

Power Generation Group

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United States Nuclear Regulatory Commission
Document Control Desk
Washington, D.C. 20555

Perry Nuclear Power Plant
Docket No. 50-440
License Amendment Request Pursuant to 10 CFR 50.90: Proposed Revision of Technical Specification 5.2.2.e, "Organization - Unit Staff"

Ladies and Gentlemen:

Nuclear Regulatory Commission (NRC) review and approval of a license amendment for the Perry Nuclear Power Plant (PNPP) is requested. The proposed amendment would revise Technical Specification (TS) 5.2.2.e, "Organization - Unit Staff," by removing the reference to the NRC Policy Statement on working hours. The revised TS 5.2.2.e incorporates a requirement for administrative procedures necessary to ensure that the working hours of unit staff who perform safety-related functions are limited and controlled. The revised TS is consistent with the policy statement, with the exception that specific overtime limits and working hours are relocated to plant administrative procedures.

This revision will allow changes to specific overtime limits and working hours to be evaluated in accordance with 10 CFR 50.59, "Changes, Tests and Experiments," and will allow implementation of those changes which are not an unreviewed safety question or do not involve a change to the TS. This change is consistent with the NRC's recent determination, on a generic basis, that such limits need not be specified in the TS.

Attachment 1 provides the Summary, Description of the Proposed Change, Safety Analysis, and Environmental Consideration. Attachment 2 provides the Significant Hazards Consideration. Attachment 3 provides the annotated TS page reflecting the proposed change.

If you have questions or require additional information, please contact Mr. Henry L. Hegrat, Manager - Regulatory Affairs, at (440) 280-5606.

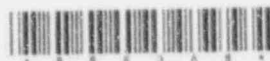
Very truly yours,

Attachments

100051

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cc: NRC Region III
NRC Project Manager
NRC Resident Inspector
State of Ohio



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I, Lew W. Myers, being duly sworn state that (1) I am Vice President - Nuclear, of the Centerior Service Company, (2) I am duly authorized to execute and file this certification on behalf of The Cleveland Electric Illuminating Company and Toledo Edison Company, and as the duly authorized agent for Duquesne Light Company, Ohio Edison Company, and Pennsylvania Power Company, and (3) the statements set forth herein are true and correct to the best of my knowledge, information and belief.

Lew W. Myers
Lew W. Myers

Sworn to and subscribed before me, the 8 day of Sept, 1997

Jane E. Mott

JANE E. MOTT
Notary Public, State of Ohio
My Commission Expires Feb. 20, 2000
(Recorded in Lake County)

SUMMARY

The proposed change, which is consistent with recent Nuclear Regulatory Commission (NRC) guidance, requests revision of the Perry Nuclear Power Plant (PNPP) Technical Specifications (TS) to revise existing TS 5.2.2.e regarding limits and controls placed on overtime worked by unit staff members performing safety-related functions. The current TS states:

The amount of overtime worked by unit staff members performing safety related functions shall be limited and controlled in accordance with NRC Policy Statement on working hours (Generic Letter 82-12).

The proposed TS change removes the reference to the NRC Policy Statement on working hours, and adds a requirement for administrative procedures necessary to ensure that the working hours of unit staff who perform safety-related functions are limited and controlled. The revised TS is consistent with the NRC policy statement, with the exception that controls for specific overtime limits and working hours are relocated to plant administrative procedures. This revision will allow changes to specific overtime limits and working hours to be evaluated in accordance with 10 CFR 50.59, "Changes, Tests and Experiments," and will allow implementation of those changes which are not an unreviewed safety question or do not involve a change to the TS. This change is consistent with the NRC's recent determination, on a generic basis, that specific overtime limits and working hours need not be specified within the TS.

DESCRIPTION OF THE PROPOSED CHANGE

The proposed change would revise Technical Specification 5.2.2.e such that it would read:

- e. Administrative procedures shall be developed and implemented to limit the working hours of unit staff who perform safety related functions (e.g., licensed SROs, licensed ROs, health physicists, auxiliary operators, and key maintenance personnel). The procedures shall include guidelines on working hours that ensure that adequate shift coverage is maintained without routine heavy use of overtime.

Attachment 3 provides a copy of the annotated TS page.

SAFETY ANALYSIS

The overall function of the TS is to impose conditions or limitations upon reactor operation necessary to preserve the Updated Safety Analysis Reports (USAR) design basis accidents analyses. The function of TS Section 5, "Administrative Controls," is to describe the provisions relating to organization and management, procedures, programs and manuals, reporting requirements, and controls for high radiation areas, necessary to assure plant operation in a safe manner.

The function of unit staff overtime limits is to prevent situations where fatigue could reduce the ability of operating personnel to maintain the plant in a safe condition. These limits apply to plant staff who perform safety-related functions, and are established to assure that personnel are

not assigned to shift duties while in a fatigued condition that could reduce their mental alertness or their decision-making ability. The proposed TS change, and relocation of overtime controls to plant administrative procedures, will continue to assure that personnel are not assigned to shift duties while in a fatigued condition.

As described in PNPP USAR Chapter 13, "Conduct of Operations," facility staff overtime is controlled by administrative procedures to limit maximum working hours for those personnel performing safety-related functions. These limits are in accordance with NUREG-0737, "Clarification of TMI Action Plan Requirements," and NRC Generic Letter 82-12, "Nuclear Power Plant Staff Working Hours." The proposed revision to TS 5.2.2.e retains control of overtime by the use of administrative procedures. The proposed revision is also consistent with the NRC guidance for changing and relocating TS specific overtime limits and working hours as discussed below.

10 CFR 50.36, "Technical Specifications," establishes regulatory requirements for licensees to include TS as part of applications for operating licenses. In addition, the NRC's "Final Policy Statement on Technical Specification Improvements for Nuclear Power Reactors," dated July 22, 1993, and other NRC documents provide guidance regarding the required content of TS. The fundamental purpose of the TS, as described in the NRC's Final Policy Statement, is to impose necessary conditions or limitations upon reactor operation to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety. This is accomplished by identifying those features of controlling importance to nuclear safety and establishing certain TS conditions of operation for these features, which cannot be changed without prior NRC approval.

The NRC's Final Policy Statement recognized, as had previous statements related to the NRC Staff's TS Improvement Program, that implementation of the policy would result in the relocation of some existing TS requirements to licensee-controlled documents such as the USAR or Operational Requirements Manual (ORM). Items relocated to licensee-controlled documents would, in turn, be controlled in accordance with the requirements of 10 CFR 50.59, "Changes, Tests and Experiments," which provides criteria to determine when facility or operating changes planned by a licensee require prior NRC approval in the form of a license amendment in order to address any unreviewed safety questions or TS changes.

The proposed change is consistent with the NRC's recent determination, on a generic basis, that specific overtime limits and working hours need not be specified within the TS. This determination was documented in the NRC Staff's Safety Evaluation for Amendment Numbers 127 and 116 to the Operating Licenses (Numbers NPF-10 and NPF-15) for the Southern California Edison Company's San Onofre Nuclear Generating Station, Units 2 and 3, approved February 9, 1996. In addition, this NRC determination was also recently documented in the NRC Staff's Safety Evaluation for Amendment Number 212 to Operating License NPF-3 for the Davis-Besse Nuclear Power Station, Unit 1. These safety evaluations also indicate that a generic change will be incorporated in a future revision to the NRC's "Improved Standard Technical Specifications" by the NRC Staff.

The reference to the NRC Policy Statement on working hours, which discusses specific overtime limits and working hours, currently contained in TS 5.2.2.e will be removed from the TS. The revised TS 5.2.2.e incorporates a requirement for administrative procedures necessary to ensure that the working hours of unit staff who perform safety-related functions are limited and controlled. The revised TS is consistent with the policy statement and NUREG-1434, "Standard Technical Specifications, General Electric Plants, BWR/6," with the exception that specific overtime limits and working hours are relocated to plant administrative procedures. Overtime will be controlled by adherence to plant administrative procedures, and changes to these plant documents are required to be evaluated in accordance with the requirements of 10 CFR 50.59.

In summary, the proposed TS 5.2.2.e change will not impact the ability of plant staff who perform safety-related functions, or increase fatigue and reduce the mental alertness or decision-making ability of plant staff. This TS change is administrative and consistent with guidance from the NRC. Changes to these relocated requirements will be evaluated, as required, by 10 CFR 50.59. Therefore, there is no adverse effect on safety as a result of the proposed change.

ENVIRONMENTAL CONSIDERATION

The proposed TS change request was evaluated against the criteria of 10 CFR 51.22 for environmental considerations. The proposed change does not significantly increase individual or cumulative occupational radiation exposures, does not significantly change the types or significantly increase the amounts of effluents that may be released off-site and, as discussed in Attachment 2, does not involve a significant hazards consideration. Based on the foregoing, it has been concluded that the proposed TS change meets the criteria given in 10 CFR 51.22(c)(9) for categorical exclusion from the requirement for an Environmental Impact Statement.

COMMITMENTS WITHIN THIS LETTER

There are no regulatory commitments made in this letter. Any actions discussed in this document represent intended or planned actions, are described for the NRC's information, and are not regulatory commitments. Please notify the Manager - Regulatory Affairs at Perry Nuclear Power Plant of any questions regarding this document or any associated regulatory commitments.

REFERENCES

1. Technical Specification 5.2.2.e, "Organization - Unit Staff."
2. NRC "Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors," (58 FR 39132, dated July 22, 1993).
3. NUREG-1434, "Standard Technical Specifications, General Electric Plants, BWR/6," dated April 1995.
4. USAR Chapter 13.0, "Conduct of Operations," Revision 8.

5. 10 CFR 50.36, "Technical Specifications."
6. 10 CFR 50.59, "Changes, Tests and Experiments."
7. NRC Generic Letter 82-12, "Nuclear Power Plant Staff Working Hours," dated June 15, 1982.
8. NUREG-0737, "Clarification of TMI Action Plan Requirements," dated October 31, 1980.
9. NUREG-0887, "Safety Evaluation Report Related to the Operation of Perry Nuclear Power Plant, Units 1 and 2," dated May 1982.
10. Letter from M. Fields (NRC) to H. Ray (Southern California Edison Company), "Issuance of Amendment for San Onofre Nuclear Generating Station, Unit No. 2 (TAC No. M86191) and Unit No. 3 (TAC No. M86192)," dated February 9, 1996.
11. Letter from A. Hansen (NRC) to J. Wood (Centerior Service Company), "Amendment No. 212 to Facility Operating License No. NPF-3 - Davis-Besse Nuclear Power Station, Unit No. 1 (TAC No. M96518)," dated November 8, 1996.

SIGNIFICANT HAZARDS CONSIDERATION

The proposed change to Technical Specification (TS) 5.2.2.e, "Organization - Unit Staff," removes the reference to the Nuclear Regulatory Commission (NRC) Policy Statement on working hours, and adds a requirement for administrative procedures necessary to ensure that the working hours of unit staff who perform safety-related functions are limited and controlled. The specific overtime limits and working hours will be relocated to plant administrative procedures.

The standards used to arrive at a determination that a request for amendment involves no significant hazards considerations are included in the Commission's Regulations, 10 CFR 50.92, which state that the operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, (2) create the possibility of a new or different kind of accident from any previously evaluated, or (3) involve a significant reduction in a margin of safety.

The proposed amendment has been reviewed with respect to these three factors and it has been determined that the proposed change does not involve a significant hazard because:

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

The proposed change to TS 5.2.2.e only alters the administrative location of and the regulatory controls applicable to unit staff specific overtime limits and working hours. Overtime will remain controlled by plant administrative procedures. Changes to the relocated overtime limits and working hours will be subject to review and evaluation under 10 CFR 50.59, "Changes, Tests and Experiments." There is not an increase in the probability of an accident previously evaluated because no change is being made to any accident initiator. No previously analyzed accident scenario is changed, and initiating conditions and assumptions remain as previously analyzed.

There is not an increase in the radiological consequences of an accident previously evaluated because the proposed change does not affect accident conditions or assumptions used in evaluating the radiological consequences of an accident. The proposed change does not alter the source term, containment isolation, or allowable radiological releases. Therefore, there is no increase in the radiological consequences of an accident previously evaluated.

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

The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated because the proposed change does not change the way the plant is operated, and no new or different failure modes have been defined for any plant system or component important to safety, nor has any limiting single failure been identified as a result of the proposed change. No new or different types of failures or accident initiators are introduced by the proposed change.

SIGNIFICANT HAZARDS CONSIDERATION

The proposed change to TS 5.2.2.e only alters the administrative location of and the regulatory controls applicable to unit staff specific overtime limits and working hours. Therefore, there is no possibility created for a new or different kind of accident.

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

The proposed change does not involve a reduction in a margin of safety because unit staff overtime is not an input in the calculation of a safety margin with regard to Technical Specification Safety Limits, Limiting Safety System Settings, other Technical Specification Limiting Conditions for Operation, the Operational Requirements Manual, or other previously defined margins for any structure, system, or component important to safety. The proposed change to TS 5.2.2.e only alters the administrative location of and the regulatory controls applicable to unit staff specific overtime limits and working hours.