



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

January 29, 2009

Chris L. Burton, Vice President
Shearon Harris Nuclear Power Plant
Carolina Power & Light Company
Post Office Box 165, Mail Zone 1
New Hill, North Carolina 27562-0165

SUBJECT: SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1 - ISSUANCE OF
AMENDMENT REGARDING THE ADOPTION OF TECHNICAL SPECIFICATION
TASK FORCE STANDARD TECHNICAL SPECIFICATION CHANGE TRAVELER,
TSTF-448, REVISION 3, "CONTROL ROOM HABITABILITY" (TAC NO. MD7792)

Dear Mr. Burton:

The Nuclear Regulatory Commission (NRC, Commission) has issued the enclosed Amendment No. 128 to Renewed Facility Operating License No. NPF-63 for the Shearon Harris Nuclear Power Plant, Unit 1, in response to your application dated January 4, 2008 (Agencywide Documents Access Management System Accession No. ML080150527), for implementation of the Technical Specification Task Force (TSTF) Standard TS Change Traveler, TSTF-448, Revision 3, "Control Room Habitability."

The amendment establishes more effective and appropriate action, surveillance, and administrative requirements related to ensuring the habitability of the control room envelope in accordance with the NRC-approved TSTF-448, Revision 3. This TS improvement was made available in the *Federal Register* by the NRC on January 17, 2007 (72 FR 2022).

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

Sincerely,

A handwritten signature in black ink, appearing to read "Marlayna Vaaler".

Marlayna Vaaler, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-400

Enclosures: 1. Amendment No. 128 to NPF-63
2. Safety Evaluation

cc w/enclosures: Distribution via ListServ



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

CAROLINA POWER & LIGHT COMPANY, et al.

DOCKET NO. 50-400

SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 128
Renewed License No. NPF-63

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Carolina Power & Light Company (the licensee), dated January 4, 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, 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; 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 Renewed Facility Operating License No. NPF-63 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, as revised through Amendment No. 128, are hereby incorporated into this license. Carolina Power & Light Company 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 its issuance and shall be implemented within 180 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Thomas H. Boyce, Chief
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to Renewed Facility
Operating License No. NPF-63
and the Technical Specifications

Date of Issuance: January 29, 2009

ATTACHMENT TO LICENSE AMENDMENT NO. 128

RENEWED FACILITY OPERATING LICENSE NO. NPF-63

DOCKET NO. 50-400

Replace the following pages of Renewed Operating License No. NPF-63 with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

<u>Remove Page</u>	<u>Insert Page</u>
4	4
6	6
7	7
8	8
	9

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.

<u>Remove Page</u>	<u>Insert Page</u>
3/4 7-14	3/4 7-14
	3/4 7-14a
3/4 7-15	3/4 7-15
3/4 7-16	3/4 7-16
	6-19i

C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and 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) Maximum Power Level

Carolina Power & Light Company is authorized to operate the facility at reactor core power levels not in excess of 2900 megawatts thermal (100 percent rated core power) in accordance with the conditions specified herein.

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, as revised through Amendment No. 128, are hereby incorporated into this license. Carolina Power & Light Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) Antitrust Conditions Carolina Power & Light Company shall comply with the antitrust conditions delineated in Appendix C to this license.

(4) Initial Startup Test Program (Section 14)¹

Any changes to the Initial Test Program described in Section 14 of the FSAR 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) Steam Generator Tube Rupture (Section 15.6.3)

Prior to startup following the first refueling outage, Carolina Power & Light Company shall submit for NRC review and receive approval if a steam generator tube rupture analysis, including the assumed operator actions, which demonstrates that the consequences of the design basis steam generator tube rupture event for the Shearon Harris Nuclear Power Plant are less than the acceptance criteria specified in the Standard Review Plan, NUREG-0800, at 15.6.3 Subparts II(1) and (2) for calculated doses from radiological releases. In preparing their analysis Carolina Power & Light Company will not assume that operators will complete corrective actions within the first thirty minutes after a steam generator tube rupture.

¹The 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.

(11) Mitigation Strategy License Condition

Develop and maintain strategies for addressing large fires and explosions and that include the following key areas:

- (a) Fire fighting response strategy with the following elements:
 - 1. Pre-defined coordinated fire response strategy and guidance
 - 2. Assessment of mutual aid fire fighting assets
 - 3. Designated staging areas for equipment and materials
 - 4. Command and control
 - 5. Training of response personnel

- (b) Operations to mitigate fuel damage considering the following:
 - 1. Protection and use of personnel assets
 - 2. Communications
 - 3. Minimizing fire spread
 - 4. Procedures for implementing integrated fire response strategy
 - 5. Identification of readily-available pre-staged equipment
 - 6. Training on integrated fire response strategy
 - 7. Spent fuel pool mitigation measures

- (c) Actions to minimize release to include consideration of:
 - 1. Water spray scrubbing
 - 2. Dose to onsite responders

(12) Control Room Habitability

Upon implementation of Amendment No. 128 adopting TSTF-448, Revision 3, the determination of control room envelope (CRE) unfiltered air leakage as required by Surveillance Requirement (SR) 4.7.6.g, in accordance with TS 6.8.4.o.3(i), the assessment of CRE habitability as required by TS 6.8.4.o.3(ii) and the measurement of CRE pressure as required by TS 6.8.4.o.4, shall be considered met. Following implementation:

- a) The first performance of SR 4.7.6.g, in accordance with Specification 6.8.4.o.3(i), shall be within the specified Frequency of 6 years, plus the 18-month allowance of SR 4.0.2, as measured from March 5, 2004, the date of the most recent successful tracer gas test, or within the next 18 months if the time period since the most recent successful tracer gas test is greater than 6 years.

- b) The first performance of the periodic assessment of CRE habitability, Specification 6.8.4.o.3(ii), shall be within 3 years, plus the 9-month allowance of SR 4.0.2, as measured from March 5, 2004, the date of the most recent successful tracer gas test, or within the next 9 months if the time period since the most recent successful tracer gas test is greater than 3 years.
- c) The first performance of the periodic measurement of CRE pressure, Specification 6.8.4.o.4, shall be within 18 months plus 138 days allowed by SR 4.0.2 as measured from October 13, 2006, the date of the most recent successful pressure measurement test.

D. Exemptions

The facility requires an exemption from Appendix E, Section IV.F.1, which requires that a full participation exercise be conducted within one year before the issuance of a license for full power operation. This exemption is authorized by law and will not endanger life or property or the common defense and security, and certain special circumstances are present. This exemption is, therefore, hereby granted pursuant to 10 CFR 50.12 as follows:

Shearon Harris Nuclear Power Plant, Unit 1, is exempt from the requirement of 10 CFR Part 50, Appendix E, Section IV.F.1 for the conduct of an offsite full participation exercise within one year before the issuance of the first operating license for full power and prior to operation above 5 percent of rated power, provided that a full participation exercise is conducted before or during March 1987.

The facility is granted an exemption from Paragraph III.D.2(b)(ii) of Appendix J to 10 CFR Part 50 (see SER Section 6.2.6). This exemption is authorized by law and will not endanger life or property or the common defense and security, and certain special circumstances are present. In addition, the facility was previously granted an exemption from the criticality alarm requirements of paragraph 70.24 of 10 CFR Part 70 insofar as this section applies to this license. (See License Number SNM-1939 dated October 28, 1985, which granted this exemption).

E. Physical Security (Section 13.6.2.10)

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Guard Training and Qualification Plan" submitted by letter dated October 19, 2004, "Physical Security Plan" and "Safeguards Contingency Plan" submitted by letter dated October 19, 2004 as supplemented by letter dated May 16, 2006.

F. Fire Protection Program (Section 9.5.1)

Carolina Power & Light Company 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 as amended and as approved in the Safety Evaluation Report (SER) dated November 1983 (and Supplements 1 through 4), and the Safety Evaluation dated January 12, 1987, subject to the following provision below.

The licensees may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

G. Reporting to the Commission

Except as otherwise provided in the Technical Specifications or Environmental Protection Plan, Carolina Power & Light Company shall report any violations of the requirements contained in Section 2.C of this license in the following manner: initial notification shall be made within twenty-four (24) hours to the NRC Operations Center via the Emergency Notification System with written follow-up within 30 days in accordance with the procedures described in 10 CFR 50.73 (b), (c) and (e).

H. The licensees shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170of the Atomic Energy Act of 1954, as amended, to cover public liability claims.

- I. The Updated Safety Analysis Report supplement, as revised, submitted pursuant to 10 CFR 54.21(d), shall be included in the next scheduled update to the Updated Safety Analysis Report required by 10 CFR 50.71(e)(4) following the issuance of this renewed operating license. Until that update is complete, CP&L may make changes to the programs and activities described in the supplement without prior Commission approval, provided that CP&L evaluates such changes pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.
- J. The Updated Safety Analysis Report supplement, as revised, describes certain future activities to be completed prior to the period of extended operation. Carolina Power & Light Company shall complete these activities no later than October 24, 2026, and shall notify the NRC in writing when implementation of these activities is complete and can be verified by NRC inspection.
- K. All capsules in the reactor vessel that are removed and tested must meet the test procedures and reporting requirements of American Society for Testing and Materials E 185-82 to the extent practicable for the configuration of the specimens in the capsule. Any changes to the capsule withdrawal schedule, including spare capsules, must be approved by the NRC prior to implementation. All capsules placed in storage must be maintained for future inspection. Any changes to storage requirements must be approved by the NRC, as required by 10 CFR Part 50, Appendix H.
- L. This license is effective as of the date of issuance and shall expire at midnight on October 24, 2046.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Eric J. Leeds, Director
Office of Nuclear Reactor Regulation

Attachments/Appendices:

- 1. Appendix B – Environmental Protection Plan
- 2. Appendix C - Antitrust Conditions

Date of Issuance: December 17, 2008

Renewed License No. NPF-63
Amendment No. 128

PLANT SYSTEMS

3/4.7.6 CONTROL ROOM EMERGENCY FILTRATION SYSTEM

LIMITING CONDITION FOR OPERATION

3.7.6 Two independent Control Room Emergency Filtration System (CREFS) trains shall be OPERABLE.*

- APPLICABILITY:
- a. MODES 1, 2, 3, and 4
 - b. MODES 5 and 6
 - c. During movement of irradiated fuel assemblies and movement of loads over spent fuel pools

ACTION:

- a. MODES 1, 2, 3 and 4:

-----NOTE-----
In addition to the Actions below, perform Action c. if applicable.

- 1. With one CREFS train inoperable for reasons other than an inoperable Control Room Envelope (CRE) boundary, restore the inoperable CREFS train to OPERABLE status within 7 days or be in at least HOT STANDBY within the next 6 hours and in COLD SHUTDOWN within the following 30 hours.
- 2. With one or more CREFS trains inoperable due to inoperable CRE boundary:
 - a. Initiate action to implement mitigating actions immediately or be at least HOT STANDBY within 6 hours and in COLD SHUTDOWN within the following 30 hours;
 - b. Within 24 hours, verify mitigating actions ensure CRE occupant radiological exposures will not exceed limits and that CRE occupants are protected from hazardous chemicals and smoke or be in at least HOT STANDBY within the next 6 hours and in COLD SHUTDOWN within the following 30 hours;
 - c. Restore CRE boundary to OPERABLE within 90 days or be in at least HOT STANDBY within the next 6 hours and in COLD SHUTDOWN within the following 30 hours.

- b. MODES 5 and 6

-----NOTE-----
In addition to the Actions below, perform Action c. if applicable.

- 1. With one CREFS train inoperable for reasons other than an inoperable CRE boundary, restore the inoperable CREFS train to OPERABLE status within 7 days or immediately initiate and maintain operation of the remaining OPERABLE CREFS train in the recirculation mode.

* The control room envelope (CRE) boundary may be opened intermittently under administrative controls.

PLANT SYSTEMS

3/4.7.6 CONTROL ROOM EMERGENCY FILTRATION SYSTEM (continued)

2. With both CREFS trains inoperable for reasons other than an inoperable CRE boundary or with the OPERABLE CREFS train required to be in the recirculation mode by ACTION b.1., not capable of being powered by an OPERABLE emergency power source, immediately suspend all operations involving CORE ALTERATIONS or movement of irradiated fuel.
3. With one or more CREFS trains inoperable due to inoperable CRE boundary, immediately suspend all operations involving CORE ALTERATIONS or movement of irradiated fuel assemblies.

PLANT SYSTEMS

3/4.7.6 CONTROL ROOM EMERGENCY FILTRATION SYSTEM

LIMITING CONDITION FOR OPERATION (Continued)

- c. During movement of irradiated fuel assemblies or movement of loads over spent fuel pools.
 - 1. With one CREFS train inoperable for reasons other than an inoperable CRE boundary, restore the inoperable CREFS train to OPERABLE status within 7 days or immediately initiate and maintain operation of the remaining OPERABLE CREFS train in the recirculation mode; or immediately suspend movement of irradiated fuel.
 - 2. With both CREFS trains inoperable for reasons other than an inoperable CRE boundary, or with the OPERABLE CREFS train required to be in the recirculation mode by Action c.1., not capable of being powered by an OPERABLE emergency power source, immediately suspend all operations involving movement of irradiated fuel assemblies or movement of loads over spent fuel pools.
 - 3. With one or more CREFS trains inoperable due to inoperable CRE boundary, immediately suspend movement of irradiated fuel assemblies or movement of loads over spent fuel pools.

SURVEILLANCE REQUIREMENTS

4.7.6 Each CREFS train shall be demonstrated OPERABLE:

- a. At least once per 31 days on a STAGGERED TEST BASIS by initiating, from the control room, flow through the HEPA filters and charcoal adsorbers and verifying that the system operates for at least 10 continuous hours with the heaters operating;
- b. At least once per 18 months or (1) after any structural maintenance on the HEPA filter or charcoal adsorber housings, or (2) following significant painting, fire, or chemical release in any ventilation zone communicating with the system by:
 - 1. Verifying that the cleanup system satisfies the in-place penetration and bypass leakage testing acceptance criteria of less than 0.05% and uses the test procedure guidance in Regulatory Position C.5.a, C.5.c, and C.5.d of Regulatory Guide 1.52, Revision 2, March 1978, and the system flow rate is 4000 cfm \pm 10% during system operation when tested in accordance with ANSI N510-1980; and

PLANT SYSTEMS

CONTROL ROOM EMERGENCY FILTRATION SYSTEM

SURVEILLANCE REQUIREMENTS (Continued)

2. Verifying, within 31 days after removal, that a laboratory analysis of a representative carbon sample obtained in accordance with Regulatory Position C.6.b of Regulatory Guide 1.52, Revision 2, March 1978, has a methyl iodide penetration of $\leq 0.5\%$ when tested at a temperature of 30°C and at a relative humidity of 70% in accordance with ASTM D3803-1989.
- c. After every 720 hours of charcoal adsorber operation, by verifying, within 31 days after removal, that a laboratory analysis of a representative carbon sample obtained in accordance with Regulatory Position C.6.b of Regulatory Guide 1.52, Revision 2, March 1978, has a methyl iodide penetration of $\leq 0.5\%$ when tested at a temperature of 30°C and at a relative humidity of 70% in accordance with ASTM D3803-1989.
- d. At least once per 18 months by:
 1. Verifying that the pressure drop across the combined HEPA filters and charcoal adsorber banks is less than 5.1 inches water gauge while operating the system at a flow rate of $4000\text{ cfm} \pm 10\%$;
 2. Verifying that, on either a Safety Injection or a High Radiation test signal, the system automatically switches into an isolation with recirculation mode of operation with flow through the HEPA filters and charcoal adsorber banks;
 3. Deleted.
 4. Verifying that the heaters dissipate $14 \pm 1.4\text{ kW}$ when tested in accordance with ANSI N510-1980; and
 5. Deleted.
- e. After each complete or partial replacement of a HEPA filter bank, by verifying that the unit satisfies the in-place penetration and bypass leakage testing acceptance criteria of less than 0.05% in accordance with ANSI N510-1980 for a DOP test aerosol while operating the system at a flow rate of $4000\text{ cfm} \pm 10\%$; and
- f. After each complete or partial replacement of a charcoal adsorber bank, by verifying that the cleanup system satisfies the in-place penetration leakage testing acceptance criteria of less than 0.05% in accordance with ANSI N510-1980 for a halogenated hydrocarbon refrigerant test gas while operating the system at a flow rate of $4000\text{ cfm} \pm 10\%$.
- g. Perform required CRE unfiltered air inleakage testing in accordance with the Control Room Envelope Habitability Program.

ADMINISTRATIVE CONTROLS

PROCEDURES AND PROGRAMS (Continued)

o. CONTROL ROOM ENVELOPE HABITABILITY PROGRAM

A Control Room Envelope (CRE) Habitability Program shall be established and implemented to ensure that CRE habitability is maintained such that, with an OPERABLE Control Room Emergency Filtration System (CREFS), 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 design basis accident (DBA) conditions without personnel receiving radiation exposure in excess of 5 rem TEDE, or its equivalent, for the duration of the accident. The program shall include the following elements:

1. The definition of the CRE and the CRE boundary.
2. Requirements for maintaining the CRE boundary in its design condition including configuration control and preventive maintenance.
3. Requirements for (i) 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, "Demonstrating Control Room Envelope Integrity at Nuclear Power Reactors," Revision 0, May 2003, and (ii) assessing CRE habitability at the Frequencies specified in Sections C.1 and C.2 of Regulatory Guide 1.197, Revision 0.
4. Measurement, at designated locations, of the CRE pressure relative to all external areas adjacent to the CRE boundary during the pressurization mode of operation by one subsystem of the CREFS, operating at the flow rate required by SR 4.7.6.d.1, at a Frequency of 36 months on a STAGGERED TEST BASIS. The results shall be trended and used as part of the assessment of the CRE boundary required by paragraph 3, requirement (ii).
5. The quantitative limits on unfiltered air leakage into the CRE. These limits shall be stated in a manner to allow direct comparison to the unfiltered air leakage measured by the testing described in paragraph 3. The unfiltered air leakage limit for radiological challenges is the leakage flow rate assumed in the licensing basis analyses of DBA consequences. Unfiltered air leakage limits for hazardous chemicals must ensure that exposure of CRE occupants to these hazards will be within the assumptions in the licensing basis.
6. The provisions of Surveillance Requirement 4.0.2 are applicable to the Frequencies for assessing CRE habitability, determining CRE unfiltered leakage, and measuring CRE pressure and assessing the CRE boundary as required by paragraphs 3 and 4, respectively.



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 128 TO

RENEWED FACILITY OPERATING LICENSE NO. NPF-63

CAROLINA POWER & LIGHT COMPANY

SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1

DOCKET NO. 50-400

1.0 INTRODUCTION

By application dated January 4, 2008 (Agencywide Document and Management System (ADAMS) Accession No. ML080150527), Carolina Power & Light Company (the licensee), now doing business as Progress Energy Carolinas, Inc., requested changes to the Technical Specifications (TSs) for the Shearon Harris Nuclear Power Plant, Unit 1 (HNP). The proposed amendment would modify HNP's TS requirements related to control room envelope (CRE) habitability in accordance with the Technical Specification Task Force (TSTF) Standard TS Change Traveler, TSTF-448, Revision 3, "Control Room Habitability." The amendment establishes more effective and appropriate action, surveillance, and administrative requirements related to ensuring the habitability of the CRE in accordance with the U.S Nuclear Regulatory Commission (NRC, Commission)-approved TSTF-448, Revision 3. This TS improvement was made available in the *Federal Register* (FR) by the NRC on January 17, 2007 (72 FR 2022).

On August 8, 2006, the commercial nuclear electrical power generation industry owners group Technical Specification Task Force (TSTF) submitted a proposed change, TSTF-448, Revision 3, "Control Room Habitability," to the improved standard technical specifications (STSS) (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 CRE.

In NRC Generic Letter (GL) 2003-01, "Control Room Habitability" (ADAMS Accession No. ML031620248), dated June 12, 2003, licensees were alerted to findings at various nuclear facilities that existing TS surveillance requirements (SRs) for the Control Room Emergency Filtration System (CREFS) (HNP site-specific system name) may not be adequate.

Specifically, the results of the American Society for Testing and Materials (ASTM) E741-00, "Standard Test Method for Determining Air Change in a Single Zone by Means of a Tracer Gas Dilution," tracer gas tests to measure CRE unfiltered inleakage indicated that the differential pressure surveillance is not a reliable method for demonstrating CRE boundary operability. Licensees were requested to address existing TSs as follows:

- Provide confirmation that your TSs verify the operability of the CRE boundary, and the assumed unfiltered inleakage rates of potentially contaminated air.
- If you currently have a differential pressure SR 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 SR is no longer adequate, provide a schedule for:
 - (1) Revising the SR in your TSs 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 SR can be demonstrated.
- If your facility does not currently have a TS SR 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 GL 2003-01, the industry and the NRC proposed revisions to CRE habitability system requirements contained in the STSs, using the STS change traveler process. This effort culminated in Revision 3 to TSTF-448 that the NRC staff approved on January 17, 2007.

Consistent with the traveler as incorporated into NUREG-1431, "Standard Technical Specifications, Westinghouse Plants," the licensee proposed revising actions and SRs in TS 3/4.7.6, "Control Room Emergency Filtration System (CREFS)," and adding a new administrative controls program in TS 6.8.4, "Procedures and Programs," for HNP. The purpose of the change 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, Revision 3.

2.0 REGULATORY EVALUATION

2.1 Control Room and Control Room Envelope

NRC Regulatory Guide (RG) 1.196, "Control Room Habitability at Light-water Nuclear Power Reactors," Revision 0, May 2003 (ADAMS Accession No. ML031490611), 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 RG 1.197, "Demonstrating Control Room Envelope Integrity at Nuclear Power Reactors," Revision 0, May 2003 (ADAMS Accession No. ML031490664), 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 TSs, the CRE will be used to designate both.

2.2 Control Room Emergency Filtration System (CREFS)

The CREFS (HNP terminology) 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 roentgen equivalent man (rem) total effective dose equivalent (TEDE).

The CREFS consists of two redundant systems, each capable of maintaining the habitability of the CRE. The CREFS is considered operable when the individual components necessary to limit operator exposure are operable in both systems. A CREFS system is considered operable when the associated:

- Fan is operable;
- High efficiency particulate air (HEPA) filters and charcoal adsorbers are not excessively restricting flow, and are capable of performing their filtration functions;
- Heater, moisture separator, ductwork, valves, dampers, and instrumentation are operable and air circulation can be maintained; and
- CRE boundary is operable (the single boundary supports both systems).

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

2.3 Regulations Applicable to Control Room Habitability

In Appendix A, "General Design Criteria for Nuclear Power Plants," to Title 10 of the *Code of Federal Regulations* (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. The applicable GDC are summarized below:

- GDC 1, "Quality Standards and Records," states that structures, systems, and components (SSCs) important to safety shall 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," states that SSCs important to safety shall be designed to withstand the effects of earthquakes and other natural hazards.
- GDC 3, "Fire Protection," states that SSCs important to safety shall be designed and located to minimize the effects of fires and explosions.
- GDC 4, "Environmental and Dynamic Effects Design Bases," states that SSCs important to safety shall 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," states that SSCs important to safety shall 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," states that a control room shall 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 shall be provided to permit access and occupancy of the control room under accident conditions without personnel receiving radiation exposures in excess of specified values.

Because the design of the plant is not being changed by the proposed amendment, the plant continues to meet the intent of GDC 1, 2, 3, 4, 5, and 19. This safety evaluation was prepared based on the model safety evaluation published in the *Federal Register* on January 17, 2007 (72 FR 2022). Changes were made to accommodate plant-specific design variations from that assumed in the model, but are consistent with the intent of the model and are acceptable.

2.4 Adoption of TSTF-448, Revision 3, by HNP

Adoption of TSTF-448, Revision 3, will assure that the facility's TS Limiting Condition for Operation (LCO) for the CREFS is met by demonstrating operability of the CRE boundary. In support of this, TSTF-448, Revision 3, also adds TS administrative controls to assure the habitability of the CRE. 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, Revision 3, to the TS 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 HNP's CRE will remain habitable during normal operation and DBA conditions. Therefore, the staff has concluded that these changes, as applied to HNP, are acceptable from a regulatory standpoint for adoption by licensees.

3.0 TECHNICAL EVALUATION

The NRC staff reviewed the proposed changes against the corresponding changes made to the STSs 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 HNP 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 3/4.7.6, "CREFS" 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, as well as the addition of a license condition to the HNP Renewed Operating License. The NRC staff compared the proposed TS changes to the STSs and the STS markups and evaluations in TSTF-448, Revision 3. The staff verified that differences from the STSs were adequately justified on the basis of plant-specific design or retention of current licensing basis.

The proposed revisions to the TS Bases include editorial and administrative changes to reflect applicable changes to the corresponding TS, which were made to improve clarity, conform to the latest information and references, and correct factual errors. The NRC staff reviewed the proposed changes to the TS Bases for consistency with the plant-specific design and licensing bases, although approval of the TS Bases is not a condition for accepting the proposed amendment and their issuance should not be construed to imply approval of the TS Bases. Except for plant-specific differences, all of these changes are consistent with the content of the STSs as revised by TSTF-448, Revision 3.

By letter dated June 12, 2008 (ADAMS Accession No. ML081430111), the NRC approved HNP Amendment No. 127 for the establishment of a TS Bases Control Program. The licensee's TS Bases Control Program, as outlined in TS 6.8.4, provides assurance that the licensee has established and will maintain the adequacy of the TS Bases. The proposed Bases for TS 3/4.7.6 refer to specific guidance in NEI 99-03, "Control Room Habitability Assessment Guidance,"

Revision 0, dated June 2001 (ADAMS Accession No. ML020600236) that the NRC staff has formally endorsed, with exceptions, through RG 1.196.

3.2 Editorial Changes

The licensee proposed editorial changes to TS 3/4.7.6, "CREFS," and the TS Bases as follows:

1. HNP has not adopted the STS Format. TSTF-448 has been incorporated into existing sections using the HNP TS format with new sections being added as applicable.
2. "Train" terminology has not previously been used in HNP TS 3/4.7.6. To be consistent with the terminology being incorporated per TSTF-448, "train" or "trains" has been inserted throughout TS 3/4.7.6 (i.e., LCO 3.7.6; Actions 3.7.6a.1, 3.7.6b.1, 3.7.6b.2, 3.7.6c.1, 3.7.6c.2; SR 4.7.6). This is an editorial change since a "CREFS train" is equivalent to an "independent Control Room Emergency Filtration System."
3. "HOT STANDBY within the next six hours and COLD SHUTDOWN within the following 30 hours" in the HNP TS is equivalent to "Be in MODE 3 in six hours AND in Mode 5 in 36 hours" in TSTF-448.
4. For the Control Room Habitability Program description of measurement frequency of the CRE pressure relative to all external areas adjacent to the CRE boundary during the pressurization mode of operation given in new TS 6.8.4.o.4, the stated HNP frequency will be "36 months on a STAGGERED TEST BASIS" versus the TSTF-448 value of 18 months on a STAGGERED TEST BASIS. This variance is due to the difference between the HNP TS definition of STAGGERED TEST BASIS and the definition used by the STS.

The HNP definition for STAGGERED TEST BASIS is:

A STAGGERED TEST BASIS shall consist of:

- a. A test schedule for n systems, subsystems, trains, or other designated components obtained by dividing the specified test interval into n equal subintervals, and
- b. The testing of one system, subsystem, train, or other designated component at the beginning of each subinterval.

The STS definition for STAGGERED TEST BASIS 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.

Therefore, in order for HNP to prescribe testing one of the trains every 18 months as stated in TSTF-448 (Section 5.5.18.d), the frequency must be stated as "36 months on a STAGGERED TEST BASIS." The staff found that, for HNP, the proposed frequency of is equivalent to the STS requirement, and is, therefore, acceptable.

5. For the Control Room Habitability Program description of measurement frequency of the CRE pressure relative to all external areas adjacent to the CRE boundary during the pressurization mode of operation given in new TS 6.8.4.o.4, "the Ventilation Filter Test Program (VFTP)," included in TSTF-448 (Section 5.5.18.d), is replaced by "SR 4.7.6.d.1." The HNP TS do not contain a VFTP in the administrative controls section. Ventilation filter test requirements, consistent with the current licensing basis, are maintained as surveillance requirements within the applicable system TS. CREFS SR 4.7.6.d.1 requires a flow rate of 4000 cubic feet per minute (CFM) plus or minus 10 percent when performing ventilation filter testing.
6. In new TS 6.8.4.o.6, the reference to "SR 3.0.2," included in TSTF-448 (Section 5.5.18.f), is changed to "SR 4.0.2." In the HNP TS, SR 4.0.2 provides the allowance for "a maximum allowable extension not to exceed 25 percent of the specified surveillance interval." HNP SR 4.0.2 therefore allows a 25 percent extension equivalent to the 25 percent extension allowed by the reference to SR 3.0.2 in TSTF-448.
7. The acronym for Control Room Emergency Filtration System (CREFS) has been incorporated throughout TS 3/4.7.6 (i.e., LCO 3.7.6; Actions 3.7.6.a.1, 3.7.6.b.1, 3.7.6.b.2, 3.7.6.c.1, 3.7.6.c.2; SR 4.7.6).

These changes improve the usability and quality of the presentation of the TSs, have no impact on safety, and meet 10 CFR 50.36. Therefore, the NRC staff concludes that these changes are acceptable.

3.3 TS 3/4.7.6, CREFS

The licensee proposed to establish new action requirements in TS 3/4.7.6, "CREFS" for an inoperable CRE boundary. The existing TS LCO 3.7.6 actions are more restrictive than would be appropriate for situations in 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 in MODES 1, 2, 3, and 4, the licensee proposes to modify TS 3.7.6 by revising ACTION step a.2 to apply when one or more control room emergency filtration trains are inoperable due to an inoperable CRE boundary.

In such cases, per proposed TS 3.7.6 ACTION a.2, the licensee is required to immediately initiate action to implement mitigating actions, and verify, within 24 hours, that the mitigating actions will ensure CRE occupant exposures to radiological and chemical hazards will not exceed established limits. Further, ACTION a.2 requires that mitigating actions are taken for exposure to smoke hazards and to restore the CRE boundary to OPERABLE status within 90 days. Otherwise, the licensee must have the plant in HOT STANDBY within the next 6 hours and COLD SHUTDOWN within the following 30 hours.

To distinguish the revised TS 3.7.6 ACTION a.2, from the existing ACTIONS for CREFS inoperability, the licensee proposed revising TS 3.7.6 ACTION a.1, in Operational MODES 1, 2, 3, and 4, to state, "With one CREFS train inoperable for reasons other than an inoperable Control Room Envelope (CRE) boundary..." This proposed clarifying change was also incorporated into several other applicable sections of TS 3.7.6.

The 24-hour completion time of revised ACTION a.2.a is reasonable based on the low probability of a DBA occurring during this time period, as well as the use of mitigating actions. The 90-day completion time of ACTION a.2.c is reasonable based on the determination that the mitigating actions will ensure protection of CRE occupants to 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, and that it is a reasonable time to diagnose, plan and possibly repair, and test most anticipated problems that may impact the CRE boundary. Therefore, the proposed changes to TS 3.7.6 ACTION a.2 are acceptable.

The licensee proposed to modify TS 3.7.6 ACTIONS b (MODES 5 and 6) and c (during movement of irradiated fuel assemblies or movement of loads over spent fuel pools), to also apply when one or both CREFS trains are inoperable due to an inoperable CRE boundary. This modification to TS 3.7.6 ACTIONS b and c is needed because the proposed modification to TS 3.7.6 ACTION a will only apply in MODES 1, 2, 3, and 4. The modification of TS 3.7.6 ACTIONS b and c will ensure that an ACTION is specified for an inoperable CRE boundary during all MODES of applicability. Therefore, this change is administrative and acceptable.

The licensee proposed deleting the CRE pressurization SR 4.7.6.d.3, which requires verification that the system can maintain the control room at a positive pressure of at least 1/8 inch water gauge relative to the adjacent areas during the filtered pressurization mode of operation at a pressurization flow rate of 315 CFM. The deletion of this SR is proposed because measurements of unfiltered air leakage into the CRE at numerous reactor facilities have 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 operability.

The proposed revision replaces the existing TS SR 4.7.6.d.3 with SR 4.7.6.g, which requires performance of CRE unfiltered air leakage testing in accordance with the CRE Habitability Program (as described in TS 6.8.4). This change is in accordance with the approved version of TSTF-448, Revision 3. The performance of unfiltered air leakage testing past the CRE boundary will be in accordance with the testing methods and at the frequencies specified in the CRE Habitability Program. Based on the adoption of the content of TSTF-448, Revision 3, the licensee's proposal to delete SR 4.4.6.d.3 and add SR 4.7.6.g is acceptable.

3.4 TS 6.8.4 CRE Habitability Program

The proposed administrative controls program TS is consistent with the model program TS in TSTF-448, Revision 3. In combination with SR 4.7.6.g, 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 RG 1.196, which endorsed, with exceptions, NEI 99-03. Maintaining the CRE boundary in its design condition provides assurance that its leak-tightness will not significantly degrade between CRE inleakage determinations.
- Assessment of CRE habitability at the frequencies stated in Sections C.1 and C.2 of RG 1.197, Revision 0, and measurement of unfiltered air inleakage into the CRE in accordance with the testing methods and at the frequencies stated in the same RG.

This element is intended to ensure that the plant assesses CRE habitability consistent with Sections C.1 and C.2 of RG 1.197. Assessing CRE habitability and inleakage at the NRC accepted frequencies provides assurance that significant degradation of the CRE boundary will not go undetected between CRE inleakage determinations. Further, determination of CRE inleakage using test methods acceptable to the NRC staff assures that the test results are reliable for ascertaining CRE boundary operability.

- 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 18 months on a staggered test basis with respect to the CREFS trains.

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 inleakage determinations.

- Quantitative limits on unfiltered inleakage. This element is intended to establish the CRE inleakage limit as the CRE unfiltered infiltration rate assumed in the CRE occupant radiological consequence analyses of DBAs. Having an unambiguous criterion for the CRE boundary to be considered operable in order to meet LCO 3.7.6, will ensure that associated action requirements will be consistently applied in the event of CRE degradation resulting in inleakage that exceeds the quantitative limit.

Consistent with TSTF-448, Revision 3, the program states that the provisions of HNP SR 4.0.2 are applicable to the program frequencies for performing the activities required by program elements "c," parts (i) and (ii) (assessment of CRE habitability and measurement of CRE inleakage), and "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 therefore acceptable.

Consistent with TSTF-448, Revision 3, proposed HNP TS 6.8.4 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. This is consistent with the model program TS approved by the NRC staff in TSTF-448, Revision 3, and is acceptable.

3.5 Implementation of New Surveillance and Assessment Requirements by the Licensee

The licensee 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 therefore acceptable.

The HNP license condition states:

Upon implementation of the amendment adopting TSTF-448, Revision 3, the determination of control room envelope (CRE) unfiltered air inleakage as required by Surveillance Requirement (SR) 4.7.6.g, in accordance with TS 6.8.4.o.3 (i), the assessment of CRE habitability as required by Specification 6.8.4.o.3 (ii), and the measurement of CRE pressure as required by Specification 6.8.4.o.4, shall be considered met. Following implementation:

- a. The first performance of SR 4.7.6.g, in accordance with Specification 6.8.4.o.3 (i), shall be within the specified Frequency of 6 years, plus the 18-month allowance of SR 4.0.2, as measured from March 5, 2004, the date of the most recent successful tracer gas test, or within the next 18 months if the time period since the most recent successful tracer gas test is greater than 6 years.
- b. The first performance of the periodic assessment of CRE habitability, Specification 6.8.4.o.3 (ii), shall be within 3 years, plus the 9-month allowance of SR 4.0.2, as measured from March 5, 2004, the date of the most recent successful tracer gas test, or within the next 9 months if the time period since the most recent successful tracer gas test is greater than 3 years.

- c. The first performance of the periodic measurement of CRE pressure, Specification 6.8.4.o.4, shall be within 18 months, plus the 138 days allowed by SR 4.0.2, as measured from October 13, 2006, the date of the most recent successful pressure measurement test.

3.6 Summary of Adoption of TSTF-448, Revision 3, by HNP

The licensee is not proposing to adopt the STS format used by TSTF-448, Revision 3 because the HNP TSs use a format that predates the STS and licensees are not required to adopt the STSs. Instead, the licensee proposes adoption of the TSTF-448, Revision 3 content into the existing HNP TSs. The changes to the HNP TSs will assure the facility's TS LCO for the CREFS is met by demonstrating CRE operability at a test interval (frequency) as described in RG 1.197. The changes also add TS administrative controls to assure the habitability of the CRE between tests. In addition, the revisions to the HNP TSs based on TSTF-448, Revision 3 content will establish clearly stated and reasonable required actions in the event CRE unfiltered inleakage exceeds the analysis assumptions.

TSTF-448, Revision 3 made changes to the STSs for the CREFS and the CRE boundary that meet the requirements of 10 CFR 50.36(d)(2), 10 CFR 50.36(d)(3), and the other regulatory requirements described in Section 2.0. The licensee proposed adopting TSTF-448, Revision 3 content to address plant-specific design issues while retaining the current licensing basis of HNP. The staff review concluded that the changes meet the regulatory requirements outlined above, address HNP plant-specific design issues, and allow for retention of the current licensing basis. The proposed plant-specific adoption of TSTF-448, Revision 3 content will assure that HNP's CRE will remain habitable during normal operation and DBA conditions. The above changes are, therefore, acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the State of North Carolina 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 as published in the *Federal Register* on May 20, 2008 (73 FR 29161). 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.

Principal Contributor: R.P. Grover

Date: January 29, 2009

January 29, 2009

Chris L. Burton, Vice President
Shearon Harris Nuclear Power Plant
Carolina Power & Light Company
Post Office Box 165, Mail Zone 1
New Hill, North Carolina 27562-0165

SUBJECT: SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1 - ISSUANCE OF AMENDMENT REGARDING THE ADOPTION OF TECHNICAL SPECIFICATION TASK FORCE STANDARD TECHNICAL SPECIFICATION CHANGE TRAVELER, TSTF-448, REVISION 3, "CONTROL ROOM HABITABILITY" (TAC NO. MD7792)

Dear Mr. Burton:

The Nuclear Regulatory Commission (NRC, Commission) has issued the enclosed Amendment No. 128 to Renewed Facility Operating License No. NPF-63 for the Shearon Harris Nuclear Power Plant, Unit 1, in response to your application dated January 4, 2008 (Agencywide Documents Access Management System Accession No. ML080150527), for implementation of the Technical Specification Task Force (TSTF) Standard TS Change Traveler, TSTF-448, Revision 3, "Control Room Habitability."

The amendment establishes more effective and appropriate action, surveillance, and administrative requirements related to ensuring the habitability of the control room envelope in accordance with the NRC-approved TSTF-448, Revision 3. This TS improvement was made available in the *Federal Register* by the NRC on January 17, 2007 (72 FR 2022).

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

Sincerely,
/RA/

Marlayna Vaaler, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-400

Enclosures: 1. Amendment No. 128 to NPF-63
2. Safety Evaluation

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ADAMS ACCESSION NUMBER: ML090260003

NR-058

OFFICE	LPL2-2/PM	LPL2-2/LA	ITSB/BC	OGC	LPL2-2/BC
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DATE	1/29/09	1/28/09	12/5/2008	11/06/2007	1/29/09

* by memo dated

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