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Edison

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Nuclear
Operations

May 24, 1988
NRC-88-0062

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D. C. 20555

Reference: Fermi 2
NRC Docket No. 50-341
NRC License No. NPF-43

Subject: Proposed Technical Specification (License Amendment)
Change - Applicability (3/4.0)

Pursuant to 10CFR50.90, Detroit Edison Company hereby proposes to amend Operating License NPF-43 by incorporating the enclosed changes into the Fermi 2 Technical Specifications.

This proposed amendment provides improvements to Technical Specification Sections 3.0.4, 4.0.3 and 4.0.4. In addition, this amendment deletes numerous Technical Specification statements which presently take exception to the provisions of Specification 3.0.4. Appropriate changes to the bases are also proposed. These changes use the guidance provided by the NRC staff in Generic Letter 87-09 dated June 4, 1987.

Detroit Edison has evaluated the proposed Technical Specifications against the criteria of 10CFR50.92 and has determined that no significant hazards consideration is involved. The Fermi 2 Onsite Review Organization has approved and the Nuclear Safety Review Group has reviewed these proposed Technical Specification changes and concurs with the enclosed determinations.

Pursuant to 10CFR170.12(c), enclosed with this amendment is a check for one hundred fifty dollars (\$150.00). In accordance with

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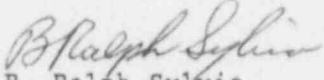
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10CFR50.91, Detroit Edison has provided a copy of this letter to the State of Michigan.

If you have any questions, please contact Mr. Glen Ohlemacher at (313) 586-4275.

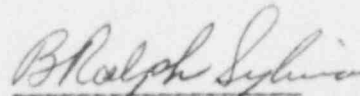
Sincerely,


B. Ralph Sylvia
Senior Vice President

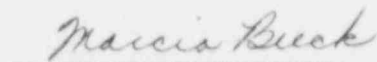
Enclosure

cc: A. B. Davis
R. C. Knop
T. R. Quay
W. G. Rogers
Supervisor, Advanced Planning and Review Section,
Michigan Public Service Commission

I, B. RALPH SYLVIA, do hereby affirm that the foregoing statements are based on facts and circumstances which are true and accurate to the best of my knowledge and belief.


B. RALPH SYLVIA
Senior Vice President

On this 24th day of May, 1988, before me personally appeared B. Ralph Sylvia, being first duly sworn and says that he executed the foregoing as his free act and deed.


Notary Public

MARCIA BUCK
Notary Public, Washtenaw County, MI
My Commission Expires Jan. 11, 1992

*Acting in Monroe
County, MI*

BACKGROUND

This proposed change to the Technical Specifications addresses improvements to Specifications 3.0.4, 4.0.3 and 4.0.4; the issues associated with each of these improvements are described individually below:

- o 3.0.4 - This Specification prohibits entry into OPERATIONAL CONDITIONS or other specified conditions while relying on the provisions of ACTION statements. Exemptions to 3.0.4 are provided in individual specifications based on historical precedent. Inconsistent application of these exemptions impacts plant operation in that it delays startup or return to power operation by prohibiting entry into an OPERATIONAL CONDITION or other specified condition when the ACTION requirements establish an acceptable level of safety for unlimited continued operation.
- o 4.0.3 - This Specification establishes the failure to perform a surveillance requirement within its specified time interval (as defined by the Specification 4.0.2 "grace period") as noncompliance with the associated LCO. Assuming the equipment is inoperable because a surveillance is missed is overly conservative since a missed surveillance does not provide any real evidence that the function to be tested is actually inoperable. This conservatism is a problem in certain instances when the LCO restoration time is short, thereby forcing testing (of a component that is probably OPERABLE) to be completed on an urgent basis in order to avoid a shutdown.
- o 4.0.4 - This Specification prohibits entry into an OPERATIONAL CONDITION or other specified condition until all required surveillances have been performed. This could cause an interpretation problem when OPERATIONAL CONDITION changes are required in order to comply with ACTION statements.

Based on Generic Letter 87-09, the proposed improvements to resolve the above issues are as follows:

- o 3.0.4 - Revise this Specification to apply the restriction against entry into an OPERATIONAL CONDITION or other specified condition only when the LCO is not met and the ACTION requirements do not allow unlimited continued operation.
- o 4.0.3 - Revise this Specification to include a 24 hour delay in implementing ACTION requirements due to a missed surveillance when the ACTION requirements provide a restoration time that is less than 24 hours.

- o 4.0.4 - Provide the following clarifying statement:

"This provision shall not prevent passage through or to OPERATIONAL CONDITIONS as required to comply with ACTION requirements."

JUSTIFICATION

- o 3.0.4 - Many of the Technical Specifications allow remedial actions (i.e., other than restoring the inoperable component) when an LCO cannot be met, so that shutdown can be avoided. In those cases where the remedial action is not a significant degradation from the level of protection required by the LCO (examples include fire watches in lieu of fire detection or suppression equipment, and effluent grab sampling when an effluent monitor is inoperable), or when the remedial action affords greater protection than the LCO (such as isolation of a containment penetration when one of its isolation valves is inoperable), an unlimited period of time is provided during which the LCO can be met by the alternate means. Most of these Specifications currently contain exemptions to the provisions of Specification 3.0.4 so that OPERATIONAL CONDITION changes are not unnecessarily impeded when operation can safely continue. The proposed change will apply this philosophy universally rather than on a case-by-case basis. This will not have a significant effect on safe operation, but from a practical perspective will minimize the potential for restrictions on power production during operation and on flexibility during outages.

Based on the discussion above, the proposed change to Specification 3.0.4 does not represent an adverse impact to the safe operation of Fermi 2.

- o 4.0.3 - The essence of this change is to provide a reasonable amount of time (24 hours) to perform a missed surveillance in recognition of the fact that in most cases a surveillance verifies the OPERABILITY, rather than the inoperability of a component. This allowance would only be provided when the existing action statement time limits are less than 24 hours.

The basis for the 24 hour limit, according to the NRC, is that it "would balance the risks associated with an allowance for completing the surveillance within this period against the risks associated with the potential for a plant upset and challenge to safety systems." The Generic Letter further concludes that 24 hours is appropriate based on consideration of plant conditions, adequate planning, availability of personnel, the time required to

perform the surveillance, and the safety significance of the delay in the completion of the surveillance. Detroit Edison concurs with this qualitative assessment. A more optimum time might be obtained through rigorous analysis, but engineering judgement indicates that such an effort would not only be very difficult due to the wide range of applications, but inappropriate given the short duration and the expected minimal use of the provision.

Based on the above discussion, it is apparent that the proposed change to Specification 4.0.3 does not represent an adverse impact on safety for the following reasons:

1. Based on experience, the proposed change will minimize the potential for shutdowns due to the inability to perform a missed surveillance on components that are, in all probability, OPERABLE. Therefore, unwarranted plant transients will be avoided and safety is improved.
 2. The provision does not provide additional time when the situation does not warrant it. When greater than 24 hours exists, or when the component is known to be inoperable, the normal action applies.
 3. The potential for misinterpretation of the new wording was reviewed, and it is believed that the improved Bases section for the proposed change (as well as the guidance in the Generic Letter, if needed) will adequately mitigate any unforeseen problems in this area.
- o 4.0.4 - Currently, a conflict can exist between the OPERATIONAL CONDITION changes required by ACTION statements and 4.0.4, which precludes such changes if surveillances required to support the new condition are not completed prior to entry. The new statement added to Specification 4.0.4 removes this conflict. This change is an editorial improvement to the Technical Specifications that has no significant effect on the safe operation of the plant. The previous change to Specification 4.0.3, however, will have a positive safety impact on this particular problem. When surveillances are "missed" due to OPERATIONAL CONDITION changes which are forced by action statements, an additional 24 hours will be available as discussed earlier. This additional time will minimize unwarranted changes in OPERATIONAL CONDITION due to the inability to perform testing.

The recommendations presented in Generic Letter 87-09 are definite improvements to the Technical Specifications. They result from an ongoing cooperative effort between NRC and industry (in which Detroit

Edison participates) to provide generic improvements. As discussed above, each change is either inconsequential or has some positive affect on safety, although some are certainly more direct than others. For this reason, prompt approval of these changes is requested.

The proposed changed pages are attached. A proposed new bases section for Section 3/4.0 is also attached. The new bases follow the guidance of Generic Letter 87-09; however, minor editorial variations from the bases provided in Generic Letter 87-09 have been made to improve clarity. The new bases replace the existing pages B 3/4 0-1 through B 3/4 0-3.

SIGNIFICANT HAZARDS CONSIDERATION

In accordance with 10CFR50.92, Detroit Edison has made a determination that the proposed amendment involves no significant hazards considerations. To make this determination, Detroit Edison must establish that operation in accordance with the proposed amendment would not: 1) involve a significant increase in the probability or consequences of an accident previously evaluated, or 2) create the possibility of a new or different kind of accident from any accident previously evaluated, or, 3) involve a significant reduction in a margin of safety.

For Specification 3.0.4 and associated editorial changes removing exceptions from Specification 3.0.4 which are no longer required:

- 1) The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

In each case where relief from OPERATIONAL CONDITION change restrictions will now be available from Specification 3.0.4, it was either available before as specified in the individual specifications or it is now being proposed in recognition that taking the prescribed remedial action upon entry into a given specified condition, as opposed to having already been in that condition is not adverse to safety. This is a valid statement because such relief is only allowed when the prescribed action has no time limit, which signifies that unlimited operation under the ACTION has already been determined by the NRC to be an acceptably safe alternative means of meeting the LCO requirements. Based on the above, the proposed change to Specification 3.0.4 (and the editorial changes to the specifications where the provision of Specification 3.0.4 were previously stated to be not applicable) do not adversely affect

the probability or consequences of any previously evaluated accident.

- 2) The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

As stated in 1) above, the nature of the actions associated with this proposal ensure a level of safety commensurate with that which is normally required. These changes do not result in any modification to the plant or system operation and no safety-related equipment or function is altered. The changes do not create any new accident mode. Therefore, these conditions do not create the possibility of a new or different kind of accident previously evaluated and do not require analysis of potentially new or different accidents.

- 3) The proposed change does not involve a significant reduction in a margin of safety.

The premise upon which these changes are proposed is that the difference in safety margin between taking a time-independent action upon entry into a given OPERATIONAL CONDITION and taking the same action while in that condition is insignificant.

For Specification 4.0.3:

- 1) The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

Although it is conceivable under this proposal that additional time could be provided for operation with inoperable components, this occurs only when the component affected by the missed surveillance is found to be inoperable once the test is actually performed. Therefore, the effect of this change is to only require entry into ACTION statements when the component is known to be inoperable or when adequate time to perform the test (24 hours) has elapsed. This has an insignificant effect on previous analyses because the probability that an untested component is inoperable is low. Also the missed test must be performed within 24 hours and, if failed, the ACTION statement is then entered. Furthermore, very few missed surveillances are anticipated and of these few cases, a smaller number will involve inoperable components. Based on the above, this change has no significant effect on the probability or consequences of previously analyzed accidents.

- 2) The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The revised provisions of Specification 4.0.3 modify existing constraints on previously analyzed conditions, as was analyzed in 1) above. They do not create the possibility for new or different accident scenarios. These changes do not result in any modification to the plant or system operation and no safety-related equipment or function is altered. The changes do not create any new accident mode.

- 3) The proposed change does not involve a significant reduction in a margin of safety.

The margin of safety is affected by this change, but the effect is insignificant at worst and subjectively improved at best for the following reasons:

1. Based on experience, the proposed change will minimize the potential for shutdowns due to the inability to perform a missed surveillance on components that are, in all probability, OPERABLE. Further, situations where testing is performed during a shutdown, in order to prove the equipment OPERABLE and terminate the shutdown, will be avoided. Therefore, unwarranted plant transients will be avoided and safety is improved.
2. The provision does not provide additional time when the situation does not warrant it. When greater than 24 hours elapses, or when the component is known to be inoperable, the normal action applies.
3. The potential for misinterpretation of the new wording was reviewed, and it is believed that the improved Bases section for the proposed change (as well as the guidance in the Generic Letter, if needed) will mitigate any potential for problems in this area.

For Specification 4.0.4:

- 1) The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

As stated in Generic Letter 87-09, "It is not the intent of Specification 4.0.4 to prevent passage through or to

operational modes to comply with action requirements and it should not apply when mode changes are imposed by Action Requirements." Therefore, this change can be interpreted as editorial clarification. Regardless, ensuring that performance of surveillance tests will not be required during shutdowns to comply with ACTIONS will reduce the probability of previously analyzed transients and accidents by minimizing activities which could challenge safety systems during a shutdown evolution.

- 2) The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated,

This change will lessen the probability of events occurring during transient plant conditions as described in 1) above. It has no features which could create the possibility of new or different scenarios. These changes do not result in any modification to the plant or system operation and no safety-related equipment or function is altered. The changes do not create any new accident mode.

- 3) The proposed change does not involve a significant decrease in a margin of safety.

As inferred in 1) above, the margin of safety is improved due to this change by minimizing challenges to safety systems when they are not warranted. Therefore, this clarification cannot adversely affect safe operation.

Based on the above reasoning, Detroit Edison has determined that the proposed amendment does not involve a significant hazards consideration.

ENVIRONMENTAL IMPACT

Detroit Edison has reviewed the proposed Technical Specification changes against the criteria of 10CFR51.22 for environmental considerations. The proposed changes do not involve a significant hazards consideration, nor significantly change the types or significantly increase the amounts of effluents that may be released offsite, nor significantly increase individual or cumulative occupational radiation exposures. Based on the foregoing, Detroit Edison concludes that the proposed Technical Specifications do meet the criteria given in 10CFR51.22(c)(9) for a categorical exclusion from the requirement for an Environmental Impact Statement.

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CONCLUSION

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

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PROPOSED PAGE CHANGES