



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

June 2, 2010

Vice President, Operations  
Entergy Nuclear Operations, Inc.  
Palisades Nuclear Plant  
27780 Blue Star Memorial Highway  
Covert, MI 49043-9530

SUBJECT: PALISADES NUCLEAR PLANT - ISSUANCE OF AMENDMENT RE: CONTROL  
ROD DRIVE EXERCISE SURVEILLANCE (TAC NO. ME3638)

Dear Sir:

The U.S. Nuclear Regulatory Commission (the Commission) has issued the enclosed Amendment No. 239 to Renewed Facility Operating License No. DPR-20 for the Palisades Nuclear Plant (PNP). The amendment adds a new license condition 2.C (4). This license condition would state that performance of Technical Specification (TS) surveillance requirement (SR) 3.1.4.3 is not required for control rod drive (CRD) 22 through cycle 21 or until the next entry into Mode 3. The amendment consists of changes to TSs by addition of a note in SR 3.1.4.3, in response to your application dated March 31, 2010, supplemented by letter dated May 13, 2010.

A copy of the related Safety Evaluation (SE) is enclosed. The SE describes the circumstances under which the amendment was issued and the final determination of no significant hazards. A Notice of Issuance, addressing the final no significant hazards determination and opportunity for a hearing, will be included in the Commission's next regular biweekly *Federal Register* notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Chawla ML".

Mahesh L. Chawla, Project Manager  
Plant Licensing Branch III-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-255

Enclosures:

1. Amendment No. 239 to DPR-20
2. Safety Evaluation

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

ENERGY NUCLEAR OPERATIONS, INC.

DOCKET NO. 50-255

PALISADES NUCLEAR PLANT

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 239  
License No. DPR-20

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Entergy Nuclear Operations, Inc. (the licensee) dated March 31, 2010, as supplemented by letter dated May 13, 2010, 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. DPR-20 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 239, and the Environmental Protection Plan contained in Appendix B are hereby incorporated in the license. ENO shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. The license amendment is effective as of its date of issuance and shall be implemented within 15 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert J. Pascarelli, Chief  
Plant Licensing Branch III-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Renewed Operating License  
and Appendix A

Date of Issuance: June 2, 2010

ATTACHMENT TO LICENSE AMENDMENT NO. 239  
TO RENEWED FACILITY OPERATING LICENSE NO. DPR-20  
DOCKET NO. 50-255

Replace the following page of Renewed Facility Operating License No. DPR-20 with the attached revised page. The changed area is identified by amendment number and a marginal line indicating the area of change.

REMOVE

- 4 -

INSERT

- 4 -

Replace the following page of Appendix A, Technical Specifications, with the attached revised page. The changed area is identified by amendment number and a marginal line indicating the area of change.

REMOVE

3.1.4-3

INSERT

3.1.4-3

- a. ENO 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.
  - b. ENO may alter specific features of the approved fire protection program provided:
    - Such changes do not result in failure to complete the fire protection program as approved by the Commission. ENO shall maintain in auditable form, a current record of all such changes, including an analysis of the effects of the change on the fire protection program and shall make such records available to the Commission Inspectors upon request. All changes to the approved program shall be reported along with the FSAR revision as required by 10 CFR 50.71(e); and
    - Temporary changes to specific fire protection features which may be necessary to accomplish maintenance or modifications are acceptable provided interim compensatory measures are implemented.
- (4) Performance of Technical Specifications Surveillance Requirement SR 3.1.4.3 is not required for control rod drive CRD-22 during cycle 21 until the next entry into Mode 3.
- (5) [deleted]

**SURVEILLANCE REQUIREMENTS**

SURVEILLANCE		FREQUENCY
SR 3.1.4.1	Verify the position of each control rod to be within 8 inches of all other control rods in its group.	12 hours
SR 3.1.4.2	Perform a CHANNEL CHECK of the control rod position indication channels.	12 hours
SR 3.1.4.3	<p>-----NOTE-----</p> <p>Not required to be performed or met for control rod 22 during cycle 21 provided control rod 22 is administratively declared immovable, but trippable and Condition D is entered for control rod 22.</p> <p>-----</p> <p>Verify control rod freedom of movement by moving each individual full-length control rod that is not fully inserted into the reactor core <math>\geq</math> 6 inches in either direction.</p>	92 days
SR 3.1.4.4	Verify the rod position deviation alarm is OPERABLE.	18 months
SR 3.1.4.5	Perform a CHANNEL CALIBRATION of the control rod position indication channels.	18 months
SR 3.1.4.6	Verify each full-length control rod drop time is $\leq$ 2.5 seconds.	Prior to reactor criticality, after each reinstallation of the reactor head



UNITED STATES  
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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 239

TO RENEWED FACILITY OPERATING LICENSE NO. DPR-20

ENTERGY NUCLEAR OPERATIONS, INC.

PALISADES NUCLEAR PLANT

DOCKET NO. 50-255

1.0 INTRODUCTION

By application dated March 31, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML100920476), as supplemented by letter dated May 13, 2010, (ADAMS Accession No. ML101330455), Entergy Nuclear Operations, Inc. (ENO, the licensee) requested an amendment to Renewed Facility Operating License No. DPR-20 for the Palisades Nuclear Plant (PNP) that would add a new license condition 2.C (4), stating that performance of the Technical Specifications (TSs) surveillance requirement (SR) 3.1.4.3 is not required for control rod drive (CRD)-22 during cycle 21. The proposed license condition 2.C (4) would state: "Performance of Technical Specifications Surveillance Requirement SR 3.1.4.3 is not required for control rod drive CRD-22 during cycle 21 until the next entry into Mode 3 in maintenance or refueling outage, whichever is earlier."

As the result of discussions with the Nuclear Regulatory Commission (NRC) staff, ENO supplemented their request, by letter dated May 13<sup>th</sup>, 2010, with a modification to their proposed license condition, and a note to be added to SR 3.1.4.3. The note to be added to SR 3.1.4.3 would state: "Not required to be performed or met for control rod 22 during cycle 21 provided control rod 22 is administratively declared immovable, but trippable and Condition D is entered for control rod 22."

The May 13, 2010, supplement modified the wording for the license condition 2.C (4) and added a note to Technical Specification Surveillance Requirement (TSSR) 3.1.4.3. The changes did not expand the scope of the application as originally noticed, and did not change the staff's proposed no significant hazards consideration published as an individual notice in the *Federal Register* on April 14, 2010 (75 FR 19428) and the repeat biweekly notice in the *Federal Register* on May 4, 2010 (75 FR 23818).

TS SR 3.1.4.3 is required to be performed every 92 days, providing confidence that full-length control rods continue to be trippable. Exercising a control rod may aggravate an existing seal

degradation on CRD-22, thus causing excessive seal leakage and potentially resulting in a forced shutdown. The licensee's request is based upon prior surveillances that indicate the CRD-22 seals are leaking, and that the measured leak rate appears to increase with each surveillance operation. The licensee believes that the increasing leak rate would make it necessary to shut down and replace the CRD-22 seals soon after the next surveillance is performed. The next surveillance was scheduled for May 18, 2010, and the next refueling outage is scheduled to occur in October 2010. There are two surveillances remaining in cycle 21.

## 2.0 REGULATORY EVALUATION

The NRC staff reviewed the proposed change in CRD-22's SRs to confirm that CRD-22 can continue to perform its function with the other control rods to achieve a safe shutdown, to respond within acceptable limits during anticipated operational occurrences (AOOs), and to prevent or mitigate the consequences of postulated accidents.

The Atomic Energy Commission issued a Construction Permit, for PNP, on March 14, 1967, about 4 months before it published proposed General Design Criteria (GDC) for nuclear power plants. These GDC were edited and finalized, and incorporated into federal regulations as 10 CFR Section 50.50, Appendix A, in 1971. The NRC staff referred to the following GDC in its review of this LAR, mindful of the fact that PNP was licensed before the existence of these GDC. Section 5.1 of PNP's Final Safety Analysis Report (FSAR) relates the PNP design to the GDC of 1971, and notes instances of compliance and exception in the PNP design features. Section 5.1 of the PNP FSAR indicates the PNP design is in compliance with these pertinent (listed) GDC:

- (1) GDC-4, insofar as it requires that systems, structures and components (SSCs) important to safety be designed to accommodate the effects of and to be compatible with the environmental conditions associated with normal operation, maintenance, testing, and postulated accidents;
- (2) GDC-23, insofar as it requires that the protection system be designed to fail into a safe state;
- (3) GDC-25, insofar as it requires that the protection system be designed to assure that specified acceptable fuel design limits are not exceeded for any single malfunction of the reactivity control systems;
- (4) GDC-26, insofar as it requires that two independent reactivity control systems be provided, with both systems capable of reliably controlling the rate of reactivity changes resulting from planned, normal power changes;
- (5) GDC-27, insofar as it requires that the reactivity control systems be designed to have a combined capability, in conjunction with poison addition by the emergency core cooling system, of reliably controlling reactivity changes under postulated accident conditions, with appropriate margin for stuck rods, to assure the capability to cool the core is maintained;

- (6) GDC-28, insofar as it requires that the reactivity control systems be designed to assure that the effects of postulated reactivity accidents can neither result in damage to the reactor coolant pressure boundary greater than limited local yielding, nor disturb the core, its support structures, or other reactor vessel internals so as to significantly impair the capability to cool the core; and
- (7) GDC-29, insofar as it requires that the protection and reactivity control systems be designed to assure an extremely high probability of accomplishing their safety functions in event of AOOs.

Section 182a of the Atomic Energy Act (the "Act") requires applicants for nuclear power plant operating licenses to include TS as part of the license. The TS ensure that SSCs that are required for safe operation of the facility are capable of performing their safety function(s). The NRCs regulatory requirements related to the content of the TS are contained in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.36. That regulation requires that the TS include items in the following specific categories: (1) safety limits, limiting safety systems settings, and limiting control settings; (2) limiting conditions for operation; (3) SRs; (4) design features; (5) administrative controls; (6) decommissioning; (7) initial notifications; and (8) written reports. However, the regulation does not specify the particular TS to be included in a plant's license.

SRs in 10 CFR 50.36 are requirements relating to test, calibration, or inspection to assure that the necessary quality of systems and components is maintained, that facility operation will be within safety limits, and that the limiting conditions for operation will be met.

### 3.0 TECHNICAL EVALUATION

By letter dated March 31, 2010, ENO proposed a License Amendment Request (LAR) to revise the PNP Renewed Facility Operating License to add new license condition 2.C (4) stating: "Performance of Technical Specifications Surveillance Requirement SR 3.1.4.3 is not required for control rod drive CRD-22 during cycle 21 until the next entry into Mode 3 in maintenance or refueling outage, whichever is earlier."

The licensee proposes two commitments, to be implemented upon approval of the LAR:

- (1) ENO will make repairs to correct the existing seal leakage on CRD-22 prior to entering Mode 2, following the next Mode 3 entry.
- (2) ENO will perform a reactor shutdown in accordance with current procedural requirements if CRD seal leakage exceeds two gallons per minute. (ENO plant procedures require shutdown if CRD seal leakage exceeds 2.0 gpm, a value that is significantly below the TS identified leakage limit of 10 gpm.)

According to the PNP TSs, SR 3.1.4.3 requires the movement of control rods, as per quarterly surveillance procedure QO-34, Control Rod Exercising, every 92 days. The next such surveillance was scheduled for May 18, 2010. This will be the fourth surveillance in the current cycle (cycle 21). During each of the prior three surveillances, increasing levels of seal leakage

have been recorded in CRD-22. ENO expects that the next surveillance will likely result in a seal leakage rate that is high enough to require a forced maintenance shutdown, to replace the CRD-22 seals.

ENO has supplied data obtained before and after three surveillances that indicate the CRD-22 seal leak rates increase following each surveillance. The most recent measurement of the CRD-22 seal leak rate, taken on April 26, 2010, was 700 ml/m, or almost 0.2 gpm. The PNP TSs require that the plant be shutdown if the identified leak rate exceeds 10 gpm.

ENO notes that the cycle 21 refueling outage is currently scheduled to begin on October 3, 2010, and requests the NRC staff's approval to not perform SR 3.1.4.3 on CRD-22 for the two required surveillance tests remaining for cycle 21. This should allow PNP to continue operating until the next scheduled refueling outage, despite the CRD-22 seal leakage.

ENO included a qualitative risk assessment, comparing the risks associated with a forced maintenance reactor shutdown to continued operation with a small leak of primary reactor coolant through the CRD-22 seals. The NRC staff agrees, in principle, with ENO's assertions that a forced maintenance shutdown could challenge the plant safety systems, cause additional radiation exposure to the plant personnel, and degrade plant safety margins in other ways. The NRC staff also agrees that the risk of a forced maintenance shut down could be comparable to the risk of continued operation with two missed surveillances. However, the NRC staff cannot draw conclusions regarding ENO's LAR based solely upon the LAR's qualitative discussion of risk. Instead, the NRC staff relied upon other information in ENO's LAR and in the PNP TSs.

The NRC staff notes that the surveillance procedure in question, QO-34, Control Rod Exercising, is not the definitive test used to verify the control rod's trip capability. That would entail tripping the rod, while the reactor is subcritical. QO-34, by moving the rod a small distance, can only imply the rod's trippability. The LAR states that PNP's operating experience does not record any instances in which the CRD-22 control rod failed to trip.

The NRC staff regards operation with CRD seal leakage as, not a safety issue, as long as the TS primary coolant system operational leakage limits are met, and the seal leakage does not impair the control rod's trip function. The LAR supplies information, down to the component level, that indicates the rod's trippability would not be impaired by the CRD seal leakage rates permitted by TSs.

If it is assumed that CRD-22 is not moved, as per QO-34, Control Rod Exercising, then it is conservative to also assume that CRD-22 becomes immovable; but trippable. If CRD-22 is considered to be immovable; but trippable, then the PNP TSs require the plant to enter limiting condition for operation (LCO) 3.1.4 Condition D, wherein operation is permitted to continue until the next reactor shutdown. Specifically, LCO 3.1.4 Condition D permits operation with one immovable; but trippable full-length control rod until MODE 2 is entered, following the next MODE 3 entry. If a second full-length control rod becomes immovable; but trippable, then the licensee is required to shut down the reactor.

Operating with one immovable; but trippable full-length control rod for some time could result in the plant being in LCO 3.1.4 Condition C (one control rod misaligned by > 8 inches) if one or

more nearby control rods are repositioned. This could also lead to a requirement that the plant be shut down. TSs also provide for operation with leakage of primary reactor coolant by specifying identified, and unidentified leakage limits. TS 3.4.13c specifies that identified leakage must remain less than or equal to 10 gpm. ENO's LAR states that PNP's Operational Decision Making Implementation (ODMI) plan sets a 2 gpm leakage limit for CRD seal leakage.

The first of ENO's proposed commitments, to repair (i.e., replace) the CRD-22 seals prior to entering Mode 2 following the next Mode 3 entry, restates the action required by LCO 3.1.4 Condition D for one immovable; but trippable rod. In a teleconference with ENO, the staff observed that this commitment does not distinguish between the causes of reactor shutdowns that lead to Mode 3. ENO agreed that the proposed license condition 2.C (4) should be modified to match the commitment. The modified license condition would simply state: "Performance of Technical Specifications Surveillance Requirement SR 3.1.4.3 is not required for control rod drive CRD-22 during cycle 21 until the next entry into Mode 3. Accordingly, license condition 2.C (4) will be effective until the next reactor shutdown (i.e., in cycle 21), whether it's planned or unplanned.

The second of ENO's proposed commitments, to shut down if identified CRD seal leakage exceeds 2 gpm, is in accordance with PNP's current procedures (i.e., the ODMI regarding primary coolant leakage in cycle 21).

The LAR states that the two new commitments will be implemented upon approval of the proposed license amendment. In further discussions with the NRC staff, ENO agreed to insert a note into SR 3.1.4.3 that would allow suspension of surveillances for CRD-22, in cycle 21, provided that CRD-22 is declared to be immovable, but trippable and that Condition D is entered. Consequently, ENO supplemented their application, by letter dated May 13, 2010, to modify their proposed license condition and to insert said note into SR 3.1.4.3.

The modified proposed license condition 2.C (4) would read:

"Performance of Technical Specifications Surveillance Requirement SR 3.1.4.3 is not required for control rod drive CRD-22 during cycle 21 until the next entry into Mode 3."

The note for SR 3.1.4.3 would read:

"Not required to be performed or met for control rod 22 during cycle 21 provided control rod 22 is administratively declared immovable, but trippable and Condition D is entered for control rod 22."

The note provides ENO the option of not performing SR 3.1.4.3 (QO-34, Control Rod Exercising surveillance procedure) for CRD-22 in cycle 21. If the licensee chooses to take this option, then the licensee would have to administratively declare CRD-22 to be immovable; but trippable and enter TS 3.1.4 Condition D. LCO 3.1.4 Condition D allows operation to continue until the next shutdown, planned or unplanned. For example, the next shutdown could occur due to the completion of cycle 21, to excessive CRD seal leakage, to detection of a second immovable; but trippable rod, or to other causes that are not related to this LAR. The license condition, the

SR 3.1.4.3 note, and both of ENO's commitments would be effective in cycle 21. The supplemental modifications do not change the intent of the LAR submitted on March 31<sup>st</sup>, 2010.

The NRC staff, upon review of the LAR, agrees that suspension of SR 3.1.4.3, for CRD-22, in cycle 21 would not pose an undue safety or health hazard to the public. The NRC staff establishes license condition 2.C (4), as modified, which permits the licensee to forgo the next two implementations of SR 3.1.4.3, the scheduled quarterly surveillance procedure, QO-34, Control Rod Exercising, for CRD-22, during cycle 21, based upon the two licensee commitments described above.

The NRC staff also accepts the insertion of the note (as stated above) into SR 3.1.4.3, as per 10 CFR Section 50.36. In summary, the NRC staff finds the proposed changes, as modified by supplemental information, to be acceptable.

#### 4.0 FINAL NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

The Commission's regulations at 10 CFR 50.92(c) states that the Commission may make a final determination that a license amendment involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not: (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) result in a significant reduction in a margin of safety. The NRC staff has made a final determination that no significant hazards consideration is involved for the proposed amendment and that the amendment should be issued as allowed by the criteria contained in 10 CFR 50.91. The following analysis was provided by the licensee in its March 31, 2010, application.

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed license amendment adds a license condition to forgo the remaining two required surveillance tests of one control rod from the PNP TS surveillance requirement for partial movement every 92 days. Since the control rod remains operable, the proposed license condition does not affect or create any accident initiators or precursors. As such, the proposed license condition does not increase the probability of an accident.

The proposed license amendment does not increase the consequences of an accident. The ability to move a full-length control rod by its drive mechanism is not an initial assumption used in the safety analyses. The safety-analyses assume full-length control rod insertion, except the most reactive rod, upon reactor trip. The surveillance requirement performed during the last refueling outage verified control rod drop times are within accident analysis assumptions. ENO has determined that CRD seal leakage does not increase the likelihood of an untrippable control rod. The assumptions of the safety analyses will be maintained, and the consequences of an accident will not be increased.

Therefore, operation of the facility in accordance with the proposed license condition would not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed license condition does not involve a physical alteration of any structure, system or component (SSC) or change the way any SSC is operated. The proposed license condition does not involve operation of any required SSCs in a manner or configuration differently from those previously recognized or evaluated. No new failure mechanisms would be introduced by the requested SR interval extension.

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

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed license condition does not affect operability of the control rod. It will have the same capability to mitigate an accident as it had prior to the proposed license condition.

Therefore, the proposed amendment would not involve a significant reduction in a margin of safety.

## 5.0 STATE CONSULTATION

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

## 6.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to the use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendment involves no significant increase in the amounts 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 made a final determination that the amendment involves no significant hazards consideration as discussed above in Section 4.0. 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.

7.0 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 Contributors: Samuel Miranda  
Kristy Bucholz  
Carl Shulten

Date: June 2, 2010

June 2, 2010

Vice President, Operations  
Entergy Nuclear Operations, Inc.  
Palisades Nuclear Plant  
27780 Blue Star Memorial Highway  
Covert, MI 49043-9530

SUBJECT: PALISADES NUCLEAR PLANT - ISSUANCE OF AMENDMENT RE: CONTROL  
ROD DRIVE EXERCISE SURVEILLANCE (TAC NO. ME3638)

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Sincerely,  
**/RA/**  
Mahesh L. Chawla, Project Manager  
Plant Licensing Branch III-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-255

Enclosures:

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