



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NOS. 105 AND 69 TO FACILITY OPERATING

LICENSE NOS. NPF-39 AND NPF-85

PHILADELPHIA ELECTRIC COMPANY

LIMERICK GENERATING STATION, UNITS 1 AND 2

DOCKET NOS. 50-352 AND 50-353

1.0 INTRODUCTION

By letter dated September 14, 1995, as supplemented by letter dated October 27, 1995, the Philadelphia Electric Company (the licensee) submitted a request for changes to the Limerick Generating Station, Units 1 and 2, Technical Specifications (TS). The requested changes would delete the Reactor Enclosure Secondary Containment Ventilation System Automatic Isolation Valves and Refueling Area Secondary Containment Automatic Isolation Valves, Tables 3.6.5.2.1-1 and 3.6.5.2.2-1, and references to them, in accordance with NRC Generic Letter (GL) 91-08, "Removal of Component Lists from Technical Specifications." The TSs have been modified to state requirements in general terms that include the components listed in the tables removed from the TS. The October 27, 1995, letter provided clarifying information that did not change the initial proposed no significant hazards consideration determination, nor the Federal Register notice.

2.0 BACKGROUND

Section 182a of the Atomic Energy Act (the "Act") requires applicants for nuclear power plant operating licenses to include TS as part of the license. The 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 TSs.

The Commission 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. These criteria were subsequently incorporated into the regulations by an amendment to 10 CFR 50.36, 60 FR 36953 (July 19, 1995). 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 four criteria defined by 10 CFR 50.36, for determining whether a particular matter is required to be included in the TS limiting conditions for operations, are 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; and
- (4) a structure, system, or component which operating experience or probabilistic safety assessment has shown to be significant to public health and safety.

As a result, existing TS requirements which fall within or satisfy any of the above criteria 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

In accordance with GL 91-08, and 10 CFR 50.90, the licensee proposed the following changes to the Limerick TS. The licensee's proposed changes are discussed in the order the associated TS appears in the Limerick TS. The staff's evaluation and conclusion follow each proposed change.

- (1) The licensee proposed changes to the TS index page to make editorial corrections associated with the proposed TS changes to reflect the deletion of tables which contain component lists.

The staff concludes that the proposed changes are acceptable because they are administrative in nature only (reflecting the TS changes evaluated below). Therefore, the staff finds the licensee's proposed changes acceptable.

- (2) The licensee proposed to make changes to TS Definition 1.33.a.2 for Reactor Enclosure Secondary Containment Integrity and TS Definition 1.35.a.2 for Refueling Floor Secondary Containment Integrity.

The proposed changes to the TS Definitions are administrative or editorial in nature (reflecting the TS changes evaluated below). Therefore, the staff finds the licensee's proposed changes acceptable.

- (3) The licensee has proposed the removal of Table 3.6.5.2.1-1, "Reactor Enclosure Secondary Containment Ventilation System Automatic Isolation Valves." In addition, a phrase would be added to indicate that the information from this TS section has been relocated to the Updated Final Safety Analysis Report (UFSAR). The component list will be retained in licensee controlled documents (UFSAR and a plant procedure) which will be maintained under the requirements of TS Administrative Controls Section 6.0 and the provisions of 10 CFR 50.59.

With the removal of Table 3.6.5.2.1-1, the licensee has proposed to revise the statement of the LCO under TS 3/4.6.5 to the following:

The reactor enclosure secondary containment ventilation system automatic isolation valves shall be operable.

In addition, the licensee proposed to revise the definition of Reactor Enclosure Secondary Containment Integrity and to delete the reference to Table 3.6.5.2.1-1 under the action requirements of TS 3.6.5.2.1.

The licensee has proposed to revise the surveillance requirement of TS 4.6.5.2.1 to state "Each reactor enclosure secondary containment ventilation system automatic isolation valve shall be demonstrated operable," rather than stating the requirements in relation to the valves specified in Table 3.6.5.2.1-1.

The proposed changes are consistent with the guidance of GL 91-08. The content of the TS table is not changed, only its location. Therefore, since the proposed changes do not technically change the current intent of the TS and are in accordance with the guidance provided in GL 91-08, the changes are acceptable.

- (4) The licensee has proposed the removal of Table 3.6.5.2.2-1, "Refueling Area Secondary Containment Automatic Isolation Valves." In addition, a phrase would be added to indicate that the information from this TS section has been relocated to the Updated Final Safety Analysis Report (UFSAR). The component list will be retained in licensee controlled documents (UFSAR and a plant procedure) which will be maintained under the requirements of TS Administrative Controls Section 6.0 and the provisions of 10 CFR 50.59.

With the removal of Table 3.6.5.2.2-1, the licensee has proposed to revise the statement of the LCO under TS 3/4.6.5 to the following:

The refueling area secondary containment automatic isolation valves shall be operable.

In addition, the licensee proposed to revise the definition of Refueling Area Secondary Containment Integrity and to delete the reference to Table 3.6.5.2.2-1 under the action requirements of TS 3.6.5.2.2.

The licensee has proposed to revise the surveillance requirement of TS 4.6.5.2.2 to state "Each refueling area secondary containment automatic isolation valve shall be demonstrated operable," rather than stating the requirements in relation to the valves specified in Table 3.6.5.2.2-1.

The proposed changes are consistent with the guidance of GL 91-08. The content of the TS table is not changed, only its location. Therefore, since the proposed changes do not technically change the current intent of the TS and are in accordance with the guidance provided in GL 91-08, the changes are acceptable.

3.1 Summary

The staff's review of the proposed changes determined that the removal of these tables does not eliminate the requirements for the licensee to ensure that the system, structure, or component is capable of performing its safety function. Although these tables are removed from the TS and incorporated into the Limerick administratively controlled documents, since they are controlled documents described in the Updated Final Safety Analysis Report (UFSAR), the licensee must continue to evaluate any plant modifications that affect any of these components in accordance with 10 CFR 50.59. Should the licensee's determination conclude that an unreviewed safety question is involved, due to either (1) an increase in the probability or consequence of accidents or malfunctions of equipment important to safety, (2) the creation of a possibility for an accident or malfunction of a different type than any evaluated previously, or (3) a reduction in the margin of safety, NRC approval and a license amendment would be required prior to implementation of the change. NRC inspection and enforcement programs also enable the staff to monitor facility changes and licensee adherence to UFSAR commitments and to take any remedial action that may be appropriate.

The staff's review concluded that 10 CFR 50.36 does not require these tables to be retained in the TS. Requirements related to operability, applicability, and surveillance requirements, including performance of testing to ensure operability, are retained due to the importance in mitigating the consequence of an accident. However, the staff determined that the inclusion of these tables is an operation detail related to the licensee's safety analyses, which are adequately controlled by the requirements of 10 CFR 50.59. Therefore, the continued processing of license amendments related to revision of the affected

tables, where the revisions to those requirements do not involve an unreviewed safety question under 10 CFR 50.59, would afford no significant benefit with regard to protecting the public health and safety.

The staff has concluded, therefore, that removal of these tables and references to them is acceptable because (1) their inclusion in the TS is not specifically required by 10 CFR 50.36 or other regulations, (2) the tables have been incorporated into the Limerick administratively controlled document, are adequately controlled by 10 CFR 50.59, and their inclusion in the TS is not required to avert an immediate threat to the public health and safety, and (3) changes that are deemed to involve an unreviewed safety question will require prior NRC approval in accordance with 10 CFR 50.59(c).

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

The amendments change 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 change the surveillance requirements. The NRC staff has determined that the amendments involve 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 amendments involve no significant hazards consideration, and there has been no public comment on such finding (60 FR 52934). Accordingly, the amendments meet 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 amendments.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

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Date: November 20, 1995