



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 104 TO FACILITY OPERATING LICENSE NO. NPF-30

UNION ELECTRIC COMPANY
CALLAWAY PLANT, UNIT NO. 1
DOCKET NO. 50-483

1.0 INTRODUCTION

By letter dated January 13, 1995, Union Electric Company (the licensee) submitted a request for changes to the Callaway Plant, Unit 1 Technical Specifications (TS). The requested amendment would modify the requirements of TS 3.3.1 and TS 3.3.2 to relocate Tables 3.3-2 and 3.3-5, which provide the response time limits for the reactor trip system (RTS) and the engineered safety features actuation system (ESFAS) instruments, from the TS to the updated Final Safety Analysis Report (FSAR). The amendment also relocates the Bases discussion for TS 3.3.1 and TS 3.3.2 to Section 16.3 of the updated FSAR. The licensee has stated that after approval of this amendment request, an FSAR Change Notice will be written to reflect the limits currently contained in TS Tables 3.3-2 and 3.3-5. The NRC provided guidance to all holders of operating licenses or construction permits for nuclear power reactors on the proposed TS changes in Generic Letter 93-08, "Relocation of Technical Specification Tables of Instrument Response Time Limits," dated December 29, 1993.

2.0 BACKGROUND

The NRC staff undertook efforts in the early 1980's to address problems related to the content of nuclear power plant technical specifications. These projects have resulted in the issuance of various reports, proposed rulemakings, and Commission policy statements. Line item improvements became a mechanism for technical specification improvement as part of the implementation of the Commission's interim policy statement on technical specification improvements published on February 6, 1987 (52 FR 3788). The final Commission policy statement on technical specification improvements was published July 22, 1993 (58 FR 39132). The final policy statement provided criteria which can be used to establish, more clearly, the framework for technical specifications. The staff has maintained the line item improvement process, through the issuance of generic letters, in order to improve the content and consistency of technical specifications and to reduce the licensee and staff resources required to process amendments related to those specifications being relocated from the TS to other licensee documents as a result of the implementation of the Commission's final policy statement.

Section 50.36 of Title 10 of the Code of Federal Regulations establishes the regulatory requirements for licensees to include technical specifications as part of applications for operating licenses. The rule requires that technical specifications include items in five specified categories: (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. In addition, the Commission's final policy statement on technical specification improvements and other Commission documents provide guidance regarding the required content of technical specifications. The fundamental purpose of the technical specifications, as described in the Commission's final policy statement, is to impose those conditions or limitations upon reactor operation necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety by identifying those features that are of controlling importance to safety and establishing for them certain conditions of operation which cannot be changed without prior Commission approval.

The Commission's final policy statement recognized, as had previous statements related to the staff's technical specification improvement program, that implementation of the policy would result in the relocation of existing technical specification requirements to licensee-controlled documents such as the updated FSAR. Those items relocated to the updated FSAR would in turn be controlled in accordance with the requirements of 10 CFR 50.59, "Changes, tests and experiments." Section 50.59 of Title 10 of the Code of Federal Regulations provides criteria to determine when facility or operating changes planned by a licensee require prior Commission approval in the form of a license amendment in order to address any unreviewed safety questions. NRC inspection and enforcement programs also enable the staff to monitor facility changes and licensee adherence to updated FSAR commitments and to take any remedial action that may be appropriate. The criteria delineated in the final policy statement for determining those requirements warranting inclusion in TS were incorporated into the regulations by an amendment to 10 CFR 50.36, 60 FR 36953 (July 19, 1995).

3.0 EVALUATION

The licensee has proposed to remove the references to Tables 3.3-2 and 3.3-5 from TS 3.3.1 and TS 3.3.2 and delete these tables from the TS. In the January 13, 1995, amendment request, the licensee committed to writing an FSAR Change Notice after approval of this amendment to relocate the tables on response time limits to the updated FSAR.

Tables 3.3-2 and 3.3-5 contain the values of the response time limits for the RTS and ESFAS instruments. The limiting conditions for operation for the RTS and ESFAS instrumentation specify these systems shall be operable with the response times as specified in these tables. These limits are the acceptance criteria for the response time tests performed to satisfy the surveillance requirements of TS 4.3.1.2 and TS 4.3.2.2 for each applicable RTS and ESFAS trip function. These surveillances ensure that the response times of the RTS

and ESFAS instruments are consistent with the assumptions of the safety analyses performed for design basis accidents and transients. The changes associated with the implementation of Generic Letter 93-08 involve only the relocation of the RTS and ESFAS response time tables but retain the surveillance requirement to perform response time testing. The updated FSAR will now contain the acceptance criteria for the required RTS and ESFAS response time surveillances. Because it does not alter the TS requirements to ensure that the response times of the RTS and ESFAS instruments are within their limits, the staff has concluded that relocation of these response time limit tables from the TS to updated FSAR is acceptable.

The staff's determination is based on the fact that the removal of the specific response time tables does not eliminate the requirements for the licensee to ensure that the protection instrumentation is capable of performing its safety function. Although the tables containing the specific response time requirements are relocated from the technical specifications to the updated FSAR, the licensee must continue to evaluate any changes to response time requirements 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 consequences 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.

The staff's review concluded that 10 CFR 50.36 does not require the response time tables to be retained in technical specifications. Requirements related to the operability, applicability, and surveillance requirements (including performance of testing to ensure response times) for RTS and ESFAS systems are retained due to those systems' importance in mitigating the consequences of an accident. However, the staff determined that the inclusion of specific response time requirements for the various instrumentation channels and components addressed by Generic Letter 93-08 was not required. The response times are considered to be an operational detail related to the licensee's safety analyses and are adequately controlled by the requirements of 10 CFR 50.59. Therefore, the continued processing of license amendments related to revisions of the affected instrument or component response times, 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. Further, the response time requirements do not constitute a condition or limitation on operation necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety, in that the ability of the RTS and ESFAS systems to perform their safety functions is not adversely impacted by the relocation of the response time tables from the TS to the updated FSAR.

In addition to removing the response times from the TS, the licensee is modifying the Bases for TS 3.3.1 and TS 3.3.2 to reflect these changes and has stated that the plant procedures for response time testing include acceptance criteria that reflect the RTS and ESFAS response time limits in the tables being relocated to the updated FSAR. These changes are acceptable in that they merely constitute administrative changes required to implement the TS change discussed above.

These TS changes are consistent with the guidance provided in Generic Letter 93-08 and the TS requirement of 10 CFR 50.36. The staff has determined that the proposed changes to the TS for the Callaway Plant, Unit 1, are acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the State of Missouri official was notified of the proposed issuance of the amendment. 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 (60 FR 8741). 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 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 amendment 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 22, 1995