



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

December 21, 2017

Mr. Bryan C. Hanson
Senior Vice President
Exelon Generation Company, LLC
President and Chief Nuclear Officer
Exelon Nuclear
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT 2 – ISSUANCE OF
AMENDMENT TO ALLOW GREATER FLEXIBILITY IN PERFORMING
SURVEILLANCE TESTING IN MODES 1, 2, OR 3 OF EMERGENCY
DIESEL GENERATORS (CAC NO. MF9579; EPID L-2017-LLA-0203)

Dear Mr. Hanson:

The U.S. Nuclear Regulatory Commission (Commission) has issued the enclosed Amendment No. 165 to Renewed Facility Operating License No. NPF-69 for the Nine Mile Point Nuclear Station (Nine Mile Point), Unit 2. The amendment consists of changes to the Technical Specifications in response to your application dated April 5, 2017 (Agencywide Documents Access and Management System Accession No. ML17095A081).

The amendment revises surveillance notes in the Nine Mile Point, Unit 2, Technical Specifications to allow full or partial performance of surveillance requirements (SRs) for the purposes of reestablishing operability, provided an assessment determines that the safety of the plant is maintained or enhanced. Specifically, SRs 3.8.1.7 through 3.8.1.12, 3.8.1.14 through 3.8.1.17, 3.8.4.7, and 3.8.4.8, are modified by changing the mode restriction note to allow the SR, or parts of it, to be performed to reestablish operability.

A copy of our related Safety Evaluation is also enclosed. A Notice of Issuance will be included in the Commission's next regular biweekly *Federal Register* notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael L. Marshall, Jr.", written in a cursive style.

Michael L. Marshall, Jr., Senior Project Manager
Plant Licensing Branch I
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-410

Enclosures:

1. Amendment No. 165 to NPF-69
2. Safety Evaluation

cc w/Enclosures: Distribution via Listserv



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

NINE MILE POINT NUCLEAR STATION, LLC

LONG ISLAND LIGHTING COMPANY

EXELON GENERATION COMPANY, LLC

DOCKET NO. 50-410

NINE MILE POINT NUCLEAR STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 165
Renewed License No. NPF-69

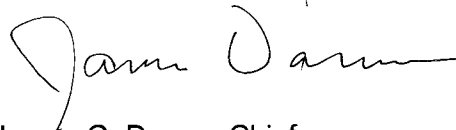
1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Exelon Generation Company, LLC (Exelon, the licensee) dated April 5, 2017, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's 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. NPF-69 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, as revised through Amendment No. 165, are hereby incorporated into this license. Exelon Generation shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of the date of its issuance and shall be implemented within 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION



James G. Danna, Chief
Plant Licensing Branch I
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the License and Technical
Specifications

Date of Issuance: December 21, 2017

ATTACHMENT TO LICENSE AMENDMENT NO. 165

NINE MILE POINT NUCLEAR STATION, UNIT 2

RENEWED FACILITY OPERATING LICENSE NO. NPF-69

DOCKET NO. 50-410

Replace the following page of the Renewed Facility Operating License with the attached revised page. The revised page is identified by amendment number and contains a marginal line indicating the area of change.

Remove Page
4

Insert Page
4

Replace the following pages of Appendix A, Technical Specifications, with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove Pages

3.8.1-8
3.8.1-9
3.8.1-10
3.8.1-11
3.8.1-12
3.8.1-13
3.8.1-15
3.8.1-16
3.8.1-17
3.8.4-3
3.8.4-4

Insert Pages

3.8.1-8
3.8.1-9
3.8.1-10
3.8.1-11
3.8.1-12
3.8.1-13
3.8.1-15
3.8.1-16
3.8.1-17
3.8.4-3
3.8.4-4

(1) Maximum Power Level

Exelon Generation is authorized to operate the facility at reactor core power levels not in excess of 3988 megawatts thermal (100 percent rated power) in accordance with the conditions specified herein.

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, as revised through Amendment No. 165, are hereby incorporated into this license. Exelon Generation shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) Fuel Storage and Handling (Section 9.1.SSER 4)*

- a. Fuel assemblies, when stored in their shipping containers, shall be stacked no more than three containers high.
- b. When not in the reactor vessel, no more than three fuel assemblies shall be allowed outside of their shipping containers or storage racks in the New Fuel Vault or Spent Fuel Storage Facility.
- c. The above three fuel assemblies shall maintain a minimum edge-to-edge spacing of twelve (12) inches from the shipping container array and approved storage rack locations.
- d. The New Fuel Storage Vault shall have no more than ten fresh fuel assemblies uncovered at any one time.

(4) Turbine System Maintenance Program (Section 3.5.1.3.10 SER)

The operating licensee shall submit for NRC approval by October 31, 1989, a turbine system maintenance program based on the manufacturer's calculations of missile generation probabilities. (Submitted by NMPC letter dated October 30, 1989 from C.D. Terry and approved by NRC letter dated March 16, 1990 from Robert Martin to Mr. Lawrence Burkhardt, III).

* The parenthetical notation following the title of many license conditions denotes the section of the Safety Evaluation Report (SER) and/or its supplements wherein the license condition is discussed.

SURVEILLANCE REQUIREMENTS (continued)

SURVEILLANCE	FREQUENCY
<p>SR 3.8.1.7</p> <p style="text-align: center;">-----NOTES-----</p> <ol style="list-style-type: none"> 1. This Surveillance shall not normally be performed in MODE 1 or 2 (not applicable to Division 3 DG). However, this Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR. 2. If performed with DG synchronized with offsite power, it shall be performed within the power factor limit. However if grid conditions do not permit, the power factor limit is not required to be met. Under this condition the power factor shall be maintained as close to the limit as practicable. <p>-----</p> <p>Verify each required DG rejects a load greater than or equal to its associated single largest post-accident load, and following load rejection, the frequency is ≤ 64.5 Hz for Division 1 and 2 DGs and ≤ 66.75 Hz for Division 3 DG.</p>	<p>In accordance with the Surveillance Frequency Control Program</p>

(continued)

SURVEILLANCE REQUIREMENTS (continued)

SURVEILLANCE	FREQUENCY
<p>SR 3.8.1.8</p> <p style="text-align: center;">----- NOTES -----</p> <ol style="list-style-type: none"> 1. This Surveillance shall not normally be performed in MODE 1 or 2 (not applicable to Division 3 DG). However, this Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR. 2. If grid conditions do not permit, the power factor limit is not required to be met. Under this condition the power factor shall be maintained as close to the limit as practicable. <p>-----</p> <p>Verify each required DG operating within the power factor limit does not trip and voltage is maintained:</p> <ol style="list-style-type: none"> a. ≤ 4576 V during and following a load rejection of a load ≥ 4400 kW for Division 1 and 2 DGs; and b. ≤ 5824 V during and following a load rejection of a load ≥ 2600 kW for Division 3 DG. 	<p>In accordance with the Surveillance Frequency Control Program</p>

(continued)

SURVEILLANCE REQUIREMENTS (continued)

SURVEILLANCE	FREQUENCY
<p>SR 3.8.1.9</p> <p>----- NOTES -----</p> <ol style="list-style-type: none"> 1. All DG starts may be preceded by an engine prelube period. 2. This Surveillance shall not normally be performed in MODE 1, 2, or 3 (not applicable to Division 3 DG). However, portions of the Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR. <p>-----</p> <p>Verify on an actual or simulated loss of offsite power signal:</p> <ol style="list-style-type: none"> a. De-energization of emergency buses; b. Load shedding from emergency buses for Divisions 1 and 2 only; and c. DG auto-starts from standby condition and: <ol style="list-style-type: none"> 1. energizes permanently connected loads in ≤ 13.20 seconds, 2. energizes auto-connected shutdown loads for Division 1 and 2 DGs only, through the associated automatic load sequence time delay relays, 3. maintains steady state voltage ≥ 3950 V and ≤ 4370 V, 4. maintains steady state frequency ≥ 58.8 Hz and ≤ 61.2 Hz, and 5. supplies permanently connected and auto-connected shutdown loads for ≥ 5 minutes for Division 1 and 2 DGs and supplies permanently connected shutdown loads for ≥ 5 minutes for Division 3 DG. 	<p>In accordance with the Surveillance Frequency Control Program</p>

(continued)

SURVEILLANCE REQUIREMENTS (continued)

SURVEILLANCE	FREQUENCY
<p>SR 3.8.1.10 ----- NOTES -----</p> <ol style="list-style-type: none"> 1. All DG starts may be preceded by an engine prelube period. 2. This Surveillance shall not normally be performed in MODE 1 or 2 (not applicable to Division 3 DG). However, portions of the Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR. <p>-----</p> <p>Verify on an actual or simulated Emergency Core Cooling System (ECCS) initiation signal each required DG auto-starts from standby condition and:</p> <ol style="list-style-type: none"> a. In ≤ 10 seconds after auto-start, achieves voltage ≥ 3950 V for Division 1 and 2 DGs and ≥ 3820 V for Division 3 DG, and frequency ≥ 58.8 Hz for Division 1 and 2 DGs and ≥ 58.0 Hz for Division 3 DG; b. Achieves steady state voltage ≥ 3950 V and ≤ 4370 V and frequency ≥ 58.8 Hz and ≤ 61.2 Hz; c. Operates for ≥ 5 minutes; d. Permanently connected loads remain energized from the offsite power system for Divisions 1 and 2 only; and e. Emergency loads are auto-connected through the associated automatic load sequence time delay relays to the offsite power system for Divisions 1 and 2 only. 	<p>In accordance with the Surveillance Frequency Control Program</p>

(continued)

SURVEILLANCE REQUIREMENTS (continued)

SURVEILLANCE	FREQUENCY
<p>SR 3.8.1.11</p> <p>----- NOTE -----</p> <p>This Surveillance shall not normally be performed in MODE 1, 2, or 3 (not applicable to Division 3 DG). However, this Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR.</p> <p>-----</p> <p>Verify each required DG's automatic trips are bypassed on actual or simulated loss of voltage signal on the emergency bus concurrent with an actual or simulated ECCS initiation signal except:</p> <ul style="list-style-type: none"> a. Engine overspeed; and b. Generator differential current. 	<p>In accordance with the Surveillance Frequency Control Program</p>

(continued)

SURVEILLANCE REQUIREMENTS (continued)

SURVEILLANCE	FREQUENCY
<p>SR 3.8.1.12 ----- NOTES -----</p> <ol style="list-style-type: none"> 1. Momentary transients outside the load and power factor ranges do not invalidate this test. 2. This Surveillance shall not normally be performed in MODE 1 or 2 unless the other two DGs are OPERABLE. If either of the other two DGs become inoperable, this Surveillance shall be suspended. However, this Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR. 3. If grid conditions do not permit, the power factor limit is not required to be met. Under this condition the power factor shall be maintained as close to the limit as practicable. <p>-----</p> <p>Verify each required DG operating within the power factor limit operates for ≥ 24 hours:</p> <ol style="list-style-type: none"> a. For ≥ 2 hours loaded ≥ 4620 kW and ≤ 4840 kW for Division 1 and 2 DGs, and ≥ 2730 kW and ≤ 2860 kW for Division 3 DG; and b. For the remaining hours of the test loaded ≥ 3960 kW and ≤ 4400 kW for Division 1 and 2 DGs, and ≥ 2340 kW and ≤ 2600 kW for Division 3 DG. 	<p>In accordance with the Surveillance Frequency Control Program</p>

(continued)

SURVEILLANCE REQUIREMENTS (continued)

SURVEILLANCE	FREQUENCY
<p>SR 3.8.1.14 ----- NOTE ----- This Surveillance shall not normally be performed in MODE 1, 2, or 3 (not applicable to Division 3 DG). However, this Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR. -----</p> <p>Verify each required DG:</p> <ul style="list-style-type: none"> a. Synchronizes with offsite power source while loaded with emergency loads upon a simulated restoration of offsite power; b. Transfers loads to offsite power source; and c. Returns to ready-to-load operation. 	<p>In accordance with the Surveillance Frequency Control Program</p>
<p>SR 3.8.1.15 ----- NOTE ----- This Surveillance shall not normally be performed in MODE 1, 2, or 3 (not applicable to Division 3 DG). However, portions of the Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR. -----</p> <p>Verify, with a DG operating in test mode and connected to its bus, an actual or simulated ECCS initiation signal overrides the test mode by:</p> <ul style="list-style-type: none"> a. Returning DG to ready-to-load operation; and b. Automatically energizing the emergency load from offsite power. 	<p>In accordance with the Surveillance Frequency Control Program</p>

(continued)

SURVEILLANCE REQUIREMENTS (continued)

SURVEILLANCE	FREQUENCY
<p>SR 3.8.1.16</p> <p>----- NOTE ----- This Surveillance shall not normally be performed in MODE 1, 2, or 3. However, this Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR. -----</p> <p>Verify interval between each sequenced load block, for the Division 1 and 2 DGs only, is $\geq 90\%$ of the design interval for each automatic load sequence time delay relay.</p>	<p>In accordance with the Surveillance Frequency Control Program</p>

(continued)

SURVEILLANCE REQUIREMENTS (continued)

SURVEILLANCE	FREQUENCY
<p>SR 3.8.1.17</p> <p>----- NOTES -----</p> <ol style="list-style-type: none"> 1. All DG starts may be preceded by an engine prelube period. 2. This Surveillance shall not normally be performed in MODE 1, 2, or 3 (not applicable to Division 3 DG). However, portions of the Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR. <p>-----</p> <p>Verify, on an actual or simulated loss of offsite power signal in conjunction with an actual or simulated ECCS initiation signal:</p> <ol style="list-style-type: none"> a. De-energization of emergency buses; b. Load shedding from emergency buses for Divisions 1 and 2 only; and c. DG auto-starts from standby condition and: <ol style="list-style-type: none"> 1. energizes permanently connected loads in ≤ 10 seconds, 2. for Divisions 1 and 2, energizes auto-connected emergency loads through the associated automatic load sequence time delay relays and for Division 3, energizes auto-connected emergency loads, 3. maintains steady state voltage ≥ 3950 V and ≤ 4370 V, 4. maintains steady state frequency ≥ 58.8 Hz and ≤ 61.2 Hz, and 5. supplies permanently connected and auto-connected emergency loads for ≥ 5 minutes. 	<p>In accordance with the Surveillance Frequency Control Program</p>

(continued)

SURVEILLANCE REQUIREMENTS (continued)

SURVEILLANCE	FREQUENCY
<p>SR 3.8.4.6 Verify each required Division 1 and 2 battery charger supplies ≥ 300 amps and the required Division 3 battery charger supplies ≥ 40 amps at ≥ 130 V for ≥ 4 hours.</p>	<p>In accordance with the Surveillance Frequency Control Program</p>
<p>SR 3.8.4.7 ----- NOTES -----</p> <ol style="list-style-type: none"> 1. The modified performance discharge test in SR 3.8.4.8 may be performed in lieu of the service test in SR 3.8.4.7 provided the modified performance discharge test completely envelops the service test. 2. This Surveillance shall not normally be performed in MODE 1, 2, or 3 (not applicable to Division 3). However, portions of the Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR. <p>-----</p> <p>Verify battery capacity is adequate to supply, and maintain in OPERABLE status, the required emergency loads for the design duty cycle when subjected to a battery service test.</p>	<p>In accordance with the Surveillance Frequency Control Program</p>

(continued)

SURVEILLANCE REQUIREMENTS (continued)

SURVEILLANCE	FREQUENCY
<p>SR 3.8.4.8</p> <p>----- NOTE ----- This Surveillance shall not normally be performed in MODE 1, 2, or 3 (not applicable to Division 3). However, portions of the Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR. -----</p> <p>Verify battery capacity is $\geq 80\%$ of the manufacturer's rating when subjected to a performance discharge test or a modified performance discharge test.</p>	<p>In accordance with the Surveillance Frequency Control Program</p> <p><u>AND</u></p> <p>12 months when battery shows degradation or has reached 85% of expected life with capacity < 100% of manufacturer's rating</p> <p><u>AND</u></p> <p>24 months when battery has reached 85% of the expected life with capacity $\geq 100\%$ of manufacturer's rating</p>



UNITED STATES
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WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 165

TO RENEWED FACILITY OPERATING LICENSE NO. NPF-69

NINE MILE POINT NUCLEAR STATION, LLC

LONG ISLAND LIGHTING COMPANY

EXELON GENERATION COMPANY, LLC.

NINE MILE POINT NUCLEAR STATION, UNIT 2

DOCKET NO. 50-410

1.0 INTRODUCTION

By letter dated April 5, 2017 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17095A081), Exelon Generation Company, LLC (the licensee), submitted a license amendment request (LAR) for Nine Mile Point Nuclear Station, Unit 2 (Nine Mile Point 2), to adopt Technical Specifications Task Force (TSTF) Traveler 283-A, Revision 3, "Modify Section 3.8 Mode Restriction Notes." TSTF travelers are generic changes to the improved Standard Technical Specifications (STS). This safety evaluation input specifically evaluates the adoption of TSTF Traveler 283-A, Revision 3, for Nine Mile Point 2.

TSTF Traveler 283-A, Revision 3, introduced a modification of the mode restriction note for 14 different surveillance requirements (SRs) in NUREG-1433, Revision 4, "Standard Technical Specifications, General Electric BWR [Boiling Water Reactor]/4 Plants" (ADAMS Accession No. ML12104A192). The revised surveillance notes will allow full or partial performance of surveillance requirements (SRs) for the purposes of reestablishing operability provided an assessment determines that the safety of the plant is maintained or enhanced. The licensee has chosen to adopt twelve of the modifications. Specifically, SRs 3.8.1.7 through 3.8.1.2, 3.8.1.14 through 3.8.1.17, 3.8.4.7, and 3.8.4.8, in the Nine Mile Point 2 Technical Specifications (TSs) are modified by changing the mode restriction note to allow the SR, or parts of it, to be performed to reestablish operability. The proposed changes do not involve any physical alterations to the installation.

2.0 REGULATORY EVALUATION

2.1 Background

Certain SRs related to TS 3.8 currently limit performance of the SR to plant operating modes other than Modes 1 or 2 or, in some cases, Modes 1, 2, or 3, by a note placed atop each SR.

TSTF Traveler 283-A, Revision 3, revised SR notes in STS 3.8.1, "AC [Alternating Current] Sources – Operating," and 3.8.4, "DC [Direct Current] Sources – Operating," to allow full or partial performance of the SRs in the prohibited modes to reestablish operability, provided an assessment determines the safety of the plant is maintained or enhanced. The existing notes are modified to state that while the SRs are normally prohibited in, for example, "Modes 1 or 2," they may be performed to reestablish operability, provided an assessment determines the safety of the plant is maintained or enhanced.

2.2 Proposed TS Changes

2.2.1 Current Nine Mile Point 2 TSs

SR 3.8.1.7 note 1 states:

This Surveillance shall not be performed in MODE 1 or 2 (not applicable to Division 3 DG [diesel generator]). However, credit may be taken for unplanned events that satisfy this SR.

SR 3.8.1.8 note 1 states:

This Surveillance shall not be performed in MODE 1 or 2 (not applicable to Division 3 DG). However, credit may be taken for unplanned events that satisfy this SR.

SR 3.8.1.9 note 2 states:

This Surveillance shall not be performed in MODE 1, 2, or 3 (not applicable to Division 3 DG). However, credit may be taken for unplanned events that satisfy this SR.

SR 3.8.1.10 note 2 states:

This Surveillance shall not be performed in MODE 1 or 2 (not applicable to Division 3 DG). However, credit may be taken for unplanned events that satisfy this SR.

The SR 3.8.1.11 note states:

This Surveillance shall not be performed in MODE 1, 2 or 3 (not applicable to Division 3 DG). However, credit may be taken for unplanned events that satisfy this SR.

SR 3.8.1.12 note 2 states:

This Surveillance shall not be performed in MODE 1 or 2 unless the other two DGs are OPERABLE. If either of the other two DGs become inoperable, this Surveillance shall be suspended. However, credit may be taken for unplanned events that satisfy this SR.

The SR 3.8.1.14 note states:

This Surveillance shall not be performed in MODE 1, 2, or 3 (not applicable to Division 3 DG). However, credit may be taken for unplanned events that satisfy this SR.

The SR 3.8.1.15 note states:

This Surveillance shall not be performed in MODE 1, 2, or 3 (not applicable to Division 3 DG). However, credit may be taken for unplanned events that satisfy this SR.

The SR 3.8.1.16 note states:

This Surveillance shall not be performed in MODE 1, 2, or 3. However, credit may be taken for unplanned events that satisfy this SR.

SR 3.8.1.17 note 2 states:

This Surveillance shall not be performed in MODE 1, 2 or 3 (not applicable to Division 3 DG). However, credit may be taken for unplanned events that satisfy this SR.

SR 3.8.4.7 note 2 states:

This Surveillance shall not be performed in MODE 1, 2, or 3 (not applicable to Division 3). However, credit may be taken for unplanned events that satisfy this SR.

The SR 3.8.4.8 note states:

This Surveillance shall not be performed in MODE 1, 2, or 3 (not applicable to Division 3). However, credit may be taken for unplanned events that satisfy this SR.

2.2.2 Revised Nine Mile Point 2 TSs

SR 3.8.1.7 note 1 is revised to:

This Surveillance shall not normally be performed in MODE 1 or 2 (not applicable to Division 3 DG). However, this Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR.

SR 3.8.1.8 note 1 is revised to:

This Surveillance shall not normally be performed in MODE 1 or 2 (not applicable to Division 3 DG). However, this Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is

maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR.

SR 3.8.1.9 note 2 is revised to:

This Surveillance shall not normally be performed in MODE 1, 2, or 3 (not applicable to Division 3 DG). However, portions of the Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR.

SR 3.8.1.10 note 2 is revised to:

This Surveillance shall not normally be performed in MODE 1 or 2 (not applicable to Division 3 DG). However, portions of the Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR.

The SR 3.8.1.11 note is revised to:

This Surveillance shall not normally be performed in MODE 1, 2 or 3 (not applicable to Division 3 DG). However, this Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR.

SR 3.8.1.12 note 2 is revised to:

This Surveillance shall not normally be performed in MODE 1 or 2 unless the other two DGs are OPERABLE. If either of the other two DGs become inoperable, this Surveillance shall be suspended. However, this Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR.

The SR 3.8.1.14 note is revised to:

This Surveillance shall not normally be performed in MODE 1, 2, or 3 (not applicable to Division 3 DG). However, this Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR.

The SR 3.8.1.15 note is revised to:

This Surveillance shall not normally be performed in MODE 1, 2, or 3 (not applicable to Division 3 DG). However, portions of the Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR.

The SR 3.8.1.16 note is revised to:

This Surveillance shall not normally be performed in MODE 1, 2, or 3. However, this Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR.

SR 3.8.1.17 note 2 is revised to:

This Surveillance shall not normally be performed in MODE 1, 2 or 3 (not applicable to Division 3 DG). However, portions of the Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR.

SR 3.8.4.7 note 2 is revised to:

This Surveillance shall not normally be performed in MODE 1, 2, or 3 (not applicable to Division 3). However, portions of the Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR.

The SR 3.8.4.8 note is revised to:

This Surveillance shall not normally be performed in MODE 1, 2, or 3 (not applicable to Division 3). However, portions of the Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced. Credit may be taken for unplanned events that satisfy this SR.

2.3 Regulatory Requirements and Guidance

2.3.1 Regulatory Requirements

In Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.36, "Technical specifications," the U.S. Nuclear Regulatory Commission (NRC or the Commission) established its regulatory requirements related to the content of TSs. Pursuant to 10 CFR 50.36, TSs are required to include items in the following five specific categories: (1) safety limits, limiting safety system settings, and limiting control settings; (2) limiting conditions for operation (LCOs); (3) SRs; (4) design features; and (5) administrative controls. This regulation does not specify the particular requirements to be included in a plant's TSs.

As discussed in 10 CFR 50.36(c)(3), SRs 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 LCOs will be met.

The regulation at 10 CFR 50.65(a)(4) states that before performing maintenance activities (including, but not limited to surveillance, post-maintenance testing, and corrective and preventive maintenance), the licensee shall assess and manage the increase in risk that may result from the proposed maintenance activities. The scope of the assessment may be limited

to structures, systems, and components that a risk-informed evaluation process has shown to be significant to public health and safety.

2.3.2 Guidance

The NRC staff used the following guidance documents in its review:

- NUREG-1433, Revision 4, "Standard Technical Specifications, General Electric BWR/4 Plants," and
- TSTF Traveler 283, Revision 3, "Modify Section 3.8 Mode Restriction Notes," dated April 13, 2000.

3.0 TECHNICAL EVALUATION

TSTF Traveler 283-A, Revision 3, "Modify Section 3.8 Mode Restriction Notes," revised SR notes in Standard Technical Specifications TS 3.8.1, "AC Sources – Operating," and 3.8.4, "DC Sources – Operating," to allow full or partial performance of the SRs in the prohibited modes to reestablish operability, provided an assessment determines the safety of the plant is maintained or enhanced and was approved by the NRC. As stated on page 4 of 8 of Attachment 1 of the LAR the licensee determined that the justification for the change presented in the approved traveler is applicable to Nine Mile Point 2.

The licensee proposed revisions to the following Nine Mile Point 2 SRs: 3.8.1.7 through 3.8.1.12, 3.8.1.14 through 3.8.1.17, 3.8.4.7, and 3.8.4.8. These SRs currently have notes prohibiting their performance in Modes 1 or 2 or Modes 1, 2, or 3. The notes are modified to state that while normally prohibited "in Modes 1 or 2," or "in Modes 1, 2, or 3," the SR, or portions of it, may be performed to reestablish operability, provided an assessment determines the safety of the plant is maintained or enhanced.

Justification

As stated on page 4 of 8 of Attachment 1 of the LAR, the licensee uses a summary of the approved traveler justification as its justification for the changes as follows:

The proposed changes will reduce the potential for a plant shutdown should corrective maintenance (planned or unplanned) performed during power operation result in the need to perform any of the revised SRs to demonstrate operability.

The allowance to perform the SRs in currently prohibited Modes is restricted to only allow the SRs to be performed for the purpose of reestablishing operability (e.g. post-work testing following corrective maintenance, corrective modification, deficient or incomplete surveillance testing, and other unanticipated operability concerns) provided an assessment determines plant safety is maintained or enhanced. This assessment shall, as a minimum, consider the potential outcomes and transients associated with a failed SR, a successful SR, and a perturbation of the offsite or onsite system when they are tied together or operated independently for the SR; as well as the operator procedures available to cope with these outcomes. These shall be measured against the avoided risk of a plant shutdown and startup to determine that plant safety is maintained or

enhanced when the SR is performed. Risk insights or deterministic methods may be used for this assessment.

Note that the Maintenance Rule provision contained in 10 CFR 50.65(a)(4) states that before performing maintenance activities, the licensee shall assess and manage the increase in risk that may result from the proposed maintenance activities. This includes the performance of SRs to reestablish operability. Therefore, in addition to the assessment required by the SR Notes, an assessment of plant risk will also be performed.

TS Variation 3

The Nine Mile Point 2 TSs contain a Surveillance Frequency Control Program for use by the licensee in determining the appropriate surveillance frequency. This is satisfactory since the change to the Nine Mile Point 2 TSs was approved by the NRC in Amendment No. 152 to Nine Mile Point 2 Renewed Facility Operating License No. NPF-69 on November 30, 2015 (ADAMS Accession No. ML15317A307).

The licensee explained three variations from TSTF-283-A in tabular format with justifications on page 3 of 8 of Attachment 1 of the LAR. A modified reproduction is as follows:

Variation	Justification
TSTF-283-A for BWR/4 contained a SR 3.8.1.8 to verify transfer between offsite power circuits.	Nine Mile Point 2 TSs do not have this SR, as it is not part of the Nine Mile Point 2 design. Therefore, this SR is not being incorporated.
TSTF-283-A for BWR/4 contained a SR 3.8.1.19 to verify response to a loss of offsite power signal and ECCS [emergency core cooling system] actuation signal.	The Nine Mile Point 2 equivalent SR is SR 3.8.1.17. The Nine Mile Point 2 SR includes three additional requirements under sub-criteria c. These additional requirements already in the Nine Mile Point 2 SR are not being changed and are being retained.
TSTF-283-A for BWR/4 contained a SR 3.8.4.6 to verify battery charger performance.	Nine Mile Point 2 TS SR 3.8.4.6 does not have the note prohibiting performance in Modes 1, 2, or 3. Therefore, it is not being included in the submittal.

Bases Variation

Additionally, the licensee presented a minor change from the approved traveler bases changes. Eight of the twelve SRs presented for change at Nine Mile Point 2 currently restrict their activity in Modes 1, 2, and 3, while the STS bases inserts provided in the approved traveler identify only Modes 1 and 2. Therefore, the TS bases markups for these SRs were modified so that the current Nine Mile Point 2 TS mode restrictions are followed for these SRs. The applicable SRs are as follows:

3.8.1.9	3.8.1.14	3.8.1.16	3.8.4.7
3.8.1.11	3.8.1.15	3.8.1.17	3.8.4.8

Assessment:

The NRC staff reviewed the proposed revisions to the following Nine Mile Point 2 SRs: 3.8.1.7 through 3.8.1.2, 3.8.1.14 through 3.8.1.17, 3.8.4.7, and 3.8.4.8. The staff determined that the changes are identical to those made to the corresponding SRs for BWR/4 plants contained in the approved traveler. Some of the Nine Mile Point 2 SR notes contain additional amplifying wording (e.g., not applicable to the Division 3 DG). The NRC staff reviewed the additional wording and determined that it is being retained as is and does not interfere with or modify the overall objective of the change.

The NRC staff agrees with the licensee's justification for the changes contained in the LAR and has determined that the justification is acceptable. Based on the evaluation above, the staff has determined that the proposed changes to the Nine Mile Point 2 TSs are acceptable and consistent with TSTF-283-A, Revision 3. The NRC staff concludes that the requirements of 10 CFR 50.36(c)(3) will continue to be met because the revised SRs provide the appropriate surveillances to ensure the necessary quality of components is maintained and the associated LCOs will be met.

The NRC staff also reviewed the associated proposed bases changes and the stated variation. The variation simply allows the current TS SR mode restrictions to be carried forward into the bases explanation as applicable. This allows the Nine Mile Point 2 bases to remain consistent with the Nine Mile Point 2 TSs. The NRC staff has no objections to the proposed bases changes because it determined they are consistent with the bases changes included in the approved traveler and the Nine Mile Point 2 TSs. Nine Mile Point 2 makes TS bases changes in accordance with TS 5.5.10, "Technical Specifications (TS) Bases Control Program."

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New York State official was notified of the proposed issuance of the amendment on November 9, 2017. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes surveillance requirements. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, 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 previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (June 19, 2017; 82 FR 27887). 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.

6.0 CONCLUSION

The staff 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) there is reasonable assurance that 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 Contributor: Pete Snyder

Date: December 21, 2017

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT 2 – ISSUANCE OF AMENDMENT TO ALLOW GREATER FLEXIBILITY IN PERFORMING SURVEILLANCE TESTING IN MODES 1, 2, OR 3 OF EMERGENCY DIESEL GENERATORS (CAC NO. MF9579; EPID L-2017-LLA-0203) DATED DECEMBER 21, 2017

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*by e-mail

OFFICE	NRR/DORL/LPL1/PM	NRR/DORL/LPL1/LA	OGC – NLO	NRR/DSS/STSB/BC(A)*
NAME	MMarshall	LRonewicz	CKanatas	JWhitman
DATE	12/ 04/2017	12/01/2017	12/20/2017	10/25/2017
OFFICE	NRR/DE/EEOB/BC	NRR/DORL/LPL1/BC	NRR/DORL/LPL1/PM	
NAME	JQuichocho	JDanna	MMarshall	
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