



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 170 TO FACILITY OPERATING LICENSE NO. DPR-20
CONSUMERS POWER COMPANY
PALISADES PLANT
DOCKET NO. 50-255

1.0 INTRODUCTION

By letter dated July 5, 1995, the Consumers Power Company (the licensee) requested an amendment to the Technical Specifications (TS) appended to Facility Operating License No. DPR-20 for the Palisades Plant. The proposed amendment would change the Administrative Controls section of the Palisades TS.

The requested changes and NRC staff's evaluation and findings pertaining to each item of change are discussed in Section 2.0.

2.0 BACKGROUND

Section 182a of the Atomic Energy Act (the "Act") requires applicants for nuclear power plant operating licenses to state TS to be included as part of the license. The Commission's regulatory requirements related to the content of TS are set forth in 10 CFR 50.36. That regulation requires that the TS include items in five specific categories, including (1) safety limits, limiting safety system settings and limiting control settings; (2) limiting conditions for operation; (3) surveillance requirements; (4) design features; and (5) administrative controls. However, the regulation does not specify the particular requirements to be included in a plant's TS.

The Commission has provided guidance for the contents of TS in its "Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors" ("Final Policy Statement"), 58 FR 39132 (July 22, 1993), in which the Commission indicated that compliance with the Final Policy Statement satisfies Section 182a of the Act. In particular, the Commission indicated that certain items could be relocated from the TS to licensee-controlled documents, consistent with the standard enunciated in *Portland General Electric Co. (Trojan Nuclear Plant)*, ALAB-531, 9 NRC 263, 273 (1979). In that case, the Atomic Safety and Licensing Appeal Board indicated that "technical specifications are to be reserved for those matters as to which the imposition of rigid conditions or limitations upon reactor operation is deemed necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety."

Consistent with this approach, the Final Policy Statement identified four criteria to be used in determining whether a particular matter is required to be included in the TS, as follows: (1) Installed instrumentation that is used to detect, and indicate in the control room, a significant abnormal degradation of the reactor coolant pressure boundary; (2) a process variable, design feature, or operating restriction that is an initial condition of a design-basis accident or transient analysis that either assumes the failure of or presents a challenge to the integrity of a fission product barrier; (3) a structure, system, or component that is part of the primary success path and which functions or actuates to mitigate a design-basis accident or transient that either assumes the failure of or presents a challenge to the integrity of a fission product barrier; (4) a structure, system, or component which operating experience or probabilistic safety assessment has shown to be significant to public health and safety.¹ As a result, existing TS requirements which fall within or satisfy any of the criteria in the Final Policy Statement must be retained in the TS, while those TS requirements which do not fall within or satisfy these criteria may be relocated to other, licensee-controlled documents.

3.0 EVALUATION

3.1 Deletion of Section 6.4: TRAINING

The licensee requested that Section 6.4 be deleted from the TS because

(i) the specification was outdated and referred to Appendix A of 10 CFR Part 55, which has been superseded.

(ii) the requested change would facilitate the conversion of the plant-specific TS to the more generic improved Combustion Engineering (CE) TS (NUREG-1432, April 7, 1995). NUREG-1432 was written with the objective to reduce redundancy, improve the clarity, and standardize the TS.

(iii) the training requirement and recommendation need not be specified in the TS since 10 CFR 55.59 (Subpart F) stipulates the operator training and requalification requirements.

(iv) the training programs at Palisades are accredited by the National Academy for Nuclear Training Accreditation Board, and these programs meet or exceed the requirements under Section 6.4 of the TS.

¹ The Commission recently adopted amendments to 10 CFR 50.36, pursuant to which the rule was revised to codify and incorporate these criteria. See Final Rule, "Technical Specifications," 60 FR 36953 (July 19, 1995). The Commission indicated that reactor core isolation cooling, isolation condenser, residual heat removal, standby liquid control, and recirculation pump trip systems are included in the TS under Criterion 4, although it recognized that other structures, systems, and components could also meet this criterion. (60 FR at 36956)

The NRC staff has evaluated the proposed deletion of Section 6.4 of the TS and the supporting information presented by the licensee. The staff finds deletion of Section 6.4. from the Palisades TS acceptable in part because 10 CFR 55.59 covers the licensed operator training requirements. However, we note that ANSI N18.1 1971, which is referenced in Section 6.4 addresses training of all plant staff and 10 CFR 55.59 is limited to training and requalification of licensed operators. Section 50.120 of 10 CFR provides the more general training requirements for nonlicensed staff.

Therefore, the NRC staff concludes that the deletion of Section 6.4 of the TS is acceptable as 10 CFR Part 55 and 10 CFR 10.120 stipulate the regulatory requirements.

3.2 Revision of Section 6.5.1.2: Composition of the Plant Review Committee (PRC)

The TS Section 6.5.1.2 explicitly states that the PRC "is composed of nine regular members from either the Palisades staff or the Nuclear Engineering and Construction Organization (NECO) staff." The proposed amendment maintains the number of regular members of the PRC but deletes reference to their department affiliation. The licensee requested that such plant-specific terms be edited out of the TS in order to avoid periodic amendments which would be required with any plant reorganization.

The licensee also requested that the Chairman and the Alternate Chairman of the PRC be designated through administrative procedures as opposed to the current "in writing" selection process.

The proposed removal of the reference to the PRC member's department affiliation when either NECO or Palisades staff can be selected is a non-substantive change. The requested change does streamline the TS by eliminating unnecessary organization-specific statements.

In addition, the designation of the Chairman, Alternate Chairman, and the members of the PRC through administrative procedures standardizes the selection process.

These changes are consistent with the acceptance criteria of Section 13 of NUREG-0800, the Standard Review Plan, and are administrative changes that do not alter the composition or the responsibilities of the PRC. Therefore, the NRC staff finds the proposed modification of Section 6.5.1.2 of the TS acceptable.

3.3 Revision of Sections 6.5.3.1 and 6.5.3.2: Function and Composition of the Plant Safety and Licensing Staff

In Sections 6.5.3.1 and 6.5.3.2 of the TS, the functions and the compositions of the Plant Safety and Licensing (PSL) organization are outlined. Initially, the licensee established the PSL organization in order to take precautionary

steps and partially institute the Three Mile Island (TMI) action plan, even though Palisades was not legally bound to comply with the post-TMI safeguards and guidelines.

In Section 6.5.3.1, the licensee seeks to rephrase the paragraph pertaining to the function of the PSL organization. The requested modification identifies the functions of the PSL staff as opposed to the PSL organization.

The proposed editorial change in Section 6.5.3.2 cancels any reference to the required PSL staff size of five and permits any desired number of staff to conduct the review function. Another proposed change requires that the PSL review staff "be an experienced technical staff" and meet the qualifications covered under Section 6.3. Further changes also strike out the requirement that the PSL staff report their review assessment to their independent PSL department director.

The licensee states that:

(i) the Plant Safety and Licensing department was responsible for several different functions. Therefore, only those PSL staff responsible for the review functions should be required to meet the Section 6.3 qualifications.

(ii) currently, only three out of the five qualified review staff conduct the actual plant review process. Hence, the number of review staff should be allowed to fluctuate with the workload.

(iii) The title of the director and the specific department the PSL review staff report to represent unnecessary organization-specific stipulations. The line of authority and the plant organizational plan should remain under the control of the licensee, and the quality review process does not necessarily require departmental independence.

The proposed changes to Sections 6.5.3.1 and 6.5.3.2 may lead to an actual change in the composition and the function of the Plant Safety and Licensing Organization. However, the establishment of a PSL review unit was a voluntary action taken by the licensee, and it is appropriate to allow the licensee flexibility over the unit's composition and function. Furthermore, the new improved CE TS does not contain specific guidelines for the PSL review unit.

The modifications to Sections 6.5.3.1 and 6.5.3.2, as proposed by the licensee, meet the objectives of removing redundancy, of reducing the unnecessary issuance of amendments due to internal plant reorganizations, and of improving the readability of the TS. The changes do not decrease the licensee's organizational effectiveness as required by Appendix B to 10 CFR Part 50. Therefore, the NRC staff finds these changes acceptable.

3.0 STATE CONSULTATION

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

4.0 ENVIRONMENTAL CONSIDERATION

This amendment changes administrative procedures and requirements. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). 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.

5.0 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) 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.

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