



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 83 TO FACILITY OPERATING LICENSE NO. NPF-43

DETROIT EDISON COMPANY

FERMI-2

DOCKET NO. 50-341

1.0 INTRODUCTION

By letter dated May 24, 1988 as supplemented February 27, 1991, the Detroit Edison Company, (DECO or the licensee) requested an amendment to Facility Operating License No. NPF-43 for the Fermi-2 plant. The proposed amendment would change the plant Technical Specification (TS) based on the recommendations provided by the staff in Generic Letter (GL) 87-09 as related to the applicability of limiting conditions for operation (LCO) and the surveillance requirements of TS 3.0.4. Fermi-2 Amendment No. 31 of March 9, 1989 (TAC No. M68253), approved two of the three changes requested by the May 24, 1988, letter, specifically to TS 4.0.3 and 4.0.4.

The licensee's supplemental information, in the letter dated February 27, 1991, addresses the remaining requested change to TS 3.0.4 and provides a description of the evaluations performed and controls to be put in place to resolve the two concerns the staff expressed over the original submittal, which are addressed below.

Specifically, the licensee has requested the following revision to TS 3.0.4:

"Entry into an OPERATIONAL CONDITION or other specified condition shall not be made when the conditions for the Limiting Conditions for Operation are not met and the associated ACTION requires a shutdown if they are not met within a specified time interval. Entry into an OPERATIONAL CONDITION or other specified condition may be made in accordance with ACTION requirements when conformance to them permits continued operation of the facility for an unlimited period of time. This provision shall not prevent passage through or to OPERATIONAL CONDITIONS as required to comply with ACTION requirements. Exceptions to these requirements are stated in the individual Specifications."

However, even with the staff recommendations in GL 87-09, the staff believes there is still room for misinterpretation as to the intent of an exception to Specification 3.0.4. Therefore, included in this safety evaluation is a discussion of the Staff's intent and expectations in granting a TS 3.0.4 exception.

2.0 EVALUATION

The changes proposed by the licensee have been reviewed considering the limitations set forth in GL 87-09 for TS 3.0.4.

Specification 3.0.4

GL 87-09 recognizes, in part, that Specification 3.0.4 unduly restricts facility operation when conformance to the Action Requirements provides an acceptable level of safety for continued operation in any mode. For an LCO that has Action Requirements permitting continued operation for an unlimited period of time, entry into an operational mode or other specified condition of operation should be permitted in accordance with those Action Requirements. The restriction on change in operational modes or other specified conditions should apply only where the Action Requirements establish a specified time interval in which the LCO must be met or shutdown of the facility would be required or where entry into that operational mode would result in entry into an Action Statement with such time constraints. On April 11, 1991, the staff accepted the provision for Fermi-2 that "passage through or to operational conditions as required to comply with action requirements shall not be prevented." However, this provision, together with the guidance provided in GL 87-09 and GL 91-08, should not be interpreted to allow containment isolation valves (CIVs) to remain in a degraded condition indefinitely. CIVs serve a significant safety function in that they establish containment integrity. Therefore, there is an urgency in returning these valves to an operable status at the earliest possible convenience.

In general, the staff believes that nuclear plant should startup from an outage-- for instance, a refueling outage-- with all CIVs in an OPERABLE condition. But because of extenuating circumstances such as unavailability of equipment needed for repair or replacement, or the discovery of INOPERABLE CIVs just prior to startup, there will be isolated instances where allowances will be made for restart with inoperable CIVs. However, these isolated instances should coexist with the understanding that the inoperable CIV(s) undergo repair or replacement at the earliest possible convenience. And the licensee is expected to keep the NRC staff abreast of such isolated instances.

By letter dated February 27, 1991, the licensee has provided confirmation that the remedial measures prescribed by the ACTION STATEMENT for each change involving Specification 3.0.4 are consistent with the Updated Safety Analysis Report (USAR) and its supporting safety analyses. Further, the licensee has provided confirmation and certification that appropriate administrative controls and procedures are in place for limiting the use of Specification 3.0.4 exceptions in conjunction with the proposed TS change submitted in response to GL 87-09. Additionally, no changes are proposed that affect plant configuration, set points, operating parameters, or the operator/equipment interface.

Based on review of the licensee's proposal and configuration related above, the staff concludes in granting the exceptions proposed in response to GL 87-09 that: (1) the remedial measures prescribed by the ACTION STATEMENT for each change involving the applicability of the Specification 3.0.4 exception should provide a sufficient level of protection to permit operational mode changes and safe long-term operation consistent with the plant's USAR and (2) the licensee has in place adequate administrative controls and procedures which will ensure that it will be the exception rather than the rule that startup of the plant will occur with inoperable equipment.

The staff, therefore, finds the change to Specification 3.0.4 as proposed by the licensee to be 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 State official had no comments.

4.0 ENVIRONMENTAL CONSIDERATION

This amendment involves a change to a requirement with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 or a change to a surveillance requirement. The 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 there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that this amendment involves no significant hazard consideration and there has been no public comment on such finding (53 FR 24509 and 57 FR 20510). Accordingly, this 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 nor environmental assessment need be prepared in connection with the issuance of this 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 this amendment will not be inimical to the common defense and security or to the health and safety of the public.

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