



ENERGY NORTHWEST

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March 30, 2009
GO2-09-057

10 CFR 50.90

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555-0001

Subject: **COLUMBIA GENERATING STATION, DOCKET NO. 50-397
LICENSE AMENDMENT REQUEST FOR ADOPTION OF TSTF-511,
REV. 0, "ELIMINATE WORKING HOUR RESTRICTIONS FROM TS
5.2.2 TO SUPPORT COMPLIANCE WITH 10 CFR PART 26"**

Dear Sir or Madam:

In accordance with the provisions of Section 50.90 of Title 10 of the Code of Federal Regulations (10 CFR), Energy Northwest is submitting a request for an amendment to the Technical Specifications (TS) for Columbia Generating Station (Columbia).

The proposed amendment would delete those portions of TS superseded by 10 CFR Part 26, Subpart I. This change is consistent with NRC approved Revision 0 to Technical Specification Task Force (TSTF) Improved Standard Technical Specifications Change Traveler, TSTF-511, "Eliminate Working Hour Restrictions from TS 5.2.2 to Support Compliance with 10 CFR Part 26." The proposed amendment contains one deviation from TSTF-511. Energy Northwest intends to mark 5.2.2.d "Deleted" and not renumber paragraphs 5.2.2.e and 5.2.2.f. The availability of this TS improvement was announced in the Federal Register on December 30, 2008 (73 FR 79923) as part of the consolidated line item improvement process (CLIP).

Attachment 1 provides an evaluation of the proposed change. Attachment 2 provides the existing TS pages marked up to show the proposed change. Attachment 3 provides the proposed TS changes in final typed format. Attachment 4 provides the regulatory commitment.

Energy Northwest requests approval of the proposed license amendment by August 31, 2009, to support implementation of TS changes concurrent with implementation of the new 10 CFR 26, Subpart I requirements by October 1, 2009.

This letter contains one regulatory commitment as identified in Attachment 4.

A001
NRR

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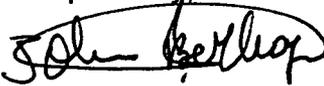
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In accordance with 10 CFR 50.91, a copy of this application, with attachments, is being provided to the designated Washington State Official.

If you should have any questions regarding this submittal, please contact Mr. MC Humphreys, Licensing Supervisor, at (509) 377-4025.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the date of this letter.

Respectfully,

 for *sath oxenford* 3/30/09

WS Oxenford
Vice President, Nuclear Generation & Chief Nuclear Officer

Attachments: 1. Evaluation of Proposed Change
2. Proposed Technical Specification Change (Mark-Up)
3. Proposed Technical Specification Change (Re-Typed)
4. List of Regulatory Commitments

cc: EE Collins, Jr. – NRC RIV
CF Lyon – NRC NRR
NRC Senior Resident Inspector/988C
RN Sherman – BPA/1399
WA Horin – Winston & Strawn
JO Luce – EFSEC
RR Cowley – WDOH

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Evaluation of the Proposed Change

Subject: License Amendment Request for Adoption of TSTF-511, Revision 0,
"Eliminate Working Hour Restrictions from TS 5.2.2 to Support Compliance
with 10 CFR Part 26."

1.0 Description

2.0 Proposed Change

3.0 Background

4.0 Technical Analysis

5.0 Regulatory Safety Analysis

5.1 No Significant Hazards Determination

5.2 Applicable Regulatory Requirements / Criteria

6.0 Environmental Consideration

7.0 References

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1.0 DESCRIPTION

The proposed amendment would delete those portions of Technical Specifications (TS) superseded by 10 CFR Part 26, Subpart I. This change is consistent with NRC approved Revision 0 to Technical Specification Task Force (TSTF) Improved Standard Technical Specifications Change Traveler, TSTF-511, "Eliminate Working Hour Restrictions from TS 5.2.2 to Support Compliance with 10 CFR Part 26." Minor differences between the proposed plant specific TS changes and the changes proposed by TSTF-511 are listed in section 2.0. The availability of this TS improvement was announced in the Federal Register on December 30, 2008 (73 FR 79923) as part of the consolidated line item improvement process (CLIP).

2.0 PROPOSED CHANGE

Consistent with the NRC approved Revision 0 of TSTF-511, the proposed TS changes delete those portions of TS superseded by 10 CFR Part 26, Subpart I.

This application is being made in accordance with the CLIP. Energy Northwest proposes one deviation from the TS changes described in TSTF-511. Energy Northwest intends to mark the existing requirements of TS 5.2.2.d as "Deleted" and not renumber subsequent paragraphs 5.2.2.e or 5.2.2.f. Conserving the numbering avoids changing Columbia Generating Station (Columbia) procedures and instructions which reference 5.2.2.e and 5.2.2.f. This difference is administrative. It will not affect the applicability of the proposed change nor influence the NRC staff's model safety evaluation (SE) published on December 30, 2008 (73 FR 79923) as part of the CLIP Notice of Availability.

3.0 BACKGROUND

The NRC issued a *Federal Register* notice (73 FR 16966, March 31, 2008) of the issuance of a final rule that amended 10 CFR Part 26. The revised regulations in 10 CFR Part 26, Subpart I supersede working hour restrictions contained in paragraph d of TS 5.2.2. The background for this application is adequately addressed by the NRC Notice of Availability published on December 30, 2008 (73 FR 79923).

4.0 TECHNICAL ANALYSIS

Energy Northwest has reviewed the SE published on December 30, 2008 (73 FR 79923) as part of the CLIP Notice of Availability. Energy Northwest has concluded that the technical justifications presented in the SE prepared by the NRC staff are applicable to Columbia.

10 CFR Part 26, Subpart I, supersedes existing worker fatigue guidance. 10 CFR Part 26, Subpart I, distinguishes between work hour controls and fatigue management and strengthens the requirements for both. Under the new rule, work hour restrictions

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include not only work hour limitations for rolling 24-hour, 48-hour, and 7-day periods, but also include a required minimum break between work periods and varying required minimum days off. Additionally, Subpart I confines the use of waivers (deviations from restrictions) to situations where overtime is necessary to mitigate or prevent a condition adverse to safety or necessary to maintain the security of the facility. Subpart I also strengthens reporting requirements. Finally, the new rule's work hour control scope includes certain operating and maintenance personnel, as well as individuals directing those operating and maintenance personnel, health physics, and chemistry personnel who are a part of the on-site emergency response organization minimum shift complement, the fire brigade member who is responsible for understanding the effects of fire and fire suppressants on safe shutdown capability, and certain security personnel.

The proposed change removes working hour limits imposed in the TS in order to support compliance with 10 CFR Part 26, Subpart I. Work hour controls and fatigue management requirements have been incorporated into the NRC's regulations; therefore, it is unnecessary to have work hour control requirements in the TS. Removal of the TS requirements will be performed concurrently with the implementation of the 10 CFR Part 26, Subpart I requirements, even if the TS change is implemented prior to the October 1, 2009 deadline. Along with this LAR, Energy Northwest has submitted a commitment to comply with 10 CFR Part 26 concurrently with the implementation of the TS change.

5.0 REGULATORY SAFETY ANALYSIS

5.1 NO SIGNIFICANT HAZARDS DETERMINATION

Energy Northwest has reviewed the no significant hazards determination published on December 30, 2008 (73 FR 79923) as part of the CLIP Notice of Availability. Energy Northwest has concluded that the determination presented in the notice is applicable to Columbia. Energy Northwest has evaluated the proposed changes to the TS using the criteria in 10 CFR 50.92 and has determined that the proposed changes do not involve a significant hazards consideration. An analysis of the issue of no significant hazards consideration is presented below:

Criterion 1: The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

Response: No.

The proposed change removes TS restrictions on working hours for personnel who perform safety related functions. The TS restrictions are superseded by the worker fatigue requirements in 10 CFR Part 26. Removal of the TS requirements will be performed concurrently with the implementation of the 10 CFR Part 26, Subpart I, requirements. The proposed change does not impact the physical

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configuration or function of plant structures, systems, or components (SSCs) or the manner in which SSCs are operated, maintained, modified, tested, or inspected. Worker fatigue is not an initiator of any accident previously evaluated. Worker fatigue is not an assumption in the consequence mitigation of any accident previously evaluated.

Therefore, it is concluded that this change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

Criterion 2: The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

Response: No.

The proposed change removes TS restrictions on working hours for personnel who perform safety related functions. The TS restrictions are superseded by the worker fatigue requirements in 10 CFR Part 26. Working hours will continue to be controlled in accordance with NRC requirements. The new rule allows for deviations from controls to mitigate or prevent a condition adverse to safety or as necessary to maintain the security of the facility. This ensures that the new rule will not unnecessarily restrict working hours and thereby create the possibility of a new or different kind of accident from any accident previously evaluated. The proposed change does not alter the plant configuration, require new plant equipment to be installed, alter accident analysis assumptions, add any initiators, or effect the function of plant systems or the manner in which systems are operated, maintained, modified, tested, or inspected.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

Criterion 3: The proposed change does not involve a significant reduction in a margin of safety.

Response: No.

The proposed change removes TS restrictions on working hours for personnel who perform safety related functions. The TS restrictions are superseded by the worker fatigue requirements in 10 CFR Part 26. The proposed change does not involve any physical changes to the plant or alter the manner in which plant systems are operated, maintained, modified, tested, or inspected. The proposed change does not alter the manner in which safety limits, limiting safety

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system settings or limiting conditions for operation are determined. The safety analysis acceptance criteria are not affected by this change. The proposed change will not result in plant operation in a configuration outside the design basis. The proposed change does not adversely affect systems that respond to safely shutdown the plant and to maintain the plant in a safe shutdown condition. Removal of plant-specific TS administrative requirements will not reduce a margin of safety because the requirements in 10 CFR Part 26 are adequate to ensure that worker fatigue is managed.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Based on the above, Energy Northwest concludes that the proposed change presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of "no significant hazards consideration" is justified.

5.2 APPLICABLE REGULATORY REQUIREMENTS / CRITERIA

A description of the proposed TS change and its relationship to applicable regulatory requirements was provided in the NRC Notice of Availability published on December 30, 2008 (73 FR 79923). Energy Northwest has reviewed the NRC staff's model SE published as part of the CLIIP Notice of Availability and concluded that the regulatory evaluation section is applicable to Columbia. The proposed change eliminates the plant-specific TS administrative controls on working hours. The TS guidance has been superseded by 10 CFR Part 26.

10 CFR Part 26, Subpart I, "Managing Fatigue," contains requirements for managing worker fatigue at operating nuclear power plants. 10 CFR 50.36 provides, among other things, the regulatory requirements for the content in the Administrative Controls section of the TS. The inclusion of requirements to control working hours and manage fatigue is not required to be in the Administrative Controls by 10 CFR Part 50.36. Because the requirement to control working hours and manage fatigue is provided in 10 CFR Part 26, Subpart I, it is unnecessary for the TS to contain similar controls.

6.0 ENVIRONMENTAL CONSIDERATION

Energy Northwest has reviewed the environmental evaluation included in the safety evaluation (SE) published on December 30, 2008 (73 FR 79923) as part of the CLIIP Notice of Availability. Energy Northwest has concluded that the staff's findings presented in that evaluation are applicable to Columbia. The proposed amendment changes recordkeeping, reporting, or administrative procedures. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or

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environmental assessment need be prepared in connection with the issuance of the amendment.

7.0 REFERENCES

1. Federal Register Notice, Final Rule 10 CFR Part 26 published on, March 31, 2008 (73 FR 16966).
2. TSTF-511, Revision 0, "Eliminate Working Hour Restrictions from TS 5.2.2 to Support Compliance with 10 CFR Part 26."
3. Federal Register Notice, Notice of Availability published on December 30, 2008 (73 FR 79923).

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Attachment 2

Proposed Technical Specification Change (Mark-Up)

Page 5.2-2

5.2 Organization

5.2.2 Unit Staff (continued)

- b. Shift crew composition may be less than the minimum requirement of 10 CFR 50.54(m)(2)(i) and 5.2.2.a and 5.2.2.f for a period of time not to exceed 2 hours in order to accommodate unexpected absence of on-duty shift crew members provided immediate action is taken to restore the shift crew composition to within the minimum requirements.
- c. An individual qualified to implement radiation protection procedures shall be on site when fuel is in the reactor. The position may be vacant for not more than 2 hours, in order to provide for unexpected absence, provided immediate action is taken to fill the required position.

d. Administrative procedures shall be developed and implemented to limit the working hours of personnel who perform safety related functions (e.g., licensed SROs, licensed ROs, health physicists, equipment operators, and key maintenance personnel).

The controls shall include guidelines on working hours that ensure adequate shift coverage shall be maintained without routine heavy use of overtime.

Any deviation from the above guidelines shall be authorized in advance by the Plant General Manager or his designee, in accordance with approved administrative procedures, with documentation of the basis for granting the deviation.

Controls shall be included in the procedures to require a periodic independent review be conducted to ensure that excessive hours have not been assigned. Routine deviation from the working hour guidelines shall not be authorized.

- e. The Operations Manager or Assistant Operations Manager shall hold an SRO license.
- f. An individual shall provide advisory technical support to the unit operations shift crew in the areas of thermal hydraulics, reactor engineering, and plant analysis with regard to the safe operation of the unit. This individual shall meet the qualifications specified by the Commission Policy Statement on Engineering Expertise on Shift.

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Proposed Technical Specification Change (Re-Typed)

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5.2 Organization

5.2.2 Unit Staff (continued)

- b. Shift crew composition may be less than the minimum requirement of 10 CFR 50.54(m)(2)(i) and 5.2.2.a and 5.2.2.f for a period of time not to exceed 2 hours in order to accommodate unexpected absence of on-duty shift crew members provided immediate action is taken to restore the shift crew composition to within the minimum requirements.
 - c. An individual qualified to implement radiation protection procedures shall be on site when fuel is in the reactor. The position may be vacant for not more than 2 hours, in order to provide for unexpected absence, provided immediate action is taken to fill the required position.
 - d. Deleted.
 - e. The Operations Manager or Assistant Operations Manager shall hold an SRO license.
 - f. An individual shall provide advisory technical support to the unit operations shift crew in the areas of thermal hydraulics, reactor engineering, and plant analysis with regard to the safe operation of the unit. This individual shall meet the qualifications specified by the Commission Policy Statement on Engineering Expertise on Shift.
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Attachment 4

List of Regulatory Commitments

1. Removal of the plant-specific working hour restrictions from TS 5.2.2 will be performed concurrently with the implementation of the 10 CFR Part 26, Subpart I requirements. This commitment will be completed no later than October 1, 2009.