



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NOS. 44 AND 30 TO

FACILITY OPERATING LICENSE NOS. NPF-87 AND NPF-89

TEXAS UTILITIES ELECTRIC COMPANY

COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2

DOCKET NOS. 50-445 AND 50-446

1.0 INTRODUCTION

By application dated August 15, 1995 (TXX-95215), Texas Utilities Electric Company (TU Electric/the licensee) requested changes to the Technical Specifications (TSs) (Appendix A to Facility Operating License Nos. NPF-87 and NPF-89) for the Comanche Peak Steam Electric Station, Units 1 and 2. The proposed changes would move the Shutdown Margin limits from the TSs to the Core Operating Limits Report (COLR). The proposed changes are consistent with the intent of Generic Letter (GL) P3-16 which provides guidelines for the removal of cycle-specific parameter limits from the TSs.

2.0 BACKGROUND

Section 182a of the Atomic Energy Act (the "Act") requires applicants for nuclear power plant operating licenses to state TSs to be included as part of the license. The Commission's regulatory requirements related to the content of TSs are set forth in 10 CFR 50.36. That regulation requires that the TSs 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 has provided guidance for the contents of TSs 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 TSs 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 TSs, 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.<sup>1</sup> As a result, existing TSs requirements which fall within or satisfy any of the criteria in the Final Policy Statement must be retained in the TSs, while those TS requirements which do not fall within or satisfy these criteria may be relocated to other, licensee-controlled documents. The Commission recently adopted amendments to 10 CFR 50.36, pursuant to which the rule was revised to codify and incorporate these criteria.

### 3.0 EVALUATION

The licensee requested the following TS changes:

- 1) 3/4.1.1, "Boration Control" and 3/4.1.2, "Boration Systems"

The proposed changes remove the values for shutdown margin shown in Specifications 3.1.1.1, 4.1.1.1.1, 3.1.1.2, 4.1.1.2, 3.1.2.2, 3.1.2.4 and 3.1.2.6, add appropriate references to the COLR, and revise the related BASES (3/4.1.1.1 and 3/4.1.1.2 SHUTDOWN MARGIN and 3/4.1.2 BORATION SYSTEMS).

- 2) 6.9.1.6, "Core Operating Limits Report"

The proposed changes modify TS 6.9.1.6a by adding the removed parameter limits to the list of items contained in the COLR, including a reference to the implementing TSs. TS 6.9.1.6b is revised to add item 19), TU Electric Report, RXE-94-001-A, "Safety Analysis of the Postulated

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<sup>1</sup> 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).

Inadvertent Boron Dilution Event in Modes 3, 4, and 5." In addition, TS 6.9.1.6b Items 1) and 17) are revised to specify the removed parameter limits and their implementing specifications.

The shutdown margin is based on the accident analyses performed for a specific cycle. The accident analyses performed to justify the required shutdown margin must be performed in accordance with approved methodologies and must satisfy NRC-approved event acceptance criteria. The removal of parameter limits from the TSs and their addition to the COLR does not obviate the requirement to operate within those limits.

In order to remove cycle-specific limits, GL 88-16, "Guidance for Technical Specification Changes for Cycle-Specific Parameter Limits" requires: (1) the addition of the definition of a named formal report that includes the cycle-specific parameter limits that have been established using NRC-approved methodology and consistent with all applicable limits of the safety analysis, (2) the addition of an administrative reporting requirement to submit the formal report on cycle-specific parameter limits to the Commission for information, and (3) the modification of individual TSs to note that the cycle-specific parameters shall be maintained within the limits provided in the defined formal report.

The NRC determined that the licensee has previously defined the COLR, in Specification 1.10, as the appropriate formal report for cycle-specific parameter limits. Appropriate administrative controls requiring the use of NRC-approved methodology and providing the reporting requirements for the COLR have also been previously defined in Specification 6.9.1.6. Specifically, TU Electric Report, RXE-94-001-A, provides the NRC-approved methodology used in the analysis of required shutdown margin. This report was approved by NRC letter from Thomas A. Bergman to Mr. William J. Cahill, Jr., dated November 3, 1993. Finally, the proposed TSs replace the actual shutdown margin values with the statement "the value specified in the COLR."

The NRC staff concludes that the removal of these values from the TSs is consistent with the guidance provided in GL 88-16, "Guidance for Technical Specification Changes for Cycle-Specific Parameter Limits." The limits presented in the COLR may be modified, provided the requirements of Specification 6.9.1.6 are met (i.e., the modifications are determined using NRC-approved methodologies and meet all applicable limits of the plant safety analysis). The proposed changes will also eliminate the need for periodic license amendment requests that would be required for inconsequential changes to the values of these cycle specific parameters. Additionally, the relocation of the values for shutdown margin from the TSs to the COLR does not eliminate the requirements for the licensee to ensure that the reactivity control systems are performing their safety functions and that adequate shutdown margin is available to satisfy General Design Criterion 26.

Finally, the staff has concluded that the shutdown margin values are not required to be in the TSs under 10 CFR 50.36 or Section 182a of the Atomic Energy Act, and are not required to obviate the possibility of an abnormal

situation or event giving rise to an immediate threat to the public health and safety. Further, they do not fall within any of the four criteria set forth in the Commission's Final Policy Statement, discussed above. In addition, the NRC staff finds that sufficient regulatory controls exist under 10 CFR 50.59 to ensure that future changes to these requirements are acceptable. Accordingly, the staff has concluded that these requirements may be relocated from the TSS to the COLR.

#### 4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Texas 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 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 52935). 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.

Principal Contributor: T. Polich

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