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May 14, 1985

Re: Indian Point Unit No. 2
Docket No. 50-247

Director of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

ATTN: Mr. Steven A. Varga, Chief
Operating Reactors Branch No. 1
Division of Licensing

Dear Mr. Varga:

In response to your letter of February 22, 1984, requesting additional information concerning our February 14, 1983 license amendment and technical specification change request as it pertains to Item F.1(f)(3) of the Zion/Indian Point Task Action Plan, Attachments A and B are forwarded herewith.

A background summary of the Task Action Plan is contained in Attachment A. These changes to our Technical Specifications were suggested based on assumptions that have subsequently been repudiated by the Commission. See in particular the Commission Order dated May 7, 1985, at pages 28-29 and at pages 43-44. We also point out that there are potential risks associated with incorporation of these changes to our Technical Specifications.

We therefore are withdrawing those portions of our February 14, 1983 submittal responsive to Item F.1.(f)(3) of the Task Action Plan as well as the commitment for a future submittal pertaining to F.1.(f)(3) of the plan regarding electrical system technical specifications. Attachment B to this letter identifies the specific items in our February 14, 1983 submittal that are withdrawn.

Should you or your staff have any questions, please contact us.

Very truly yours,

John D. O'Toole

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TO: S. Varga

-2- May 14, 1985

cc: Senior Resident Inspector
U. S. Nuclear Regulatory Commission
P. O. Box 38
Buchanan, New York 10511

Attachment A

Background Summary
Task Action Plan

Consolidated Edison Company of New York, Inc.
Indian Point Unit No. 2
Docket No. 50-247
May, 1985

Attachment A

Background Summary
Task Action Plan

The NRC Staff developed the Zion/Indian Point Task Action Plan, based on the assumption that the so-called "Near Site" plants represented a disproportionate share of the total public risk associated with the operation of nuclear power plants in the United States. The Task Action Plan was developed as an internal NRC action program. Con Edison received a copy of the plan as one of a number of informational attachments to a letter from H. R. Denton to W. J. Cahill dated April 9, 1980.

On the first page of the Task Action Plan, the NRC Staff states: "These sites are being evaluated because they represent the four operating reactors which are located in areas of unusually high population density and therefore are believed to represent a disproportionately high contribution to the total societal risk from reactor accidents." The staff's position was based solely on demographic considerations, and not on a plant-specific risk analysis. On page 3 of the Task Action Plan the staff states: "Recognizing the length of time that may be required to implement some or all of the severe accident mitigation features (probably one to two years), the staff has evaluated a number of interim operational actions that should be implemented at these high population density sites for this period of time."

Commonwealth Edison, Con Edison, and the New York Power Authority briefed the NRC Staff on the results of Phase I of our analyses on February 20, 1980 and briefed the ACRS on March 5, 1980. Con Edison and NYPA docketed their position in a joint letter from P.J. Early (NYPA) and W.J. Cahill (Con Ed) to H. R. Denton dated May 23, 1980. In that letter, it was stated: "The principal conclusion to be drawn from the attached studies is that the level of risk associated with the Indian Point plants is significantly less than the level of risk which has found implicit acceptance in past NRC licensing actions, the level of risk reported in WASH-1400 for a typical PWR located at an average or composite site." It was further stated: "In view of the erroneous conclusion of the staff's 'initial cut' evaluation as demonstrated by our own plant-specific evaluation, we believe that a plant-specific evaluation should be performed by the NRC before any determinations are made."

On March 5, 1982 in a joint letter from J. P. Bayne (NYPA) and J. D. O'Toole (Con Ed) to H. R. Denton, we submitted the results of Phase II of our analyses in a comprehensive, state-of-the-art twelve volume probabilistic risk assessment entitled, "Indian Point Probabilistic Safety Study" (IPPSS) which comprised some fifty (50) man-years of effort. IPPSS incorporated substantial improvements in the methodology

utilized in previous probabilistic risk studies and affirmed our prior conclusion that the level of risk associated with the Indian Point plants is significantly less than the level of risk reported in WASH-1400 for a typical PWR located at an average or composite site.

An Atomic Safety and Licensing Board appointed to review the questions arising from the UCS Petition concerning high population density for the Indian Point plants submitted its recommendations to the Commission, dated October 24, 1983. Although the context and scope of the Board's review had expanded and only indirectly addressed the original assumption of the Task Action Plan and our May 23, 1980 response to it, the Board found in context that the Indian Point plants do not represent a disproportionate share of the total public risk. In response to Commission Question 5, the Licensing Board states in part: "On the basis of risk involving internally initiated events it does not appear that the Indian Point plants present risks worse than those of other plants assessed. There are not enough studies involving externally initiated events to make a meaningful comparison from that standpoint."

Subsequently, on May 7, 1985, the Commission issued an Order addressing the Licensing Board's recommendations. The Commission found that "the record does not show that either (Indian Point) unit is a risk outlier" (Order at pages 43-44). Since after extensive hearings the Indian Point reactors were found not to pose a disproportionately high contribution to overall reactor risk, the underlying premise of the Task Action Plan has now been rejected by the Commission.

There are other reasons why the Task Action Plan should no longer be followed. Item F.1(f)(3) would require that the Indian Point Unit No. 2 Technical Specifications be revised to be at least as stringent as the Standard Technical Specifications. The intent of this requirement is to minimize plant operation during safety system unavailability. The approach to implementing this requirement was to reduce the time available for remedial measures before placing the plant in a shutdown mode and reducing the allowable out-of-service times for systems and equipment to be consistent with those contained in the Standard Technical Specifications.

NRC regulatory actions initiated subsequent to the development of the Task Action Plan, item F.1(f)(3) in particular, suggest that detailed compliance with the stricter portions of the Standard Technical Specifications may indeed contribute to the overall risk associated with the operation of nuclear power plants. The staff has recognized this concern with the Standard Technical Specifications in NUREG-1024 "Technical Specification -- Enhancing the Safety Impact." In addition, several other recent NRC actions suggest that too frequent cycling of equipment negatively affects reliability and ultimately increases risk due to the unavailability of safety-related equipment and plant cycling with attendant challenges to safety systems. The very significant changes in regulatory philosophy since the development of the Task Action Plan as an interim measure lead us to conclude that any changes to the Indian Point Unit No. 2 technical specifications simply to be consistent with the Standard Technical Specifications do not necessarily reduce risk and may, in fact, reduce some safety margins.

The individual tasks of the Task Action Plan had been substantially completed early in our response to this issue. Con Edison complied with the requirements in the Interim Action Confirmatory Orders of February 1980, but had not independently agreed to the overall Task Action Plan. The analyses used in the IPPSS were based on the applicable technical specifications that existed at that time. The additional F.1(f)(3) requests for technical specification changes were not factored into the risk assessment presented in the IPPSS and would not contribute substantial reductions to the already low risk profile for Indian Point Unit No. 2.

Accordingly, we believe we are justified withdrawing our commitment to revise the Indian Point Unit No. 2 Technical Specifications under Item F.1(f)(3) of the Task Action Plan.

Attachment B

Status of Specific Items
From February 14, 1983 Submittal

Consolidated Edison Company of New York, Inc.
Indian Point Unit No. 2
Docket No. 50-247
May, 1985

Attachment B

The following list identifies those portions of the Indian Point Unit No. 2 Technical Specifications which, consistent with NRC's July 7, 1980 letter, would have required revision under item F.1.(f)(3) of the Task Action Plan. The numbering system used is consistent with the enclosure to the July 7, 1980 NRC letter. The status of each item is identified. Those portions of Con Edison's February 14, 1983 license amendment application that are withdrawn are identified below. Those items that have already been issued as a result of previous license amendments or are parts of other generic issues being addressed by all nuclear licensees are still valid and are also addressed below. In order to minimize any administrative burden resulting from the withdrawal of certain of these provisions, where deemed necessary, clarifying statements are provided.

Item 1.1 Need to add Dose Equivalent I-131. (1.19)

Status: withdrawn - delete item 1.14 pg 1-4.

Note: this provision has been incorporated into Amendment No. 90 to the IP Unit No. 2 Technical Specifications for the Radiological Environmental Technical Specifications (RETS) issue (page 1-5).

Item 1.2 Need to add various types of leakage (identified, unidentified and pressure boundary). (1.14, 1.15, 1.16 and 1.17)

Status: withdrawn - this issue was previously resolved with the issuance of Amendment No. 69 to the IP Unit No. 2 Technical Specifications (page 1-4, 1-5) for RCS leakage and leakage to the containment free volume. It was not part of our February 14, 1983 submittal.

Item 2.1 The maximum time to restore the parameters to within their limits should be reduced from 2 hours to 1 hour. (2.1)

Status: withdrawn.

Note: Although this item is being withdrawn, during the course of our review of the Standard Technical Specifications (STS) it was noted that the subject DNB-related parameters are considered as parameters subject to Limiting Conditions for Operation (LCO) (specification 3.2.5 of the STS) whereas the Indian Point Unit No. 2 Technical Specifications treated these parameters as Safety Limits and Limiting Safety System Settings. Accordingly the subject parameters and associated bases were moved to Section 3.1.G of our February 14, 1983 submittal with a two hour action time. This change is an administrative matter which we request be retained and issued without changing the two hour action time.

Item 3.1.A.1.a. Revise to require a RCP or RHR pump to be in operation at all times to reduce likelihood of a boron dilution accident. (3/4.4.1)

Status: retained - Pg 3.1.A-1, items 3.1.A.1.a-c.

Note: This item is responsive to the Decay Heat Removal issue and hence independent of F.1(f)(3).

Item 3.1.A.1.d. Remove this Specification - N-1 loop operation has not been approved.

Status: retained - this item is integral to items 2.1 and 3.1.A.1.a above. By incorporating those items into the IP Unit No. 2 Technical Specifications in their entirety, as submitted, N-1 loop operation will be premitted during power operation only for a four hour LCO due to reactor coolant pump testing or repair (3.1.A.1.b).

Item 3.1.F. Revise to limit various types of leakages as defined (new definitions) to remove ambiguity in interpretation on what is safe or unsafe. Refer to W-STS 3/4.4.6.2.

Status: withdrawn - see item 1.2 status (above).

Item 3.4.A.(6) Revise to limit the activity to 0.10 $\mu\text{Ci/gm}$ dose equivalent I-131 (3/4.7.1.4).

Status: withdrawn - delete all proposed changes to section 3.4.

Item 3.4.B. Review to limit the time required to be in hot standby (subcritical) condition to 6 hours. Refer to section 3/4.7.1 of W-STS. Also indicate that only one MSIV can be inoperable at any one time. (3/4.7.1.5)

Status: withdrawn - delete all proposed changes to section 3.4.

Item 3.6.A. Include a requirement that both air lock doors be maintained closed except for access and egress requirements and that the leakage be within specified limits. (3/4.6.1.3)

Status: withdrawn - the technical concerns associated with this item were resolved with Amendment No. 63 to the IP Unit No. 2 Technical Specifications. This issue was not addressed in our February 14, 1983 submittal.

Item 3.6.B. Include a one hour time limit on corrective action. (3/4.6.1.5)

Status: withdrawn - delete all proposed changes to section 3.6.

- Item 3.6.C. Revise to indicate a maximum temperature during operations. (3/4.6.1.6)
- Status: withdrawn - delete all proposed changes to section 3.6.
- Item 3.7.A. Add a requirement for electrical power sources while shutdown. (3/4.8.1.1)
- Status: withdrawn - our commitment to submit electrical technical specifications responsive to F.1(f)(3) is withdrawn.
- Item 3.7.B.1 Require operability tests of the remaining sources within one hour and once per eight hours thereafter. (3/4.8.1.1)
- Status: withdrawn - see item 3.7.A above.
- Item 3.7.B.2 See 3.7.B.1 above and limit the total out of service time to 72 hours.
- Status: withdrawn -see item 3.7.A above.
- Item 3.7.B.3 Limit the out of service time to two hours. (3/4.8.2.3)
- Status: withdrawn - see item 3.7.A above.
- Item 3.8.7 Revise to limit the movement of any heavy load over spent fuel in the storage pool. (3/4.9.7)
- Status: withdrawn - although change bars appear adjacent to paragraph 3.8.C.1 of our February 14, 1983 submittal, these restrictions on the control of heavy loads over the spent fuel pool were incorporated in Amendment No. 75 to the IP Unit No. 2 Technical Specifications. The change involves the relocation of this paragraph as part of the editorial upgrade of Section 3.8 of our current Technical Specifications.
- Item 3.8.10 Include minimum level (23 feet) above fuel in spent fuel storage pool. (3/4.9.11)
- Status: withdrawn - delete paragraph 3.8.C.2 from our February 14, 1983 submittal.
- Item 3.10.3.1 Change the power level restriction from 2% to 3% (3/4.2.4)
- Status: withdrawn - delete all the proposed changes to section 3.10.

- Item 3.10.5.1 Change the action time for realignment of a control rod to one hour. (3/4.1.3.1)
- Status: withdrawn - delete all the proposed changes to section 3.10.
- Item 3.10.7.3 Revise to include an evaluation of the accidents listed in Table 3.1-1 of W-STS.
- Status: withdrawn - delete all the proposed changes to section 3.10.
- Figure 3.10-1 Verify that this figure is still valid.
- Status: as indicated in the Safety Assessment contained in our February 14, 1983 submittal, this figure is valid.
- Item 3.11.A. Revise to require 75% of all thimbles to be operable. (3/4.3.3.3.2)
- Status: withdrawn - delete all changes to section 3.11
- Item 4.4. Add a section on air lock leakage testing, and equipment hatch leakage testing. Refer to W-STS Specification 3/4.6.1.1 and 3/4.6.1.3.
- Status: withdrawn - see item 3.6.A above.
- Item 4.6.C Upgrade station batteries testing to the requirements shown in W-STS Specification 4.8.2.3.1 and .2.
- Status: withdrawn - see item 3.7.A above.
- Item 4.6.X Add a surveillance requirement to ensure proper alignment of all required distribution systems.
- Status: withdrawn - see item 3.7.A above.
- Item 4.8.1 Include in the tests of the auxiliary feedwater pumps and valves verification of adequate flow rates, discharge pressures, valve positioning and verification of proper component actuation on receipt of all required automatic signals.
- Status: withdrawn - the technical issues associated with this item were resolved with Amendment No. 72 to IP Unit No. 2 Technical Specifications. This issue was not addressed in our February 14, 1983 submittal.

Item 4.9 Here, and elsewhere, references to the AEC should be changed to NRC.

Status: retained.

Item 5.3.B. Include the Reactor Coolant System design pressure and temperature.

Status: retained.

The following areas should be covered by appropriate LCO's and Surveillance Requirements:

1.a Instrumentation for: Remote Shutdown (3/4.3.3.5)

Status: withdrawn - delete paragraph 3.5.7 in its entirety and the reference to paragraph 3.5.7 contained in paragraph 3.5.8 and associated bases pg 3.5-5.

1.b Instrumentation for: Post-Accident (3/4.3.3.6)

Status: withdrawn - delete changes to Table 3.5-5 and associated bases pg 3.5-5. (Note: Technical Specification changes responsive to TMI requirements were separately submitted in a letter dated December 21, 1984.)

1.c Instrumentation for: Chlorine Detection (3/4.3.3.7)

Status: withdrawn - our commitment to submit chlorine detection technical specifications responsive to F.1.(f)(3) is withdrawn. (Note: this issue has been separately addressed in response to TMI related requirements in a letter dated December 21, 1984).

2. Containment Penetration Overcurrent Protection Devices (3/4.8.3.1)

Status: withdrawn - see item 3.7.A above.

3. Motor Operated Valves Thermal Overload Protection (3/4.8.3.2)

Status: withdrawn - see item 3.7.A above.