increase in the containment leakage rate due to an inoperable air lock will be detected. The new Action c. will apply only when the other actions do not apply, which maintains the same exception given in the current Action b. The licensee proposed the same requirements in existing Action b. of having an air lock closed, restore the inoperable air lock to operable status within 24 hours, or start shutting down the plant to cold shutdown within 36 hours. The licensee proposed to change the phrase "maintain at least one air lock door closed" with the same phrase, "verify an air lock door closed within 1 hour," proposed for Action a.1. above. The NRC staff reviewed the proposed changes to the new Action c. and concludes that the changes are acceptable.

Additionally, precedents for the proposed revisions are found in NRC-approved similar changes to the TS action requirements for the Beaver Valley Power Station (Amendment Number 190 to Facility Operating License Number DPR-66 and Amendment Number 72 to Facility Operating License Number NPF-73, dated July 26, 1995), and for the Millstone Nuclear Power Station (Amendment Number 267 to Facility Operating License Number DPR-65, dated June 7, 2002, and Amendment Number 205 to Facility Operating License Number NPF-49, dated May 15, 2002).

Based on the above, the NRC staff concludes that the proposed revisions to TS 3.6.1.3 will continue to assure that the air locks will perform their safety function as part of the containment pressure boundary. The structural integrity and leak tightness will not be significantly changed as a result of the proposed changes. Therefore, the staff finds the requested changes acceptable.

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

The amendments change a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. 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 March 25, 2008 (73 FR 15788). 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: B. Heida

Date: January 30, 2009

January 30, 2009

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P.O. Box 289
Wadsworth, TX 77483

SUBJECT: SOUTH TEXAS PROJECT, UNITS 1 AND 2 - ISSUANCE OF AMENDMENTS RE: REVISION TO TECHNICAL SPECIFICATION 3.6.1.3, "CONTAINMENT AIR LOCKS" (TAC NOS. MD8156 AND MD8157)

Dear Mr. Halpin:

The Commission has issued the enclosed Amendment No. 190 to Facility Operating License No. NPF-76 and Amendment No. 178 to Facility Operating License No. NPF-80 for the South Texas Project, Units 1 and 2, respectively. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated January 23, 2008.

The amendments revise the actions specified in TS 3.6.1.3, "Containment Air Locks," for when limiting condition for operation (LCO) 3.6.1.3 is not met. The amendments allow plant personnel to repair containment air lock components while the plant remains at power and ensure that the containment air locks will continue to meet the requirements of the design basis.

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

Sincerely,

/RA/

Mohan C. Thadani, Senior Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-498 and 50-499
Enclosures:
1. Amendment No. 190 to NPF-76
2. Amendment No. 178 to NPF-80
3. Safety Evaluation
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ADAMS Accession No. ML083640080 *via e-mail **SE input memo

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