



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-7001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 104 TO
FACILITY OPERATING LICENSE NO. NPF-38
ENERGY OPERATIONS, INC.
WATERFORD STEAM ELECTRIC STATION, UNIT 3
DOCKET NO. 50-382

1.0 INTRODUCTION

By application dated August 5, 1993, Entergy Operations, Inc. (the licensee), submitted a request for changes to the Waterford Steam Electric Station, Unit 3, Technical Specifications (TSs). The requested changes would remove the requirements associated with loose-part detection system from the TSs for Waterford Steam Electric Station, Unit 3. These requirements will be incorporated into the Waterford 3 Updated Final Safety Analysis Report (UFSAR) and maintained under the provisions of 10 CFR 50.59.

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.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 TSs, while those TS requirements which do not fall within or satisfy these criteria may be relocated to other, licensee-controlled documents.

3.0 EVALUATION

The licensee has proposed changes to TS 3/4.3.3.9 to remove the requirements related to the operability of the loose-part detection system, and related surveillance requirements. In the amendment application, the licensee committed to include these requirements in the UFSAR.

The loose-part detection system ensures that sufficient capability is available to detect loose metallic parts in the reactor coolant system. Early detection can provide operators time to take corrective actions and avoid or mitigate damage to or malfunctions of primary system components. However as explicitly discussed in the final policy statement, the loose-part detection system does not function to detect significant abnormal degradation of the reactor coolant pressure boundary and is not embraced by Criterion 1. Further, the loose-part detection system does not serve as design feature for establishing initial conditions of, or as part of the primary success path for mitigating design basis accidents or transients. Thus, Criteria 2 and 3 do not apply. The current TSs for this system require it to be operable in Modes

¹ The Commission recently promulgated a proposed change to §50.36, pursuant to which the rule would be amended to codify and incorporate these criteria (59 FR 48180, September 20, 1994). The Commission's Final Policy Statement specified that LCOs for Reactor Core Isolation Cooling, Isolation Condenser, Residual Heat Removal, Standby Liquid Control, and Recirculation Pump Trip are included in the TS under Criterion 4 (58 FR 39132). The Commission has solicited public comments on the scope of Criterion 4, in the pending rulemaking.

1 and 2. However, with one or more channels inoperable for more than 30 days the ACTION statement merely requires licensee to submit a special report to the NRC outlining the cause of the malfunction and plans for restoring the channel(s) to operable status. The staff believes that this type of reporting requirement is adequately covered by other regulations under 10 CFR 50.72 and 10 CFR 50.73. The staff has, therefore, concluded that requirements for this system do not satisfy the Final Policy Statement criteria and need not be included in TSs. The licensee has proposed to relocate the requirements related to the loose-part detection system from the TSs to the UFSAR such that future changes to these requirements could be processed in accordance with 10 CFR 50.59.

Based on above discussion, the staff concludes that the loose-part monitoring system requirements 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 address any future changes to this system. Accordingly, the staff has concluded that these requirements may be relocated from the TSs to the UFSAR. The NRC staff offers no objection to the deletion of the Bases associated with TS 3/4.3.3.9.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Louisiana State 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 (58 FR 48382). 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: April 20, 1995