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10 CFR 50.90

Serial: RNP-RA/14-0133

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United States Nuclear Regulatory Commission  
Washington, DC 20555-0001

H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO. 2  
DOCKET NO. 50-261/RENEWED LICENSE NO. DPR-23

**RESPONSE TO NRC REQUEST FOR ADDITIONAL INFORMATION REGARDING H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT 2 LICENSE AMENDMENT REQUEST TO REVISE TS 3.8.1 DIESEL GENERATOR TESTING REQUIREMENTS (TAC NO. MF2717)**

References:

1. Letter from Sharon A. Wheeler-Peavyhouse (Duke Energy Progress, Inc.) to the U.S. Nuclear Regulatory Commission (Serial: RA-13-0051), *License Amendment Request to Modify Technical Specification 3.8.1 Proposed Changes to Diesel Generator Testing Requirements*, dated September 10, 2013, ADAMS Accession Number ML13261A289
2. E-mail from Siva Lingam (USNRC) to Richard Hightower (Duke Energy Progress, Inc.), *H.B. Robinson, Unit 2 – RAIs for LAR Associated with Modification to TS 3.8.1 Regarding Diesel Generator Testing Requirements (TAC No. MF2717)*, dated January 8, 2014, ADAMS Accession Number ML14016A278
3. Letter from W. R. Gideon (Duke Energy Progress, Inc.) to the U.S. Nuclear Regulatory Commission (Serial RNP-RA/14-0010), *Response to NRC Request for Additional Information Regarding License Amendment Request to Modify Technical Specification 3.8.1 Proposed Changes to Diesel Generator Testing Requirements (TAC NO. MF2717)*, dated January 30, 2014, ADAMS Accession Number ML14037A105
4. Letter from Martha Barillas (USNRC) to Site Vice President HBRSEP2 (Duke Energy Progress, Inc.), *Request for Additional Information H. B. Robinson Steam Electric Plant, Unit 2 License Amendment Request to Revise TS 3.8.1 Diesel Generator Testing Requirements (TAC No. MF2717)*, dated December 1, 2014, ADAMS Accession No. ML14323B041

Ladies and Gentlemen:

By letter dated September 10, 2013 (reference 1), Duke Energy Progress, Inc., formerly known as Carolina Power & Light Company, submitted a license amendment request to modify Technical Specification 3.8.1.B.3.2.2.

Received @ DCP on 12/31/14

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MRR

On January 8, 2014, the NRC provided a request for additional information (RAI) (reference 2), concerning the referenced license amendment request. Duke Energy Progress responded to that RAI via letter dated January 30, 2014 (reference 3).

On June 1, 2014, Duke Energy Progress, Inc. submitted a supplement to reference 3 to inform the NRC staff of H. B. Robinson Steam Electric Plant, Unit No. 2 (HBRSEP2)'s intent to incorporate changes discussed with the NRC Project Manager and NRC Technical Branch staff via teleconference held on April 28, 2014 between NRC staff and HBRSEP2 staff. Updated markup and retyped Technical Specifications (TS) pages and updated markup TS Bases pages were provided as the enclosure to that letter.

On December 1, 2014, the NRC provided a second request for additional information (reference 4) concerning reference 1. Upon examination of the RAI an anomaly was recognized in which the placement of the requested NOTE in the TS markups was ambiguous and clarification is necessary. Duke Energy Progress's response to this RAI considers this anomaly and is provided by Enclosure 1. To address STSB RAI-5, and for purposes of clarity, Enclosure 2 provides an updated version of the enclosure originally submitted via reference 1. The updated enclosure captures the overall intent of the original submittal and clarifications of subsequent RAI response submittals.

There are no regulatory commitments made in this submittal. If you have any questions regarding this submittal, please contact Mr. R. Hightower at (843) 857-1329.

I declare under penalty of perjury that the foregoing is true and correct.

Executed On: December 16, 2014

Sincerely,



R. Michael Glover  
Site Vice President

RMG/jmw  
Enclosure

cc: Mr. V. M. McCree, NRC, Region II  
Ms. Martha C. Barillas, NRC Project Manager, NRR  
NRC Resident Inspector, HBRSEP2  
Ms. S. E. Jenkins, Manager, Infectious and Radioactive Waste Management Section  
(SC)

U. S. Nuclear Regulatory Commission  
Enclosure 1 to Serial: RNP-RA/14-0133  
3 Pages (including cover sheet)

**RESPONSE TO NRC REQUEST FOR ADDITIONAL INFORMATION REGARDING H. B.  
ROBINSON STEAM ELECTRIC PLANT, UNIT 2 LICENSE AMENDMENT REQUEST TO  
REVISE TS 3.8.1 DIESEL GENERATOR TESTING REQUIREMENTS (TAC NO. MF2717)**

**REQUEST FOR ADDITIONAL INFORMATION**  
**H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT 2**  
**LICENSE AMENDMENT REQUEST TO REVISE TS 3.8.1 DIESEL GENERATOR**  
**TESTING REQUIREMENTS (TAC NO. MF2717)**

By letter dated September 10, 2013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13261A289), as supplemented by letters dated January 30, 2014 (ADAMS No. ML14037A105), and June 1, 2014 (ADAMS No. ML14163A480), Duke Energy Progress, Inc. (the licensee), requested an amendment to Facility Operating License No. DPR-23 for H. B. Robinson Steam Electric Plant (HBRSEP), Unit No. 2. The proposed license amendment will modify the current HBRSEP Required Actions (RAs) B.3.1, B.3.2.1, and B.3.2.2 of Technical Specification 3.8.1, "AC Sources-Operating." The RAs specify that Surveillance Requirement (SR) 3.8.1.2 be performed or an assessment to rule out common cause failure along with the SR when one Diesel Generator (DG) is determined inoperable. The proposed change will modify the RAs with a note which states, "Not required to be performed if the cause of the inoperable DG is solely due to pre-planned maintenance or Surveillance testing."

The 10CFR 50.36(a)(1) states, in part: "A summary statement of the bases or reason for such specifications, other than those covering administrative controls, shall also be included in the application, but shall not become part of the Technical Specifications [TSs]." The licensee submitted a response dated June 1, 2014 to the staff Request for Additional Information (RAI). The responses show a mismatch of information between the TS and Bases. Clarification is requested such that the TS clearly provide the Required Actions (RAs), and the Bases provide amplifying information only.

**STSB RAI-3**

License amendment request letter dated September 10, 2013, summary description, Paragraph 2 states, in part:

The Note will exempt performance of this conditional surveillance when the cause of the initial inoperability of the inoperable DC is pre-planned maintenance and testing. The exemption will not apply whenever the cause of the inoperability is corrective maintenance, even if the problem required corrective maintenance is discovered during the execution of the original pre-planned maintenance and testing.

Clarify RAs 3.8.1.B.3.1, B.3.2.1 and B.3.2.2 to indicate the circumstances under which Condition B must be initially entered and re-entered for correct maintenance issues identified during preventative maintenance activities.

**Response to STSB RAI-3:**

Clarification of RA B.3.2.2 to indicate the circumstances under which Condition B must be initially entered and re-entered for corrective maintenance issues identified during preventive maintenance activities was attempted in the January 30, 2014 RAI response (reference 3). However, the NRC staff advised that the requested change created a situation in which the TS bases were incorporated into the TS. As a result the verbiage identifying the circumstances under which Condition B must be initially entered and re-entered for corrective maintenance issues identified during preventive maintenance activities was moved to the TS bases via "Insert 1."

**STSB RAI-4**

In the RAI response dated June 1, 2014, the following inconsistencies have been identified:

- The mark-up page indicates the Note will be positioned above the "AND." On the clean page the Note is below the "AND."
- According to the Bases 3.8.1 Insert 1, "A NOTE has been added to take exception to perform REQUIRED ACTION B.3.1 or B.3.2..." In STS, a Note only applies to the Required Action directly below it, unless directly specified in the Note. Therefore the Note only applies to B.3.1. Please clarify where the Note is applicable.

Clarify corrections to the mark-up and clean pages so that the intent of the TS is clear.

**Response to STSB RAI-4**

Inconsistency 1: TS markup and clean pages have been corrected to reflect NOTE placement below the "AND" preceding B.3.2.2. (See pages 10-13 of Enclosure 2)

Inconsistency 2: TS markup and clean pages and TS bases "Insert 1" have been revised to clarify applicability of NOTE to B.3.2.2 only. (See pages 10-13, and page 16 of Enclosure 2)

**STSB RAI-5**

In the RAI response dated June 1, 2014, only the proposed TS pages were submitted. Please revise your submittal to reflect a description and evaluation of all proposed changes to the TS.

**Response to STSB RAI-5:**

To address STSB RAI-5, and for purposes of clarity, the enclosure to the original LAR submittal (reference 1) has been revised to reflect the overall intent of the original submittal and clarifications of subsequent RAI response submittals, including correction of the inconsistencies noted in STSB RAI-4. This revised enclosure is provided via Enclosure 2 of this submittal.

U. S. Nuclear Regulatory Commission  
Enclosure 2 to Serial: RNP-RA/14-0133  
16 Pages (including cover sheet)

**UPDATED ENCLOSURE TO ORIGINAL LICENSE AMENDMENT REQUEST  
SUBMITTAL (ML13261A289) TO MODIFY TS 3.8.1 PROPOSED CHANGES TO DIESEL  
GENERATOR TESTING REQUIREMENTS (TAC NO. MF2717)**

ENCLOSURE

Evaluation of Proposed Change to Technical Specification  
Proposed Changes to Diesel Generator Testing Requirements

- 1.0 SUMMARY DESCRIPTION
- 2.0 DETAILED DESCRIPTION
  - 2.1 System Description
  - 2.2 NRC Generic Guidance
- 3.0 TECHNICAL EVALUATION
- 4.0 REGULATORY EVALUATION
  - 4.1 Applicable Regulatory Requirements/Criteria
  - 4.2 Precedents
  - 4.3 No Significant Hazards Consideration Determination
  - 4.4 Conclusions
- 5.0 ENVIRONMENTAL CONSIDERATION
- 6.0 REFERENCES

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ATTACHMENTS:

- 1 Proposed Technical Specifications Changes (Mark-Up)
- 2 Revised and Retyped Technical Specifications Pages
- 3 Marked-Up Technical Specifications Bases Pages (For Information)

## **1.0 SUMMARY DESCRIPTION**

Pursuant to 10 CFR 50.90, Duke Energy Progress, Inc. formerly known as Carolina Power and Light Company, is requesting an amendment to the H. B. Robinson Steam Electric Plant Unit No. 2 (HBRSEP) renewed facility operating license DPR-23, Appendix A, Technical Specifications (TS) Limiting Condition for Operation (LCO) 3.8.1, Required Action (RA) B.3.2.2 with One DG inoperable.

The proposed amendment would modify the current LCO 3.8.1. A new Note will be added to RA B.3.2.2, the conditional surveillance on the alternate, Operable DG, that requires the performance of Surveillance Requirement (SR) 3.8.1.2 within 96 hours. The Note will exempt performance of this conditional surveillance when the cause of the initial inoperability of the inoperable DG is pre-planned maintenance and testing. The exemption will not apply whenever the cause of the inoperability is corrective maintenance, even if the problem requiring corrective maintenance is discovered during the execution of the original pre-planned maintenance and testing.

The existing requirement causes the Operable DG to be made inoperable by the conditional surveillance requirement of RA B.3.2.2 whenever the preventive maintenance and testing on the alternate division DG is not completed and returned to Operable status within 96 hours; even when it has been determined that no common mode failure potential exists within the first 24 hour period by RA B.3.2.1. This leads to the situation where both DGs are inoperable simultaneously for the duration of the performance of SR 3.8.1.2, typically 2 hours.

Duke Energy Progress Inc., believes that this conditional surveillance requirement unnecessarily makes the plant vulnerable to a test-caused failure resulting in both DGs being unavailable, for only a slight increase in confidence by actively demonstrating the Operability of the DG not undergoing maintenance every 96 hours (notwithstanding the regular monthly demonstration of Operability by the performance of SR 3.8.1.2).

## **2.0 DETAILED DESCRIPTION**

The proposed license amendment would modify Appendix A, Technical Specifications, by modifying current LCO 3.8.1, RA B.3.2.2 to add a NOTE in front of RA B.3.2.2 that states that it is "Not required to be performed when the cause of the inoperable DG is pre-planned maintenance and testing."

### **2.1 System Description**

The EDG system provides an emergency source of AC electrical power to the On-site Emergency AC Power subsystem, as required, for those events where off-site power is assumed not to be available.

Each EDG Unit shall auto start upon detection of undervoltage on that EDG's respective emergency bus, except when the Local/Remote control switch is in the LOCAL position. Once the EDG reaches design speed, the system will then close the EDG output breaker and assume the load on its respective bus.



Both EDGs shall auto start upon initiation of SI, except when the Local/Remote control switch is in the LOCAL position. Once the EDG reaches design speed, the system will run but not pickup load unless power is lost to its respective bus.

The EDG system shall provide adequate independence, redundancy, capacity, and testability to permit the functioning of the ESFs and protection systems required to avoid undue risk to the health and safety of the public. The EDG system shall provide this capacity assuming a single failure of a single active component.

## 2.2 NRC Generic Guidance

### **NRC Generic Letter 84-15, "Proposed Staff Actions to Improve and Maintain Diesel Generator Reliability"**

In July 1984, the NRC issued Generic Letter (GL) 84-15, "Proposed Staff Actions to Improve and Maintain Diesel Generator Reliability." The purpose of GL 84-15 was to propose actions that would improve the reliability of EDGs. An example of a performance TS to support desired EDG reliability goals was provided in Enclosure 3 to the GL. This GL provided two actions associated with the condition of one inoperable EDG, which were: (1) verify correct breaker alignment and power availability of offsite power, and (2) verify the opposite train EDG starts from ambient conditions and achieves rated frequency and voltage. The intent here was to demonstrate Operability and no common mode problems exist. According to GL 84-15, 24 hours was identified as a reasonable amount of time to perform this test to confirm that the Operable EDG was not affected by the same problem as the inoperable EDG.

### **NUREG-1366, "Improvements to Technical Specification Surveillance Requirements"**

In May 1992, the NRC completed a comprehensive examination of TS surveillance requirements that require testing at power. This evaluation was documented in NUREG-1366, which was published in December 1992. In this guidance document, the staff recommended, "...the requirements to test the remaining diesel generator(s) when one diesel generator is inoperable due to any cause other than pre-planned preventive maintenance or testing be limited to those situations where the cause of inoperability has not been conclusively demonstrated to preclude the potential for a common mode failure. However, when such testing is required, it should be performed within 8 hours of having determined that the diesel generator is inoperable."

### **NRC Generic Letter 93-05, "Line-Item Technical Specifications Improvements to Reduce Surveillance Requirements for Testing During Power Operations"**

Based on the evaluation results that were documented in NUREG-1366, the NRC issued Generic Letter 93-05, "Line-Item Technical Specifications Improvements to Reduce Surveillance Requirements for Testing During Power Operations," dated September 27, 1993. Item 10.1 of GL 93-05 includes recommendations for TS changes associated with EDG surveillance requirements. Recommendation number 1 under Item 10.1 states, "When a EDG itself is inoperable (not including a support system or independently testable component), the other

EDG should be tested only once (not every 8 hours) and within 8 hours unless the absence of any potential common mode failure can be demonstrated." Proposed TS wording acceptable to the NRC was also provided for licensees to incorporate the above recommendation into their TS as follows:

If the diesel generator became inoperable due to any cause other than an inoperable support system, an independently testable component, or preplanned preventive maintenance or testing, demonstrate the OPERABILITY of the remaining OPERABLE diesel generator by performing Surveillance Requirements 4.8.1.1.2.a.5 and 4.8.1.1.2.a.6 within 8 hours, unless the absence of any potential common mode failure for the remaining diesel generator is demonstrated.  
*(The underlined wording was added to the Standard TS by GL 93-05.)*

It should be noted that the above TS acknowledges that pre-planned preventive maintenance or testing is cause to not perform the conditional surveillance of the alternate Operable EDG.

### **NUREG-1431, "Standard Technical Specifications – Westinghouse Plants"**

NUREG-1433, Revision 0, was formally issued on September 28, 1992 and contained the NUREG-1366 recommendations for either demonstrating that a common mode failure does not exist on the remaining EDG or testing the remaining EDG. However, the completion time for testing or demonstrating that a common mode failure does not exist on the remaining EDG was relaxed from 8 to 24 hours, consistent with the earlier GL 84-15 recommendations.

### **3.0 TECHNICAL EVALUATION**

The HBRSEP current TS (LCO 3.8.1, RA B.3.2.2) requires a conditional surveillance of the Operable EDG any time the alternate EDG is out of service for greater than 96 hours, even when RA B.3.2.1, to ensure a common cause failure does not exist between the two machines, has been satisfactorily completed within the first 24 hours. Such additional testing results in unnecessary out of service time (i.e., unavailability) of the otherwise Operable EDG. Consequently, Duke Energy Progress, Inc. seeks to revise the H. B. Robinson TS criterion to be consistent with that of NRC guidance published in GL 93-05 and NUREG-1366 to minimize such unavailability and wear and tear due to testing whenever a common cause failure potential does not exist. Specifically, a Note will be added to exempt RA B.3.2.2 whenever the cause of inoperability of the alternate EDG is pre-planned maintenance and testing. Use of the proposed exclusionary Note to RA B.3.2.2 will still ensure the Operable EDG meets its intended safety function in a highly reliable manner by taking credit for the satisfactory performance of its required SRs, specifically SR 3.8.1.2 and 3.8.1.3, the 31 day (i.e., monthly) start and load tests, but without introducing unnecessary testing and associated unavailability that would otherwise be needed to continue to meet the current TS RA for the conditional surveillance. That is, regular performance of these SRs is otherwise sufficient to demonstrate continued Operability of an EDG, so it should not be necessary to perform them on an accelerated basis when no common cause problem exists between an EDG and the alternate EDG which has been taken out of service for pre-planned maintenance and testing.

During the performance of the conditional surveillance of RA B.3.2.2 on the otherwise Operable EDG, it, too, becomes inoperable, resulting in both EDGs being inoperable during the time it takes to perform SR 3.8.1.2 and return the EDG to Operable status (approximately 2 hours).

This makes the plant vulnerable to a loss of all AC power if a random problem develops in the offsite power source (i.e., a grid disturbance beyond the switchyard), which could cause a loss of offsite power (LOOP) and could also negatively impact the EDG under test, as it attempts to connect to its essential bus due to the loss of offsite power. While the pre-planned maintenance is diligently scheduled to minimize the risk of losing offsite power, the risk cannot be completely discounted or precluded. It also makes the EDG being tested vulnerable to a test-caused failure which would also make the EDG unavailable.

In conclusion, it is Duke Energy Progress, Inc. judgment that the added assurance of Operability by performing the conditional surveillance of RA B.3.2.2 beyond that normally afforded by the satisfactory performance of the regularly schedule SRs, absent a concern for a common cause problem (i.e., RA B.3.2.1 is met), does not offset the intentional unavailability of an otherwise Operable EDG and the associated potential for introducing a test-caused failure or a problem introduced by being connected parallel to offsite power by performance of this conditional surveillance. Therefore, it is deemed appropriate to exclude such conditional surveillances when the initial cause of inoperability is for pre-planned preventive maintenance and testing.

The proposed Note will not apply and the conditional surveillance of RA B.3.2.2 will still be performed every 96 hours when the cause of the alternate EDG inoperability is for corrective maintenance to repair a problem. This is consistent with the Staffs original requirement for the conditional surveillance for ensuring EDG Operability in the alternate division EDG.

#### **4.0 REGULATORY EVALUATION**

##### **4.1 Applicable Regulatory Requirements/Criteria**

By submittal of this License Amendment Request Duke Energy Progress, Inc. is hereby requesting to modify the Technical Specifications for the H. B. Robinson Steam Electric Plant, Unit No. 2. The proposed amendment modifies the Required Actions (RA) in Limiting Condition for Operation (LCO) 3.8.1 (AC Sources - Operating) for one inoperable Diesel Generator (DG). A new Note will be added to RA B.3.2.2, the conditional surveillance on the alternate, Operable DG that requires the performance of Surveillance Requirement (SR) 3.8.1.2 within 96 hours. The Note will exempt performance of this conditional surveillance when the cause of the initial inoperability of the DG is pre-planned maintenance and testing.

##### **Evaluation:**

The proposed change is consistent with the current regulations and thus, an exemption pursuant to 10 CFR 50.12 is not required. The current regulations (e.g., §50.36) do not dictate the specific actions to be taken when an EDG is inoperable; only that Limiting Conditions for Operability (LCO) are included in the TS that "... are the lowest functional capability or performance levels of equipment required for safe operation of the facility. When a limiting condition for operation of a nuclear reactor is not met, the licensee shall shut down the reactor or follow any remedial action permitted by the technical specifications until the condition can be met." (emphasis added) The proposed change in the TS Actions for one inoperable EDG continues to demonstrate these CFR requirements, as the RA for the EDG will continue to provide the necessary remedial actions until the LCO is again met.

The General Design Criteria (GDC) in existence at the time HBR 2 was licensed (July, 1970) for operation were contained in Proposed Appendix A to 10 CFR 50, General Design Criteria for Nuclear Power Plants, published in the Federal Register on July 11, 1967.

GDC 39 requires that an emergency power source shall be provided and designed with adequate independence, redundancy, capacity, and testability to permit the functioning of the engineered safety features and protection systems required to avoid undue risk to the health and safety of the public. This power source shall provide this capacity assuming a failure of a single active component. The proposed change does not affect the design of the onsite or offsite power systems, thus GDC 39 is not impacted by this change.

GDCs 38, 47 and 48, all contain provisions for testing of key safety systems (other than the Electrical Power Systems). The proposed change in EDG conditional surveillance testing does not impact this capability, as the normal EDG Surveillances, specifically SR, 3.8.1.2, along with the various system simulated automatic actuation Surveillances, will continue to demonstrate that these GDCs are met.

The revised RA is consistent with Improved Standard TS (NUREG-1431). The BASES for RA B.3.1 and B.3.2 to LCO 3.8.1 state:

Required Action B.3.1 provides an allowance to avoid unnecessary testing of OPERABLE DGs. If it can be determined that the cause of the inoperable DG does not exist on the OPERABLE DG, SR 3.8.1.2 does not have to be performed.

Because the proposed Note to RA B.3.2.2 only applies when pre-planned maintenance and testing are being conducted, the determination for no common cause has already been satisfied by RA B.3.2.1; therefore, it should not be necessary to perform SR 3.8.1.2 as a conditional surveillance every 96 hours.

In conclusion, based on the considerations discussed above, (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. Therefore, we have concluded that the proposed revision to the H. B. Robinson Unit No. 2 Technical Specifications is acceptable.

#### 4.2 Precedents

The NRC issued a similar amendment for the Duane Arnold Energy Center in a letter dated September 9, 2008, Agencywide Documents Access and Management System (ADAMS) Accession No. ML082260116.

#### 4.3 No Significant Hazards Consideration Determination

Duke Energy Progress, Inc. has evaluated whether or not a significant hazards consideration is involved with the proposed amendment by focusing on the three standards set forth in 10 CFR 50.92, "Issuance of amendment," as discussed below:

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

Response: No.

The proposed change eliminates a conditional surveillance of the Operable EDG whenever the alternate division EDG is out of service for pre-planned maintenance and testing. The EDG are not an initiator of any accident previously evaluated. As a result, the probability of any accident previously evaluated is not significantly increased.

The consequences of any accident previously evaluated are not increased, as the EDG will continue to meet its safety function to supply backup AC power as specified in the accident analysis, in a highly reliable manner, as a common cause problem between the two EDGs will have been precluded, the alternate division EDG will no longer be taken out of service for testing, and its normally scheduled surveillances will be met.

Therefore, the proposed change does 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.

No new or different accidents result from utilizing the proposed change. The changes do not involve a physical alteration of the plant (i.e., no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. The changes do not alter assumptions made in the safety analysis for EDG performance.

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

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

Response: No.

The proposed change eliminates a conditional surveillance of the Operable EDG whenever the alternate division EDG is out of service for pre-planned maintenance and testing. The EDG will continue to meet its specified safety function in the safety analysis to provide backup AC power, in a highly reliable manner, as a common cause problem between the two EDGs will have been precluded, the alternate division EDG will no longer be taken out of service for testing, and its normally scheduled surveillances will be met.

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

#### 4.4 **Conclusions**

Based on the preceding 10 CFR 50.92 evaluation Duke Energy Progress concludes that the proposed amendment 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.

#### 5.0 **ENVIRONMENTAL CONSIDERATION**

10 CFR Section 51.22(c)(9) identifies certain licensing and regulatory actions which are eligible for categorical exclusion from the requirement to perform an environmental assessment. A proposed amendment to an operating license for a facility requires no environmental assessment if operation of the facility in accordance with the proposed amendment would not: (1) involve a significant hazards consideration; (2) result in a significant change in the types or significant increase in the amounts of any effluents that may be released offsite; and (3) result in a significant increase in individual or cumulative occupational radiation exposure. Duke Energy Progress has reviewed this request and determined that the proposed amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR Section 51.22(c)(9). Pursuant to 10 CFR Section 51.22(b), no environmental impact statement or environmental assessment needs to be prepared in connection with the issuance of the amendment. The basis for this determination follows.

##### Basis

The change meets the eligibility criteria for categorical exclusion set forth in 10 CFR Section 51.22(c)(9) for the following reasons:

1. As demonstrated in the 10 CFR 50.92 evaluation included in this exhibit, the proposed amendment does not involve a significant hazards consideration.
2. The proposed changes do not result in an increase in power level, do not increase the production, nor alter the flow path or method of disposal of radioactive waste or byproducts. There is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite.
3. The proposed changes do not result in changes in the level of control or methodology used for processing of radioactive effluents or handling of solid radioactive waste nor will the proposal result in any change in the normal radiation levels within the plant. There is no significant increase in individual or cumulative occupational radiation exposure.

#### 6.0 **REFERENCES**

1. Duane Arnold Energy Center Technical Specification Change Request (TSCR-101): "Elimination of Emergency Diesel Generator Conditional Surveillance Requirement for Pre-planned Preventive Maintenance and Testing," dated February 19, 2008, Agencywide Documents Access and Management System (ADAMS) Accession No. ML080730143.
2. NRC Letter to Duane Arnold Energy Center – Issuance of Amendment Regarding License Amendment Request to Remove the Emergency Diesel Generator Surveillance Requirement for Pre-Planned Preventive Maintenance and Testing, dated September 9, 2008, ADAMS Accession No. ML082260116.

ATTACHMENT 1

H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO. 2

PROPOSED TECHNICAL SPECIFICATIONS CHANGES (MARK-UP)

ACTIONS (continued)

<u>CONDITION</u>	<u>REQUIRED ACTION</u>	<u>COMPLETION TIME</u>
<p>B. One DG inoperable</p>	<p>B.1 Perform SR 3.8.1.1 for the offsite circuit.</p>	<p>1 hour</p> <p><u>AND</u></p> <p>Once per 12 hours thereafter</p>
	<p><u>AND</u></p> <p>B.2 Declare required feature(s) supported by the inoperable DG inoperable when its required redundant feature(s) is inoperable.</p>	<p>4 hours from discovery of Condition B concurrent with inoperability of redundant required feature(s)</p>
	<p><u>AND</u></p> <p>B.3.1 Perform SR 3.8.1.2 for OPERABLE DG</p>	<p>24 hours</p>
	<p><u>OR</u></p> <p>B.3.2.1 Determine OPERABLE DG is not inoperable Due to common cause failure.</p>	<p>24 hours</p>
	<p><u>AND</u></p> <p>B.3.2.2 Perform SR 3.8.1.2 for OPERABLE DG.</p>	<p>96 hours</p>
	<p><u>AND</u></p>	<p>(continued)</p>

-----NOTE-----  
**Not required to be performed when the cause of the inoperable DG is pre-planned maintenance and testing.**  
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ATTACHMENT 2

H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO. 2  
REVISED AND RETYPED TECHNICAL SPECIFICATIONS PAGES

ACTIONS (continued)

CONDITION	REQUIRED ACTION	COMPLETION TIME
<p>B. One DG inoperable.</p>	<p>B.1 Perform SR 3.8.1.1 for the offsite circuit.</p>	<p>1 hour</p>
	<p><u>AND</u></p> <p>B.2 Declare required feature(s) supported by the inoperable DG inoperable when its required redundant feature(s) is inoperable.</p>	<p><u>AND</u></p> <p>Once per 12 hours thereafter</p> <p>4 hours from discovery of Condition B concurrent with inoperability of redundant required feature(s)</p>
	<p><u>AND</u></p> <p>B.3.1 Perform SR 3.8.1.2 for OPERABLE DG</p>	<p>24 hours</p>
	<p><u>OR</u></p>	
	<p>B.3.2.1 Determine OPERABLE DG is not inoperable due to common cause failure.</p> <p><u>AND</u></p> <p>-----NOTE----- Not required to be performed when the cause of the inoperable DG is pre-planned maintenance and testing. -----</p>	<p>24 hours</p>
	<p>B.3.2.2 Perform SR 3.8.1.2 for OPERABLE DG.</p>	<p>96 hours</p>
	<p><u>AND</u></p>	<p>(continued)</p>

**ATTACHMENT 3**

**H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO. 2**  
**MARKED-UP TECHNICAL SPECIFICATIONS BASES PAGES**  
**(Provided for Information Only)**

BASES

ACTIONS B.3.1, B.3.2.1, and B.3.2.2 (continued)

satisfied. If the cause of the initial inoperable DG cannot be confirmed not to exist on the remaining DG(s), performance of SR 3.8.1.2 suffices to provide assurance of continued OPERABILITY of that DG.

If it is verified within 24 hours that the OPERABLE DG is not inoperable due to common cause failure, SR 3.8.1.2 need not be performed within 24 hours. However, it is still necessary to verify the OPERABILITY of the OPERABLE DG within 96 hours. Testing the OPERABLE DG more than once during the 7 day Completion Time is not required.

INSERT 1

In the event the inoperable DG is restored to OPERABLE status prior to completing either B.3.1 or B.3.2, the plant corrective action program will continue to evaluate the common cause possibility. This continued evaluation, however, is no longer under the 24 hour constraint imposed while in Condition B.

According to Generic Letter 84-15 (Ref. 6), 24 hours is reasonable to confirm that the OPERABLE DG(s) is not affected by the same problem as the inoperable DG.

B.4

Operation may continue in Condition B for a period that should not exceed 7 days.

In Condition B, the remaining OPERABLE DG and offsite circuit are adequate to supply electrical power to the onsite Distribution System. The 7 day Completion Time takes into account the capacity and capability of the remaining AC sources, a reasonable time for repairs, and the low probability of a DBA occurring during this period.

The second Completion Time for Required Action B.4 establishes a limit on the maximum time allowed for any combination of required AC power sources to be inoperable during any single contiguous occurrence of failing to meet the LCO. If Condition B is entered while, for instance, an offsite circuit is inoperable and that circuit is subsequently restored OPERABLE, the LCO may already have been not met for up to 24 hours. This could lead to a total

(continued)

INSERT 1

A NOTE has been added to take exception to perform REQUIRED ACTION B.3.2.2 and associated COMPLETION TIME for a DG intentionally removed from service solely for the reasons of performing pre-planned maintenance or SURVEILLANCE testing because no identified DG failure has occurred and the likelihood of the OPERABLE DG having an undetected failure is low. This exception is acceptable since the cause of the inoperable DG is known and is not related to correcting a DG failure mechanism (i.e., corrective maintenance) causing the DG to be inoperable when entering CONDITION B.

If a DG failure mechanism is identified at any time during preventative maintenance, corrective maintenance or during testing, REQUIRED ACTION B.3.1 or B.3.2 must be reentered for the OPERABLE DG. If the COMPLETION TIME commencing at the time the LCO was initially not met has expired, then the COMPLETION TIME commences from the time of the discovery of any failure mechanism that is identified during maintenance or testing of the inoperable DG. This allows an exception to the normal "time zero" for beginning a new COMPLETION TIME "clock." In this instance, the COMPLETION TIME "time zero" is specified as commencing at the time the failure mechanism is identified, instead of at the time the associated CONDITION was entered. REQUIRED ACTION B.3.1 or B.3.2, performance of SR 3.8.1.2 for the OPERABLE DG, need not be performed if it has been successfully performed within the previous 24-hours, or if it is currently operating. Performance of SR 3.8.1.2 within the previous 24-hours meets the intent of REQUIRED ACTION B.3.1 or B.3.2 by providing reasonable assurance that the OPERABLE DG will perform its associated safety function.