ATTACHMENT A

PROPOSED TECHNICAL SPECIFICATIONS

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
INDIAN POINT UNIT NO. 2
DOCKET NO. 50-247
DECEMBER, 1995

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5. Power Operated Relief Valves (PORVs)/Block Valves (for operation above 350°F)

a. Whenever the reactor coolant system is above 350°F, the PORVs and their associated block valves shall be operable with the block valves either open or closed.

b. If a PORV becomes inoperable when above 350°F, its associated block valve shall be maintained in the closed position.

c. If a PORV block valve becomes inoperable when above 350°F, the block valve shall be closed and deenergized.

d. If the requirements of Specification 3.1.A.5.b or 3.1.A.5.c above cannot be satisfied, compliance shall be established within four (4) hours, or the reactor shall be placed in the hot shutdown condition within the next six (6) hours and subsequently cooled below 350°F.

e. With regard to the use of the PORVs/Block Valves as a reactor coolant system vent, the requirements of Specification 3.16 shall be adhered to.

6. Pressurizer Heaters

a. Whenever the reactor coolant system is above 350°F, the pressurizer shall be operable with at least 150kW of pressurizer heaters.

b. If the requirements of Specification 3.1.A.6.a cannot be met, restore the required pressurizer heater capacity to operable status within 72 hours or the reactor shall be placed in the hot shutdown condition within the next six (6) hours and subsequently cooled to below 350°F.

ATTACHMENT B

SAFETY ASSESSMENT

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
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Discussion

In an NRC Letter to All Pressurized Water Reactors dated July 2, 1980, NRC prepared model Technical Specifications reflecting the lessons learned from the accident at Three Mile Island. These Model Technical Specifications included requirements to assure the shutoff capability of Pressurizer Power Operated Relief Valves (PORVs) and PORV Block Valves. Con Edison responded by letter to NRC dated April 27, 1981. Con Edison submitted proposed changes in response to the NRC letter dated July 2, 1980. In the safety evaluation attached to Con Edison Letter dated April 27, 1981, Con Edison stated that "the proposed changes contained in the Application have been based on the model Technical Specifications and model license conditions provided with NRC's July 2, 1980 letter". Unfortunately the wording chosen for the Technical Specification did not literally reflect the intended meaning of the model Technical Specification and is in direct conflict with the original intention of the Technical Specification, and can be interpreted to restrict the time allowed to operate with the block valves closed and deenergized instead of requiring the block valves to be closed and deenergized under certain conditions. This proposed change is intended to restore the wording of the Technical Specification to reflect more clearly the intended meaning. The proposed change would allow PORVs/Block Valves to be closed and deenergized subject to other applicable Technical Specifications.

Basis for No Significant Hazards Consideration Determination

The proposed change does not involve a significant hazards consideration since:

1. There is no significant increase in the probability or consequences of an accident.

   This proposed change is administrative in nature and merely restore consistency between the intended operation of the Technical Specification and the language of the Technical Specification. The basis for the Technical Specification involves assuring the shutoff capability of the PORVs/Block Valves. This proposed change would allow PORVs/Block Valves to be closed and deenergized indefinitely subject to the provisions of the other applicable Technical Specifications. As discussed in Con Edison letter dated September 29, 1992 and NRC letter dated June 2, 1994 regarding NRC Generic Letter No. 90-06, the PORVs are not credited for being able to relieve primary system pressure in any Indian Point Unit No. 2 design basis accident analysis. Additionally, the PORVs are not relied upon as the primary means of mitigating a steam generator tube rupture accident. Therefore closing and deenergizing the PORV/Block Valves indefinitely subject to the provisions of other applicable Technical Specifications can have no effect on the probability or consequences of a previously evaluated accident.

2. The possibility of a new or different kind of accident from any previously evaluated has not been created.

   As discussed above the proposed change restores consistency between the literal wording of the Technical Specification and its intended meaning to assure the availability of the shutoff capability of the PORV/Block valves. Since the PORVs are not credited in any design basis accident analysis, closing and deenergizing the PORV/Block Valves, subject to the provisions of other applicable Technical Specifications, cannot create the possibility of any new accident.

3. There has been no reduction in the margin of safety.

This proposed change does not have any affect on the plant's margin of safety as utilized in design basis accident analysis to show compliance with the requirements of all applicable regulations.

The proposed changes are administrative in nature and have been reviewed by the Station Nuclear Safety Committee (SNSC). The committee concurs that the proposed changes do not represent a significant hazards consideration.

ATTACHMENT C

BASIS FOR THE REQUEST

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
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Basis for the Emergency Request

As a result of slowly increasing leakage thru both PORVs, a decision was reached December 5, 1995 to maintain both Block Valves in the closed position. Leakage is still present through one or both Block Valves. On December 7, 1995 plans for potential maintenance activities for the PORVs and Block Valves were formulated. These included actions which would result in one or both Block Valves being declared inoperable. Discussion of planned maintenance action with NRC Region based personnel revealed the wording conflict problem.

Con Edison desires to take action to eliminate the RCS leakage through the PORV/Block Valve path, as well as the radioactive waste being generated by this leakage. If possible, this would be accomplished with the unit on-line.

A review of the NUREG 1431 STS and the GL 90-06 compliance position issued by NRC indicate that use of STS would not have been effective in avoiding this Technical Specification wording conflict for Indian Point 2.

The combined PORV and Block Valve leakage has just occurred, and therefore could not have resulted in anticipation of events leaking to this request. Absent relief from NRC, a plant shutdown may result. Thus the conditions need to satisfy 10 CFR 50.91(a)(5) exist.

ATTACHMENT D

REQUEST FOR ENFORCEMENT DISCRETION

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
INDIAN POINT UNIT NO. 2
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ATTACHMENT D

JUSTIFICATION FOR CONTINUED OPERATION (JCO) IN SUPPORT OF A REQUEST FOR ENFORCEMENT DISCRETION

TECHNICAL SPECIFICATION REQUIREMENT

Indian Point Unit No. 2 Technical Specification section 3.1.A.5.a requires that "Whenever the reactor coolant system is above 350°F, the PORVs and their associated block valves shall be operable with the block valves either open or closed. Section 3.1.A.5.b requires that "If a PORV becomes inoperable when above 350°F, its associated block valve shall be maintained in the closed position." Section 3.1.A.5.c requires that " If a PORV block valve becomes inoperable when above 350°F, the block valve shall be closed and deenergized". Section 3.1.A.5.d requires that " If the requirements of Specification 3.1.A.5.a, 3.1.A.5.b or 3.1.A.5.c above cannot be satisfied, compliance shall be established within four (4) hours, or the reactor shall be placed in the hot shutdown condition within the next six (6) hours and subsequently cooled below 350°F".

REQUEST

Consolidated Edison requests enforcement discretion from Technical Specification 3.1.A.5.d. This specification, as currently written, could be interpreted to require that all of the requirements of Specifications 3.1.A.5.a, 3.1.A.5.b and 3.1.A.5.c must be satisfied or the action required by 3.1.A.5.d be taken. It is Consolidated Edison's position that the intent of Technical Specification 3.1.A.5.d is if Specification 3.1.A.5.a cannot be met then the actions of 3.1.A.5.b or 3.1.A.5.c may be taken. If either of those actions cannot be satisfied, then Section 3.1.A.5.d is applied and the appropriate actions taken in accordance with that section. It was not the intent of the Technical Specifications that section 3.1.A.5.d was to be applied to section 3.1.A.5.a.

BACKGROUND

DESIGN

The pressurizer safety valves provide, in conjunction with the Reactor protection System, over pressure protection for the RCS. The power operated relief valves operate to relieve RCS pressure below the setting of the pressurizer code safety valves. These relief valves have remotely operated block valves to provide a positive shutoff capability should a relief valve become inoperable.

Section 3.1.A.5 was added to the Indian Point Unit No. 2 Technical Specifications as Amendment No. 72 in August 1981. The changes contained in Amendment 72 involved the incorporation of certain of the TMI-2 Lessons Learned Category "A" requirements. In the request for Amendment 72 dated April 27, 1981, Consolidated Edison stated that "the proposed changes contained in this Application have been based on the model technical specifications and the model license conditions provided with the NRC's July 2, 1980 letter...". The model technical specifications contained in the referenced letter were:

3.4.3 (Two) power operated relief valves (PORVs) and their associated block valves shall be OPERABLE.

APPLICABILITY: MODES 1,2, and 3

ACTION:

a. With one or more PORV(s) inoperable, within 1 hour either restore the PORV(s) to OPERABLE status or close the associated block valve(s); otherwise, be in at least HOT STANDBY within the next 6 hours and in COLD SHUTDOWN within the following 30 hours.

B. With one or more block valve(s) inoperable, within 1 hour either restore the block valve(s) to OPERABLE status or close the block valve(s) and remove power from the block valve(s); otherwise, be in at least HOT STANDBY within the next 6 hours and in COLD SHUTDOWN within the following 30 hours.

It appears to be evident that the Technical Specification changes made following TMI-2 in Amendment 72 were intended to ensure the isolation capability of the PORVs and their associated block valves. As long as the block valves were able to prove the isolation capability, the plant could continue to operate.

DESCRIPTION OF CIRCUMSTANCES

Consolidated Edison has indication that one or both of the PORVs may be leaking past its seat. The block valves have been closed and there is indication that one or both of the PORV block valves may be leaking past its seat. It may be desirable to be able to manually close a block valve and deenergize it in accordance with section 3.1.A.5.c. The way that specification 3.1.A.5.d is currently written, an interpretation could be made that this would make the block valve inoperable and, since 3.1.A.5.a cannot be satisfied, compliance is required to be established within four (4) hours or the reactor will have to be

placed in hot shutdown.

JUSTIFICATION

SAFETY BASIS FOR THE REQUEST

The safety significance of the request is minimal since the intent of Technical Specification section 3.1.A.5 is not being altered. The Technical Specification model that this section was based upon only required a reactor shutdown if the PORV(s) became inoperable and the associated block valve could not be shut or if the block valves became inoperable and they could not be shut and deenergized. The enforcement discretion being requested would clarify the meaning of section 3.1.A.5 so that it would be consistent with that intent.

Additionally, in Consolidated Edison's response to Generic Letter 90-06, "Resolution of Generic Issue 70, 'Power-Operated Relief Valve and Block Valve Reliability", and Generic Issue 94, 'Additional Low-Temperature Over Protection for Light-Water Reactors'" dated September 29, 1992, we stated that "the ability to relieve primary system pressure using the PORVs is not credited in any Indian Point No. 2 design basis accident analysis. Additionally, the PORVs are not relied upon as the primary means of mitigating a steam generator tube rupture accident". In its review of Consolidated Edison's response to Generic Letter 90-06, the NRC, in a letter dated June 2, 1994, found this response to be acceptable.

COMPENSATORY ACTIONS

Since this request involves a change that is only administrative in nature, there are no compensatory actions required.

DURATION OF THE REQUEST

This request is for enforcement discretion from Technical Specification 3.1.A.5.d pending the approval of an Emergency Technical Specification change which will clarify the intent of that section.

PUBLIC HEALTH AND SAFETY IMPLICATIONS

The granting of this request would not adversely affect public health and safety since the intent of Technical Specification section 3.1.A.5 is not affected. This enforcement discretion is only required to clarify the wording of section 3.1.A.5.d to ensure that the intent of the section as conceived is maintained. This request does not involve an unreviewed safety question or significant hazards

consideration. This determination is based upon the following:

1. Since the PORVs and the block valves will continue to be operated in accordance with the original intent of Technical Specification 3.1.A.5, there will be no increase in the probability or consequences of an accident or malfunction of equipment important to safety previously evaluated in the safety analysis report.

2. Since the PORVs and the block valves will continue to be operated in accordance with the original intent of Technical Specification 3.1.A.5, the possibility of a new or different kind of accident or malfunction than any previously evaluated will not be created.

3. Since the PORVs and the block valves will continue to be operated in accordance with the original intent of Technical Specification 3.1.A.5, the margin of safety as defined in the basis for any technical specification will not be reduced.

ENVIRONMENTAL CONSEQUENCES

This request for enforcement discretion will not result in the increase in the consequences of an accident previously evaluated. Therefore, this evolution will not result in any adverse or irreversible environmental consequences.

STATION NUCLEAR SAFETY COMMITTEE REVIEW

This request for enforcement discretion and its justification was reviewed by the Station Nuclear Safety Committee and determined not to constitute an unreviewed safety question.

CONCLUSION

This requests for enforcement discretion from Technical Specification 3.1.A.5.d will allow continued operation of the unit should a PORV block valve need to closed and deenergized in accordance with section 3.1.A.5.c. This is consistent with the original intent of section 3.1.A.5.