



Commonwealth Edison
1400 Opus Place
Downers Grove, Illinois 60515

July 8, 1994

Mr. William T. Russell, Director
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Attn: Document Control Desk

Subject: Dresden Nuclear Power Station Units 2 and 3
Quad Cities Nuclear Power Station Units 1 and 2
Zion Nuclear Power Station Units 1 and 2
Modification of Order Confirming Licensee Commitments on Post-TMI
Related Items and License Amendment to Facility Operating Licenses
DPR-19, DPR-25, DPR-29, DPR-30, DPR-39 and DPR-48
NRC Docket Nos. 50-237/249; 50-254/265; 50-295/304

- References:
- (a) D. Crutchfield letter to D. Farrar, transmitting Order Confirming Licensee Commitments on Post-TMI Related Items for Dresden Nuclear Power Station Units 2 and 3, dated March 14, 1983.
 - (b) D. Crutchfield letter to D. Farrar, transmitting Order Confirming Licensee Commitments on Post-TMI Related Items for Quad Cities Nuclear Power Station Units 1 and 2, dated March 14, 1983.
 - (c) D. Crutchfield letter to D. Farrar, transmitting Order Confirming Licensee Commitments on Post-TMI Related Items for Zion Nuclear Power Station Units 1 and 2, dated March 14, 1983.
 - (d) D. Eisenhut letter to all Licensees and Applicants of Nuclear Power Plants, transmitting Post-TMI Requirements, dated October 31, 1980.

Mr. Russell:

In References (a), (b) and (c), the NRC staff issued Orders confirming commitments to implement post-TMI related items set forth in NUREG-0737. The Order was based upon commitments contained in letters responding to the NRC staff's Generic Letters 82-05 and 82-10. The Order stated that: "IT IS HEREBY ORDERED EFFECTIVE IMMEDIATELY THAT THE LICENSEE SHALL: Implement and maintain the specific items described in the Attachments to this Order in the manner described in the licensee's submittals noted in Section III herein no later than the dates in the Attachments."

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Commonwealth Edison believes that the aforementioned Order was issued to ensure that licensees completed the NUREG-0737 items in an expeditious manner. Based on NRC past practices, Commonwealth Edison does not believe that the intent of the Order anticipated a Modification of Order each time a component addressed by the Order was modified or replaced. Commonwealth Edison has addressed all issues made in response to NUREG-0737. As such, the regulatory process for NUREG-0737 issues shall revert to 10 CFR requirements normally in effect. It follows that the purpose of the post-TMI Order is no longer served.

Therefore, Commonwealth Edison believes that it would be more efficient from a regulatory viewpoint to allow the commitments made in response to NUREG-0737 to be controllable under the auspices of 10 CFR 50.59. If during the review of any change to a NUREG-0737 commitment an Unreviewed Safety Question occurs, Commonwealth Edison is obligated to submit such a change to the NRC staff as a license amendment.

To ensure consistent application of the NUREG-0737 items, Commonwealth Edison is proposing to modify the Order for Dresden, Quad Cities, and Zion Stations. Commonwealth Edison proposes modifying these Orders to state:

"The licensee shall maintain the commitments made in response to the March 14, 1983 NUREG-0737 Order, subject to the following provision:

The licensee may make changes to commitments made in response to the March 14, 1983 NUREG-0737 Order without prior approval of the Commission as long as the change would be permitted without NRC approval, pursuant to the requirements of 10 CFR 50.59. Consistent with this regulation, if the change results in an Unreviewed Safety Question, a license amendment shall be submitted to the NRC staff for review and approval prior to implementation of the change."

Commonwealth Edison requests the NRC staff to modify the Reference (a), (b) and (c) Orders as such. In addition, to ensure the appropriate level of awareness of the modified Order, Commonwealth Edison proposes including the aforementioned statements as a License Condition for each affected docket. Copies of the proposed revised Licenses are included as an attachment to this letter. In addition, CECO's safety evaluation and no significant hazards consideration are included as an attachment to this letter.

Commonwealth Edison requests that this proposed License Amendment be approved prior to December 31, 1994. It is requested that this amendment be made effective as of the date of its issuance and that it be implemented within 60 days from the date of issuance.

July 8, 1994

To the best of my knowledge and belief, the information contained herein is true and correct. In some respect, this information is not based on my personnel knowledge, but upon information furnished by other Commonwealth Edison and contractor employees. Such information has been reviewed in accordance with company practice, and I believe it to be reliable.

If there are any questions concerning this matter, please contact this office.



Respectfully,

for Terrence W. Simpkins
Irene M. Johnson
Licensing Operations Director

Mary Jo Yack 7-8-94

Attachments:

- A - Marked-up Pages of the Revised Licenses
- B - Safety Evaluation, Significant Hazards Consideration and Environmental Assessment

cc: J. B. Martin, Regional Administrator - RIII
C. Miller, Senior Resident Inspector - Quad Cities Station
M. Leach, Senior Resident Inspector - Dresden Station
J. Smith, Senior Resident Inspector - Zion Station
C. Shiraki, Project Manager - NRR
C. Patel, Project Manager - NRR
J. Stang, Project Manager - NRR
Office of Nuclear Facility Safety - IDNS

ATTACHMENT A

Marked-up Pages of the Revised Licenses

- (5) CECo, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess, but not separate, such byproduct special nuclear materials as may be produced by the operation of the facility.

C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and the rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

The licensee is authorized to operate the facility at steady state reactor core power levels not in excess of 2527 megawatts thermal (100 percent rated power) in accordance with the conditions specified herein.

(2) Technical Specifications

Am. 126
04/05/94

The Technical Specifications contained in Appendix A, as revised through Amendment No. 126, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

(3) Operation in the coastdown mode is permitted to 40% power.

(4) The valves in the equalizer piping between the recirculation loop shall be closed at all times during reactor operation.

(5)

D. The facility has been granted certain exemptions from the requirements of Section III.G of Appendix R to 10 CFR Part 50, "Fire Protection Program for Nuclear Power Facilities Operating Prior to January 1, 1979." This section relates to fire protection features for ensuring the systems and associated circuits used to achieve and maintain safe shutdown are free of fire damage. These exemptions were granted and sent to the licensee in letters dated February 2, 1983, September 28, 1987, July 6, 1989, and August 15, 1989.

In addition, the facility has been granted certain exemptions from Sections II and III of Appendix J 10 CFR Part 50, "Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors." This section contains leakage test requirements, schedules and acceptance criteria for tests of the leak-tight integrity of the primary reactor containment and systems and components which penetrate the containment. These exemptions were granted and sent to the licensee in a letter dated June 25, 1982.

INSERT 'A'

3. E. Restrictions

Operation in the coast down mode is permitted to 40% power.

Am. 94
6/20/88

INSERT 'A'

F. Deleted

G. Commonwealth Edison Company shall implement and maintain in effect all provisions of the approved fire protections program as described in the Updated Final Safety Analysis Report for the facility and as approved in the SERs dated March 22, 1978 with supplements dated December 2, 1980 and February 12, 1981; January 19, 1983; July 17, 1987; September 28, 1987; and January 5, 1989, subject to the following provisions:

Am. 101
6/30/89

The licensee 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.

H. Physical Protection

The licensee shall fully implement and maintain in effect all provisions of the Commission approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled; "Dresden Nuclear Power Station Security Plan," with revisions submitted through January 14, 1988; "Dresden Nuclear Power Station Security Personnel Training and Qualification Plan," with revisions submittal through August 28, 1986; and "Dresden Nuclear Power Station Safeguards Contingency Plan," with revisions submitted through February 16, 1984. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

Am. 95
7/22/88

Am. 38
02/03/77

D. Pursuant to the Act and 10 CFR Part 70, to receive, possess and use at any time, any byproduct, source and special nuclear materials as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts required;

Am. 38
02/03/77

E. Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any byproduct, source or special nuclear materials without restriction to chemical or physical form, for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components;

Am. 43
01/30/78

F. Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of Quad Cities Nuclear Power Station, Unit Nos. 1 and 2.

3. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

A. Maximum Power Level

Commonwealth Edison is authorized to operate Quad Cities Unit No. 1 at power levels not in excess of 2511 megawatts (thermal).

B. Technical Specifications

The Technical Specifications contained in Appendices A and B as revised through **Amendment No. 145** are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

Am. 145
03/11/94

Am. 103
12/15/87

C. Deleted

Am. 25
03/12/76

D. Equalizer Valve Restriction

The valves in the equalizer piping between the recirculation loops shall be closed at all times during reactor operation.

ZNLD/379

Amendment 145

INSERT 'A'

Am. 36
02/03/77

C. Pursuant to the Act and 10 CFR Part 70, to receive, possess and use at any time, any byproduct, source and special nuclear materials as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts required;

Am. 36
02/03/77

D. Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any byproduct, source or special nuclear materials without restriction to chemical or physical form, for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components;

Am. 41
01/30/78

E. Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of Quad Cities Nuclear Power Station, Unit Nos. 1 and 2.

3. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

A. Maximum Power Level

Commonwealth Edison is authorized to operate Quad Cities Unit No. 2 at power levels not in excess of 2511 megawatts (thermal).

Am. 141
03/11/94

B. Technical Specifications

The Technical Specifications contained in Appendices A and B as revised through **Amendment No. 141** are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

Am. 104
06/17/88

C. Deleted

INSERT 'A'

(10) The Licensee shall implement a program which will ensure the capability to accurately determine the airborne iodine concentration in vital areas under accident conditions. This program shall include the following: (added 4-20-81; Am. 63)

1. Training of personnel,
2. Procedures for monitoring, and
3. Provisions for maintenance of sampling and analysis equipment

(11)

3. This amended license is issued without prejudice to subsequent licensing action which may be taken by the Commission. (revised 8-09-73; Am. 1)

3a. The license is further amended by rescinding the Confirmatory Order dated February 29, 1980. (revised 4-15-92; Am. 135)

4. This license is effective as of the date of issuance and shall expire at midnight on April 6, 2013. (revised 1-30-92; Am. 132)

INSERT 'A'

2. Integrated leak test requirements for each system at a frequency not to exceed refueling cycle intervals.

(10) The Licensee shall implement a program which will ensure the capability to accurately determine the airborne iodine concentration in vital areas under accident conditions. This program shall include the following: (added 4-20-81; Am. 60)

1. Training of personnel,

2. Procedures for monitoring, and

3. Provisions for maintenance of sampling and analysis equipment

(11)

3. This amended license is issued without prejudice to subsequent licensing action which may be taken by the Commission. (revised 8-02-74; Am. 1)

3a. The license is further amended by rescinding the Confirmatory Order dated February 29, 1980. (revised 4-15-92; Am. 124)

4. This license is effective as of the date of issuance and shall expire at midnight on November 14, 2013. (Revised 1-30-92, Am. 121)

INSERT 'A'

INSERT A

The licensee shall maintain the commitments made in response to the March 14, 1983 NUREG-0737 Order, subject to the following provision:

The licensee may make changes to commitments made in response to the March 14, 1983 NUREG-0737 Order without prior approval of the Commission as long as the change would be permitted without NRC approval, pursuant to the requirements of 10 CFR 50.59. Consistent with this regulation, if the change results in an Unreviewed Safety Question, a license amendment shall be submitted to the NRC staff for review and approval prior to implementation of the change.

ATTACHMENT B

SAFETY EVALUATION

Introduction

In 1983, the NRC staff issued Orders confirming commitments to implement post-TMI related items set forth in NUREG-0737. The Orders were based upon commitments contained in letters responding to the NRC staff's Generic Letters 82-05 and 82-10. The Orders stated that: "IT IS HEREBY ORDERED EFFECTIVE IMMEDIATELY THAT THE LICENSEE SHALL: Implement and maintain the specific items described in the Attachments to this Order in the manner described in the licensee's submittals noted in Section III herein no later than the dates in the Attachments." Commonwealth Edison proposes to modify the Orders to allow changes to be made to commitments associated with the Orders to be made under 10 CFR 50.59. To ensure the appropriate level of awareness of the modified Orders, Commonwealth Edison proposes including the modified Orders' provision as a License Condition within Facility Operating Licenses DPR-19, DPR-25, DPR-29, DPR-30, DPR-39 and DPR-48.

Background

The initial NRC Lessons Learned document for post-TMI items (issued July 2, 1980) included Category 'A' items for which Technical Specification changes were requested. Commonwealth Edison responded on September 18, 1980 with some amendments to the Technical Specifications and explanations for other items for which license changes were not necessary. On October 31, 1980, the NRC issued a Generic Letter which again identified items for which Technical Specifications were required (Enclosure 1 to the Generic Letter). On December 15, 1980, Commonwealth Edison responded to the GL explaining why some TMI items should be excluded as Technical Specification requirements.

Subsequently, the NRC issued GL 83-02 (dated January 10, 1983) which again gave prescriptive guidance for changes to Licensees' Technical Specifications. GL 83-02 encompassed NUREG-0737 items which were scheduled for implementation by December 31, 1982. Commonwealth Edison responded to GL 83-02 on April 20, 1983 providing some amendments to the Technical Specifications and explanations for other items for which license changes were not necessary.

The NRC issued GL 83-36 on November 11, 1983 which identified those requirements for which Technical Specifications were required. Specifically, TMI Action Items II.B.1, II.B.3, II.F.1.1, II.F.1.2, II.F.1.3, II.F.1.4, II.F.1.5, II.F.1.6 and III.D.3.4. Commonwealth Edison responded to GL 83-36 on October 10, 1984 and received an NRC SER. Two open items were included in the NRC SER (Item II.B.3 (Post-Accident Sampling) and Item III.D.3.4 (Control Room Habitability)). These items were later closed by the NRC staff.

ATTACHMENT B (continued)

Evaluation

Commonwealth Edison does not believe that the specific details required by the Order (e.g., component brands, etc.) must be maintained to satisfy the intent of the NUREG-0737 Orders. As such, we believe it is not necessary or efficient to require a license amendment whenever non-intent changes are made to Order-related components. The NRC staff clearly identified those TMI items that are of enough significance to require Technical Specification controls. In the Reference (d) letter there was NRC staff recognition that there is a tier of requirements that are appropriate for an enhanced level of regulatory control (i.e., Technical Specifications). It follows that other information referred to in the Order is more appropriate for review pursuant to less restrictive regulatory methods (i.e., under the realm of 10 CFR 50.59).

Therefore, Commonwealth Edison proposes to document apparent prior NRC practices regarding the modification of NUREG-0737 commitments by amending Facility Operating Licenses DPR-19, DPR-25, DPR-29, DPR-30, DPR-39 and DPR-48, by the inclusion of the following License Condition, as follows:

The licensee shall maintain the commitments made in response to the March 14, 1983 NUREG-0737 Order, subject to the following provision:

The licensee may make changes to commitments made in response to the March 14, 1983 NUREG-0737 Order without prior approval of the Commission as long as the change would be permitted without NRC approval, pursuant to the requirements of 10 CFR 50.59. Consistent with this regulation, if the change results in an Unreviewed Safety Question, a license amendment shall be submitted to the NRC staff for review and approval prior to implementation of the change.

Commonwealth Edison's proposed license amendment updates the Licensing Basis for Dresden, Quad Cities and Zion Stations to be consistent to the manner of control for TMI commitments as a plant licensed post-TMI (eg., Commonwealth Edison's Byron Station) and is therefore acceptable.

Schedule

Commonwealth Edison requests that this License Amendment be approved prior to December 31, 1994. It is requested that this amendment be made effective as of the date of its issuance and that it be implemented within 60 days from the date of issuance.

ATTACHMENT B (continued)

NO SIGNIFICANT HAZARDS CONSIDERATION

In accordance with 10 CFR 50.92, Commonwealth Edison has reviewed the proposed license amendment and concluded it does not involve a significant hazards consideration. The basis for this conclusion is that the three criteria of 10 CFR 50.92(c) are not compromised. The proposed amendment does not involve a significant hazards consideration because it does not:

Involve a significant increase in the probability or consequences of any accident previously analyzed: Commonwealth Edison has addressed all issues made in response to NUREG-0737. As such, the purpose of the post-TMI Order is no longer served. The inclusion of the modified Order as a license condition is administrative in nature and does not allow unregulated decreases in the level of safety; therefore, this license amendment is appropriate and safe. The proposed license amendment requires control of NUREG-0737 commitments through 10 CFR 50.59. If an unreviewed safety question occurs during the review of a NUREG-0737 item then Commonwealth Edison is obligated to submit a change to the NRC staff as a license amendment. As a result of the proposed amendment, there are no physical changes to the facility and all operating procedures, limiting conditions for operation (LCO), limiting safety system settings, and safety limits specified in the Technical Specifications will remain unchanged. Therefore, the proposed license amendment to modify the post-TMI Order will not increase the probability or the consequences of any accident previously analyzed.

Create the possibility of a new or different kind of accident from any previously evaluated: since there are no changes in the way the plant is operated, the potential for a new or different kind of accident is not created. The proposed changes are administrative in nature and do not affect any accident initiators for Dresden, Quad Cities, and Zion Stations. No new failure modes are introduced.

Involve a significant reduction in a margin of safety: plant safety margins are established through LCOs, limiting safety system settings, and safety limits specified in the Technical Specifications. As a result of the proposed amendment, there will be no changes to either the physical design of the plant or to any of these settings and limits. The proposed changes are administrative and do not affect the safe operation of the sites. Therefore, there will be no changes to any of the margins of safety.

Guidance has been provided in 51 FR 7744 for the application of standards to license change requests for determination of the existence of significant hazards considerations. This document provides examples of amendments which are not likely considered to involve significant hazards considerations.

ATTACHMENT B (continued)

This proposed amendment does not involve a significant relaxation of the criteria used to establish safety limits, a significant relaxation of the bases for the limiting safety system settings or a significant relaxation of the bases for the limiting conditions for operations. The proposed changes are administrative in nature without consequence to the safety of the plant. Therefore, based on the guidance provided in the Federal Register and the criteria established in 10 CFR 50.92(c), the proposed change does not constitute a significant hazards consideration.

ENVIRONMENT ASSESSMENT STATEMENT APPLICABILITY REVIEW

Commonwealth Edison has evaluated the proposed amendment against the criteria for the identification of licensing and regulatory actions requiring environmental assessment in accordance with 10 CFR 51.21. It has been determined that the proposed changes meet the criteria for categorical exclusion as provided for under 10 CFR 51.22(c)(9). This conclusion has been determined because the changes required do not pose a significant hazards consideration or do not involve a significant increase in the amounts, and no significant changes in the types, of any effluents that may be released off-site. Additionally, this request does not involve a significant increase in individual or cumulative occupational radiation exposure. Thus, Commonwealth Edison has determined that the implementation of this amendment request will result in no irreversible consequences upon the environment.