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NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20545-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 161 TO FACILITY OPERATING LICENSE NO. DPR-36

MAINE YANKEE ATOMIC POWER COMPANY

MAINE YANKEE ATOMIC POWER STATION

DOCKET NO. 50-309

1.0 INTRODUCTION

By letter of October 20, 1997, as supplemented by letters dated February 10, and March 10, 1998, Maine Yankee Atomic Power Company (MYAPC or the licensee) submitted a request for a change to the Maine Yankee Atomic Power Station (Maine Yankee), Facility Operating License No. DPR-36. The requested change would replace in their entirety the existing Technical Specifications (TS) incorporated in the Maine Yankee Facility Operating License as Appendix A. Maine Yankee developed the revised Technical Specifications, titled Permanently Defueled Technical Specifications (PDTS), to reflect the permanently shutdown and defueled status of the plant. Changes are proposed in the definitions, limiting conditions for operations, limiting conditions for operation, surveillance, and administrative control sections.

2.0 DISCUSSION AND EVALUATION

On August 6, 1997, the Maine Yankee Atomic Power Company (MYAPC) Board of Directors decided to permanently cease further operation of the Maine Yankee Nuclear Plant. On August 7, 1997, in accordance with 10 CFR 50.82(a)(1), MYAPC provided to the U.S. Nuclear Regulatory Commission (NRC) certifications of permanent cessation of operations and permanent removal of fuel from the reactor vessel.

Maine Yankee's current Technical Specifications have been customized over the plant's life to meet the specific needs of the facility. In the development of these proposed Technical Specifications, MYAPC used NUREG-1432, "Standard Technical Specifications, Combustion Engineering Plants" dated April 1995, as the basis for scope and format. MYAPC also reviewed the technical specifications of other plants that have previously shut down permanently, primarily those submitted by and approved for the Portland General Electric Company Trojan Nuclear Plant. The improved Standard Technical Specifications (STS) contained in NUREG-1432 were developed by the NRC staff, the Combustion Engineering Owners Group, and the Nuclear Energy Institute to meet the

criteria set forth in the Final Commission Policy Statement on Technical Specification Improvements for Nuclear Power Reactors, dated July 22, 1993 (58 FR 39132) and 10 CFR 50.36, as amended July 19, 1995 (60 FR 36953).

Although the improved Standard Technical Specifications were developed for operating plants, the improved STS also contain the latest approved NRC guidance on technical specifications for a plant with irradiated fuel in the spent fuel pool. Since the safety functions related to safe maintenance and storage of irradiated fuel at an operating plant are similar to the corresponding safety function at a permanently shutdown plant, the licensee used the improved Standard Technical Specification to provide a standard for comparison. In general, requirements in Maine Yankee's current Technical Specifications were either retained, deleted due to their inapplicability to a facility with a defueled reactor, or relocated to appropriate licensee-controlled documents in accordance with existing NRC guidance. The licensee added two specifications (spent fuel pool boron concentration and water level) that were in the improved STS, but were not in Maine Yankee's custom Technical Specification. Unless otherwise indicated, the Technical Specification requirements designated for relocation were proposed to be relocated verbatim from the Technical Specifications to the referenced licensee-controlled documents. Therefore, the licensee has stated that the cumulative effect of the requirements in the Quality Assurance Program, the Final Safety Analysis Report (FSAR) (which the licensee has retitled as the Defueled Safety Analysis Report (DSAR) in its latest revision), Operating License, proposed Technical Specifications and other regulations continue to ensure safe maintenance and storage of irradiated fuel at the Maine Yankee facility.

BACKGROUND

Section 182a of the Atomic Energy Act requires that applicants for nuclear power plant operating licenses will state:

[S]uch technical specifications, including information of the amount, kind, and source of special nuclear material required, the place of the use, the specific characteristics of the facility, and such other information as the Commission may, by rule or regulation, deem necessary in order to enable it to find that the utilization... of special nuclear material will be in accord with the common defense and security and will provide adequate protection to the health and safety of the public. Such technical specifications shall be a part of any license issued.

In 10 CFR 50.36, the Commission established its regulatory requirements related to the content of TS. In doing so, the Commission placed emphasis on those matters related to the prevention of accidents and mitigation of accident consequences; the Commission noted that applicants were expected to incorporate into their TS "those items that are directly related to maintaining the integrity of the physical barriers designed to contain radioactivity." Statement of Consideration, "Technical Specifications for Facility Licenses; Safety Analysis Reports," 33 FR 18610 (December 17, 1968). Pursuant to 10 CFR 50.36, TS are required to include items in the following five specific categories: (1) safety limits,

limiting safety system settings and limiting control settings; (2) limiting conditions for operation (LCOs); (3) surveillance requirements (SR); (4) design features; and (5) administrative controls. However, the rule does not specify the particular requirements to be included in a plant's TS.

For several years, NRC and industry representatives have sought to develop guidelines for improving the content and quality of nuclear power plant TS. On February 6, 1987, the Commission issued an interim policy statement on TS improvements, "Interim Policy Statement on Technical Specification Improvements for Nuclear Power Reactors" (52 FR 3788). During the period from 1989 to 1992, the utility Owners Groups and the NRC staff developed improved standard technical specifications that would establish models of the Commission's policy for each primary reactor type. In addition, the NRC staff, licensees, and Owners Groups developed generic administrative and editorial guidelines in the form of a "Writers Guide" for preparing technical specifications, which gives greater consideration to human factors principles and was used throughout the development of licensee-specific ITS.

In September 1992, the Commission issued NUREG-1431, which was developed using the guidance and criteria contained in the Commission's Interim policy statement. STS were established as a model for developing improved TS for Westinghouse plants in general. STS reflect the results of a detailed review of the application of the interim policy statement criteria to generic system functions, which was published in a "Split Report" issued to the Nuclear Steam System Supplier (NSSS) Owners Groups in May 1988. STS also reflect the results of extensive discussions concerning various drafts of STS, so that the application of the TS criteria and the Writer's Guide would consistently reflect detailed system configurations and operating characteristics for all NSSS designs. As such, the generic Bases presented in NUREG-1431 provide an abundance of information regarding the extent to which the STS present requirements that are necessary to protect public health and safety.

On July 22, 1993, the Commission issued its Final Policy Statement, expressing the view that satisfying the guidance in the policy statement also satisfies Section 182a of the Act and 10 CFR 50.36 (58 FR 39132). The Final Policy Statement described the safety benefits of the improved STS, and encouraged licensees to use the improved STS as the basis for plant-specific TS amendments, and for complete conversions to improved STS. Further, the Final Policy Statement gave guidance for evaluating the required scope of the TS and defined the guidance criteria to be used in determining which of the LCOs and associated surveillances should remain in the TS. The Commission noted that, in allowing certain items to be relocated to licensee-controlled documents while requiring that other items be retained in the TS, it was adopting the qualitative standard enunciated by the Atomic Safety and Licensing Appeal Board in *Portland General Electric Co. (Trojan Nuclear plant)*, ALAB-531, 9 NRC 263, 273 (1979). There, the Appeal Board observed:

[T]here is neither a statutory nor a regulatory requirement that every operational detail set forth in an applicant's safety analysis report (or equivalent) be subject to a technical specification, to be included in the license as an absolute condition

of operation which is legally binding upon the licensee unless and until changed with specific Commission approval. Rather, as best we can discern it, the contemplation of both the Act and the regulations is 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.

The final Commission Policy Statement established four criteria to define the scope of equipment and parameters to be included in the improved Standard Technical Specifications. These criteria were developed for licenses authorizing operation (i.e., operating reactors) and focused on instrumentation to detect degradation of the reactor coolant system pressure boundary and on equipment or process variables that affect the integrity of fission product barriers during design basis accidents or transients. The fourth criterion refers to the use of operating experience and probabilistic risk assessment to identify and include in the Technical Specifications structures, systems and components shown to be significant to public health and safety. Nevertheless, these criteria, codified by 10 CFR 50.36, are the source of the technical specification requirements for safe storage of spent fuel. Maine Yankee gave consideration to these criteria as they apply to a plant with a reactor that is permanently shut down and defueled. A general discussion of these considerations is provided below.

Criterion 1 of 10 CFR 50.36(c)(2)(ii)(A) states that technical specification limiting conditions for operation must be established for "installed instrumentation that is used to detect, and indicate in the control room, a significant abnormal degradation of the reactor coolant pressure boundary." Since no fuel is present in the reactor coolant system at the Maine Yankee facility, the licensee has stated that this criterion is not applicable.

Criterion 2 of 10 CFR 50.36(c)(2)(ii)(B) states that technical specification limiting conditions for operation must be established for a "process variable, design feature, or operating restriction that is an initial condition of a design basis accident [DBA] or transient analysis that either assumes the failure of or presents a challenge to the integrity of a fission product barrier." The purpose of this criterion is to capture those process variables that have initial values assumed in the design basis accident and transient analyses, and which are monitored and controlled during power operation. While this criterion was developed for operating reactors, there are some design basis accidents which continue to apply to a plant authorized only to handle, store, and possess nuclear fuel. The scope of DBAs applicable to a plant with a reactor that is permanently shut down and defueled is markedly reduced from those postulated for an operating plant. The licensee states that there are no transients which continue to apply.

Criterion 3 of 10 CFR 50.36(c)(2)(ii)(C) states that technical specification limiting conditions for operation must be established for structures, systems, or components (SSC's) that are part of the primary success path and which function or actuate 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. The intent of this criterion is to

capture into technical specifications only those SSC's that are part of the primary success path of a safety sequence analysis. Also captured by this criterion are those support and actuation systems that are necessary for items in the primary success path to successfully function. The primary success path of a safety sequence analysis consists of the combination and sequences of equipment needed to operate (including consideration of the single failure criterion), so that the plant response to design basis accidents and transients limits the consequences of these events to within the appropriate acceptance criteria. While there are no transients which continue to apply to Maine Yankee, there are some design basis accidents which continue to apply to a plant authorized only to handle, store, and possess nuclear fuel. The scope of DBAs applicable to a plant with a reactor which is permanently shut down and defueled is markedly reduced from those postulated for an operating plant and there are no transients which continue to apply. The scope of DBAs applicable to the facility is discussed in more detail below.

Criterion 4 of 10 CFR 50.36(c)(2)(ii)(D) states that technical specification limiting conditions for operation must be established for structures, systems, or components (SSC's) which operating experience or probabilistic risk assessment has shown to be significant to public health and safety. The intent of this criterion is that risk insights and operating experience be factored into the establishment of technical specification limiting conditions for operation. All of the accident sequences that previously dominated risk at Maine Yankee are no longer applicable with the reactor in the permanently shutdown and defueled condition. The licensee states that operating experience was factored in as applicable in the development of their proposed defueled technical specifications (PDTs).

Section 14 of the FSAR described the DBA scenarios that were applicable to Maine Yankee Plant during power operations. However, as a result of the certifications submitted by Maine Yankee in accordance with 10 CFR 50.82(a)(1), and the consequent removal of authorization to operate the reactor or to place or retain fuel in the reactor in accordance with 10 CFR 50.82(a)(2), most of the accident scenarios postulated in the FSAR are no longer possible. Maine Yankee has revised the FSAR (Revision 14) (and retitled it as the Defueled Safety Analysis Report (DSAR)) to reflect the current facility status. The postulated accidents contained in the FSAR are discussed below.

During normal power operations, the forced flow of water through the reactor coolant system (RCS) removes the heat generated by the reactor. The RCS, operating at high temperatures and pressures, transfers this heat through the steam generator tubes to the secondary system. The most severe postulated accidents for nuclear power plants involve damage to the nuclear reactor core and the release of large quantities of fission products to the reactor coolant system. Many of the accident scenarios postulated in the FSAR involve failures or malfunctions in these systems that could affect the reactor core. With the termination of reactor operations at the Maine Yankee facility and the removal of authorization to operate the reactor or to place or retain fuel in the reactor such accidents

are no longer possible. The reactor, RCS, and secondary system are no longer in operation. The irradiated fuel is now stored in the spent fuel pool and these systems serve no function related to the storage of irradiated fuel in the spent fuel pool. Therefore, the postulated accidents involving failure or malfunction of these systems are no longer applicable. These include FSAR section 14.2 through 14.16 as listed below.

- 14.2 Control Element Assembly Withdrawal Incident
- 14.3 Boron Dilution Incident
- 14.4 Control Element Assembly Drop Incident
- 14.5 Malpositioning of the Part-Length Control Element Assemblies
- 14.6 Loss of Coolant Flow Incident
- 14.7 Startup of an Inactive Reactor Coolant Primary Loop
- 14.8 Excess Load Incident
- 14.9 Loss of Load Incident
- 14.10 Loss of Feedwater Flow Incident
- 14.11 Steam Line Rupture Incident
- 14.12 Steam Generator Tube Rupture Incident
- 14.13 Control Element Assembly Ejection Incident
- 14.14 Loss-of-Coolant Incident
- 14.15 Reactor Containment Pressure Analysis
- 14.16 Radiological Consequences of a Steam Line Rupture
- 14.18 Radiological Consequences for the Hypothetical Accident
- 14.22 Radiological Liquid Waste System Leaks and Failures

Two other accidents identified in the FSAR are no longer applicable at Maine Yankee.

Section 14.19 provides an analysis of a postulated failure of the Waste Gas Decay Tanks (WGDTs). During reactor operations, the WGDTs were used to store and permit the decay of radioactive gases to reduce or prevent the normal release of radioactive materials to the atmosphere. The radioactive contents of the WGDTs were principally the noble gases krypton and xenon, the particulate daughters of some of the krypton and xenon isotopes, and trace quantities of halogens. These noble gases were generated from fission during operation of the reactor. Since the reactor is permanently shut down, such gases are no longer generated at the Maine Yankee facility. Further, the WGDTs are currently empty and depressurized. Therefore, there is no possibility of a release from the WGDTs that would result in doses beyond the exclusion area exceeding a small fraction of the limits of 10 CFR 100.

Section 14.21 provides an analysis of Radioactive Liquid Waste System leaks and failures that involve the release of radioactive materials from systems other than the RCS and secondary system. This includes a leak in or failure of the liquid radioactive waste system and, in particular, the primary drain tank. The analysis assumed that eighty percent of the primary drain tank capacity was filled with undecayed, undegassified primary reactor coolant with activity concentrations at the Technical Specification limits of 1.0 $\mu\text{Ci/g}$ Dose Equivalent I-131 and 100 $\mu\text{Ci/g}$. While the termination of reactor operations at the Maine Yankee facility did not eliminate the postulated failure of the primary drain tank, the

production of radioactive liquids associated with reactor operation ceased. Only the production of radioactive liquids resulting from such functions as the spent fuel pool purification or decommissioning activities remain. Therefore, this FSAR accident continues to apply.

Section 14.17 discusses the design basis fuel handling incident. Fuel will no longer be handled in the containment at the Maine Yankee facility. The possibility of a fuel handling accident in the spent fuel pool is remote due to the many administrative controls and physical limitations imposed on fuel handling operations. Nonetheless, a postulated fuel handling accident in the fuel building remains applicable.

The existing accident analysis for the fuel handling accident, as described in the FSAR, assumes two cases. The first case is the realistic case where the accident is assumed to occur one week after shutdown from operations and a decontamination factor for iodine of 500. The second case is the conservative case where the accident is assumed to occur seventy-two hours after shutdown from operations and a decontamination factor of 133 and 1 for inorganic iodine and organic iodine. For the purpose of establishing an upper limit on the amount of fuel damage resulting from a fuel handling accident, it is assumed that the fuel assembly is dropped during handling. The number of ruptured fuel rods which would result depends on several variables including the kinetic energy at impact and fuel assembly orientation during impact. The existing analyses indicate that if a fuel assembly were dropped to the bottom of the spent fuel pool and then rotated and struck a protruding structure, only the outer row of fuel rods would fail. However, to assure that the limiting case is considered, it is assumed that all rods in the dropped assembly fail upon impact. The resulting doses which are calculated for the fuel handling accident are below the values specified in 10 CFR 100. As described in the basis of the CTS 3.13, the analysis of the fuel handling accident conducted by the NRC assumed 23 feet of water and 72 hours of decay time. The NRC's analysis resulted in dose consequences limited to 10% of 10 CFR 100. Because more than one year has elapsed since the last reactor operation, the consequences of a postulated fuel handling accident at the Maine Yankee facility will be lower than were previously analyzed.

In addition to the fuel handling accident, the licensee conducted an analysis to calculate the reactivity effects of a mispositioned fuel assembly. This analysis was performed to support Amendment 144 to the Maine Yankee Technical Specifications. The analysis considered various misposition configurations including a fuel assembly laying horizontally on the top of the spent fuel racks, a fuel assembly placed adjacent to or on the outside corner of the fuel racks and a fuel assembly placed in the wrong spent fuel rack. Based upon the most reactive condition, a boron concentration of 663 ppm was determined to be required to maintain a 5% $\Delta k/k$ safety margin to criticality.

The licensee also considered the consequences of a loss of forced cooling to the spent fuel pool. The heat load in the spent fuel pool is much less than the design value due to the decay time that has elapsed since reactor shut down (more than a year) and the number of irradiated fuel assemblies stored in the pool (1432). A licensee analysis previously performed in support of Amendment No. 144 to the Maine Yankee Technical Specifications

show that the boil off rate is approximately 50 g.p.m. That analysis assumed a full core discharge case with a core unload beginning six days after reactor shutdown for the final (cycle 23) discharge up to the maximum of 2019 spent fuel assemblies. At this boil off rate, it would take more than a day to lose enough water from the spent fuel pool to endanger uncovering irradiated fuel assemblies. NUREG/CR-6451 indicates that a total loss of cooling to the spent fuel pool would allow over 40 hours of boil off before any spent fuel would be exposed and potentially damaged. The NUREG agrees well with the Maine Yankee's conservative analysis. The licensee has stated that even with its conservative analysis there is sufficient time to effect repairs to the cooling system or to establish makeup flow prior to uncovering the irradiated fuel. A number of sources of makeup to the spent fuel pool are available and methods of establishing makeup flow will be addressed in facility procedures.

In summary, most of the accident scenarios described in FSAR Section 14 are no longer possible due to the termination of reactor operations and the removal of fuel from the reactor at the Maine Yankee facility. The remaining postulated design bases accidents used in the development of the proposed PDTs are a fuel handling accident in the spent fuel pool including a fuel misplacement accident, an extended loss of forced cooling to the spent fuel pool, a spent fuel cask drop, and radioactive liquid waste system leaks and failures.

The following is a section-by-section discussion of the proposed revision to the Maine Yankee Appendix A Technical Specifications. Each section of the current TS (CTS) is listed and the proposed change described.

CTS Definitions

This section of the current Maine Yankee TS contains the definitions for terminology that is unique to the TS. Most of the definitions of the CTS are no longer applicable to the Maine Yankee facility or are not included in the improved Standard Technical Specifications. The licensee has proposed to change the title of "Remedial Actions" to "Actions" and to change the definition to coincide with the Standard Technical Specifications. A new term, "Certified Fuel Handler," has been added to identify the non-licensed operator has qualified in accordance with a fuel handler training program approved by the NRC. The staff finds the proposed deletion of certain definitions and the addition of the two new terms to be appropriate for the permanently shutdown and defueled status of the plant and to be consistent with the Standard Technical Specifications (STS). The staff finds the proposed changes to the Definitions to be acceptable.

CTS Section 1

Section 1 describes the design features of the Maine Yankee facility. In accordance with 10 CFR 50.36(c)(4), this section is intended to describe features of the facility such as materials of construction or geometric arrangement that, if altered, would significantly affect safety and are not covered in other sections of the technical specifications. The CTS contain the design features in four areas: 1.1 "Fuel Storage," 1.2 "Site Description,"

1.3 "Reactor," and 1.4 "Containment." The licensee is proposing to retain Sections 1.1 and 1.2 with some modifications and to relocate them to Section 4.0 "Design Features" of the PDTS as PDTS 4.1 - Site and PDTS 4.2 -- Fuel Storage.

Maine Yankee is proposing to transfer most of the provisions of CTS Section 1.1 to PDTS Section 4.2, while relocating CTS 1.1.A to the DSAR in accordance with the criteria of 10 CFR 50.36. CTS 1.1.B describes a reactivity design objective of the spent fuel storage racks and has been reworded and transferred to PDTS 4.2.1.1.b. CTS 1.1.C specifies the minimum boron concentration in the spent fuel pool and has been reworded and transferred to PDTS 3.1.2 Spent Fuel Pool Boron Concentration. CTS 1.1.D prohibits spent fuel shipping casks from being lifted over the spent fuel storage pool. Maine Yankee proposes to relocate CTS 1.1.D to the DSAR in accordance with the criteria of 10 CFR 50.36. CTS 1.1.E specifies the location and maximum number of spent fuel assemblies to be stored in the spent fuel pool. The maximum number of spent fuel assemblies has been retained and transferred to PDTS 4.2.3.a. CTS 1.1.F specifies the location and maximum number of spent fuel assemblies which may be stored in a temporary spent fuel storage rack to be located in the spent fuel cask laydown area. Maine Yankee stated its intention not to use this option and has therefore proposed to delete this specification from the PDTS. CTS 1.1.G specifies the maximum number of fuel assemblies which may be in consolidated form. This specification has been transferred to PDTS 4.2.3.b. The staff finds the proposed movement of the fuel storage design features to PDTS Section 4 and editing of the section to be appropriate due to the permanently shutdown and defueled status of the plant and to be consistent with the Standard Technical Specifications. The staff finds the proposed changes to CTS Section 1.1 to be acceptable. The staff finds the proposed relocations to be acceptable, in that changes to the DSAR will be adequately controlled by 10 CFR 50.59.

The licensee proposes to relocate CTS Section 1.2 "Site Description," to PDTS 4.1. The description of the site contained in PDTS 4.1 has been retained as worded in the CTS, which is consistent with the numbering system in the improved Standard Technical Specifications. The staff finds the proposed relocation of the site description to PDTS section 4 to be consistent with the STS and finds the change acceptable.

CTS Sections 1.3 and 1.4 described the design features of the reactor core, reactor coolant system, emergency core cooling system and the containment. These structures and systems served to prevent or mitigate the consequences of postulated accidents involving the release of fission products in the containment. The licensee proposes not to retain these sections in the PDTS because there is no longer the need to maintain these design features for the protection of the public because these structures and systems no longer play a role in any postulated accidents at the facility. The staff finds the proposed deletion of these sections to be appropriate due to the permanently shutdown and defueled status of the reactor plant. The staff finds the proposed change acceptable because the reactor and containment do not play a role in the safe storage of fuel at the Maine Yankee site.

CTS Section 2

Section 2 of the CTS contains "safety limits" and "limiting safety system settings." In accordance with 10 CFR 50.36(c)(i), safety limits are limiting parameters necessary to protect the physical barriers that guard against the uncontrolled release of radioactivity from a nuclear reactor. If a parameter exceeds the specified safety limit, the reactor must be shut down and operation may not resume until authorized by the NRC. Limiting safety system settings are values of various parameters associated with the nuclear steam supply system (NSSS) at which automatic protective action is needed during normal operations or anticipated transients to prevent violation of the safety limits.

The CTS contain two safety limits. CTS 2.2 sets limitations on the departure from nucleate boiling heat flux ratio (DNBR) and fuel centerline melting temperature. These limits prevent damage to the fuel cladding during reactor operation that could result in the release of fission products to the reactor coolant system. CTS 2.3 places a limitation on the pressure in the reactor coolant system. This limitation prevents potential damage to the reactor coolant system pressure boundary that could result in the release of fission products in the reactor coolant system to the containment atmosphere. The limiting safety system settings are contained in CTS 2.1. This specification establishes limits on the setpoints of the reactor protection system (RPS). The RPS monitors various parameters associated with reactor operation and initiates a shutdown of the reactor if the settings are exceeded during normal operation or anticipated operational occurrences. The Maine Yankee facility is permanently shut down and fuel has been removed from the reactor vessel and placed in the spent fuel storage pool. The facility operating license no longer authorizes operation of the reactor or placement or retention of fuel in the reactor. Since the reactor is not in operation at the Maine Yankee facility and the regulations prohibit such operation in the future, the licensee states that CTS 2.2 and 2.3 are no longer applicable and proposes to delete them from the PDTs. Also, because the reactor at the Maine Yankee facility is no longer authorized to operate, the RPS no longer serves a useful function. Therefore, MYAPC also proposes to delete CTS 2.1 in the PDTs. Finally, since the existing safety limits as discussed in the CTS are no longer applicable to Maine Yankee, the licensee proposes to delete CTS 2.0, Safety Limit Violation. The staff finds the proposed deletion of the safety limits to be appropriate due to the permanently shutdown and defueled status of the reactor plant and the deactivation of the reactor coolant system and nuclear steam supply system. Since the reactor core and reactor coolant system play no role in the safe storage of irradiated fuel at Maine Yankee, the staff finds the proposed changes to CTS section 2 to be acceptable.

CTS Section 3

In accordance with 10 CFR 50.36(c)(2), limiting conditions for operation (LCOs) specify the lowest functional capability or performance levels of equipment required for safe operation of the facility. The LCOs typically place restrictions on the availability of safety equipment needed to prevent or mitigate a postulated DBA or on process variables necessary to

preserve the initial conditions assumed in analyses of postulated design basis events. As discussed above, 10 CFR 50.36(c)(2)(ii) defines four criteria for establishing limiting conditions for operations. Associated surveillance requirements help to ensure that the specified equipment and parameters are maintained within the limits specified in the LCOs.

As discussed previously, only a limited set of postulated design basis accidents remain applicable to the Maine Yankee facility with its reactor in the permanently defueled state. As a result, the licensee determined that most of the LCOs and accompanying surveillance requirements contained in the CTS were inappropriate for retention in the PDTs.

The subsections of CTS Sections 3 are discussed below.

CTS Subsection 3.0 - This subsection contains specifications that have generic applicability to the LCOs and surveillance requirements. Due to the limited number of LCOs remaining in the PDTs, the licensee has stated that a number of the CTS provisions in this section are no longer necessary for or applicable to the Maine Yankee facility.

CTS 3.0.A contains requirements to be implemented when an LCO is not met. CTS 3.0.A.1 directs the performance of any specified remedial action as the first step in the sequence of responses to an LCO not being met. The licensee proposes to reword this direction to be consistent with the STS and retain it in PDTs 3.0.2. CTS 3.0.A.2 and 3 direct that reactor shutdown actions be taken when an LCO and its associated remedial action statements cannot be satisfied. CTS 3.0.A.2 and 3 are not relevant with the plant in the permanently shutdown condition. Therefore, the licensee proposes not to retain these subsections in the PDTs. The staff finds the proposed movement of CTS 3.0.A.1 to PDTs Section 3.0.2 and editing of these sections to be consistent with the STS and the deletion of CTS 3.0.A.2 and 3 to be appropriate due to the permanently shutdown and defueled status of the plant. The staff finds the proposed changes to CTS subsection 3.0.A to be acceptable.

CTS 3.0.B contains restrictions on entry into a higher operating condition or specified condition when the LCO is not met without reliance upon the provisions contained in certain specified remedial actions statements. The licensee has proposed not to retain this subsection in the proposed PDTs. Due to the permanently shutdown status of the reactor and the licensee's certification of permanent removal of fuel from the vessel, the licensee is no longer authorized to Higher Operating Conditions. Therefore, CTS is no longer applicable and the staff finds the proposed deletion of CTS 3.0.B to be acceptable.

CTS 3.0.C addresses the effect of the availability of emergency power sources on the operability of other equipment. The proposed LCOs in the PDTs do not cover operability of any electrically powered equipment; therefore, the licensee proposes not to retain this subsection in the PDTs. The staff finds the proposed deletion to be acceptable based on the permanently shutdown and defueled status of the reactor.

The Standard Technical Specifications Section 3.0.5 permits equipment removed from service or declared inoperable to comply with action statements to be returned to service under administrative control to perform testing required to demonstrate its operability or the operability of other equipment. The licensee has stated that the scope of LCOs specified in the PDTS are sufficiently reduced to make this provision unnecessary. The staff finds that not including STS 3.0.5 is acceptable due to the permanently shutdown status of the plant and the limited number of LCOs that the licensee proposes to retain in the PDTS.

Standard Technical Specifications Section 3.0.7 allows specified Technical Specifications requirements to be changed to permit performance of special tests and operations. Since no special test exceptions are specified in the PDTS for the performance of special tests and operations, the licensee proposes not to include this provision in the PDTS. Due to the lack of any provision for special test exceptions in the PDTS and the permanently shutdown and defueled status of the reactor the staff finds that not including STS 3.0.7 in the PDTS is acceptable.

CTS Subsection 3.1 Reactor Core Instrumentation - CTS 3.1 contains LCOs which must be satisfied for the in-core instrumentation system to be considered operable as required for calibrating the ex-core symmetric offset protection system and for other purposes as required by CTS 3.10. The in-core instrumentation system functioned to monitor the spatial distribution of neutron flux in the reactor core. The ex-core symmetric offset protection system is only applicable in the Power Operation Condition. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, these systems are no longer required and the licensee proposes to delete this specification. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this specification is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.2 Reactor Coolant System Activity - The LCOs in this specification apply to the measured maximum activity in the reactor coolant system. These limits ensure that the resulting 2 hour doses at the site boundary will not exceed an appropriately small fraction of the Part 100 limit following a steam generator tube rupture. Since the reactor has been permanently shut down and defueled, the steam generator tube rupture incident can no longer occur at Maine Yankee. Therefore, the licensee proposes to delete this specification from the PDTS. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this specification is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.3 Reactor Coolant System Operational Components - These LCOs specify the requirements for reactor coolant system components to assure 1) adequate core heat transfer capability under all operating, transient, and emergency conditions 2) uniform RCS boron concentration during boration or dilution evolutions, and 3) overpressure protection. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, the functions of the reactor coolant system are no longer required to prevent or mitigate the consequences of a postulated accident. Therefore, the licensee proposes to

delete these specifications. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this specification is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.4 Combined Heatup, Cooldown, and Pressure-Temperature Limitations - These LCO'S specify temperature and pressure related conditions during RCS heatup and cooldown to assure protection of the reactor coolant pressure boundary. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, the functions of the reactor coolant system are no longer required to prevent or mitigate the consequences of a postulated accident. Furthermore, these specifications are based upon assuring compliance with 10 CFR 50 Appendix G, as invoked by 10 CFR 50.60. On July 29, 1996, the NRC issued the final decommissioning rule and amended 10 CFR 50.60 to exempt facilities which have submitted 10 CFR 50.82(a)(1) certifications from 10 CFR 50 Appendices G and H. Therefore, these specifications are no longer applicable and the licensee proposes to delete them. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the facility, and finds its deletion to be acceptable.

CTS Subsection 3.5 Chemical and Volume Control System - These LCOs specify requirements which ensure adequate boration capability and apply whenever there is fuel in the reactor. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, these specifications are no longer applicable and the licensee proposes to delete them. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.6 Emergency Core Cooling and Containment Spray Systems - These LCOs are concerned with the operation of various emergency core cooling systems. These systems include the safety injection tanks, high pressure safety injection pumps, low pressure safety injection pumps, service water pumps, component cooling pumps, containment spray pumps and residual heat removal heat exchangers, associated valves, and the refueling water storage tank. The limitations on the operation of this equipment ensure that cooling can be provided to the reactor following a postulated loss of coolant accident. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, a loss of coolant from the reactor coolant system is no longer of concern and the reactor coolant system no longer serves any function to prevent or mitigate the consequences of any postulated accident. Therefore, these specifications are no longer applicable and the licensee proposes to delete them. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.7 Boron and Sodium Hydroxide Available for the Containment Spray System - These LCOs are concerned with the availability of borated water for boron

injection, core cooling and containment spray, and the availability of sodium hydroxide solution for iodine adsorption. These LCO's specify concentration and volume inventory requirements for borated water and spray chemical water. These requirements ensure that cooling can be provided to the reactor and radioactive iodine can be adsorbed to limit the release of radioactive material to the environment following a postulated loss of coolant accident. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, a loss of coolant from the reactor coolant system is no longer of concern, the reactor coolant system no longer serves any function to prevent or mitigate the consequences of any postulated accident and there are no remaining postulated accidents which require the integrity of the primary containment to be maintained. Therefore, these specifications are no longer applicable and the licensee proposes to delete them. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.8 Reactor Core Energy Removal - These LCOs are concerned with ensuring the capability to remove energy from the reactor core under normal operations and transient and accident conditions. LCOs covering the operation of the steam generators ensure the ability to remove heat generated by the reactor from the reactor coolant systems. These LCO requirements do not apply when there is no fuel in the reactor. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, these specifications are no longer applicable and the licensee proposes to delete them. The staff has determined that due to the permanently shut down and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.9 Operational Safety Instrumentation, Control Systems, and Accident Monitoring Systems - The subsection of the CTS contains LCO's related to a wide variety of instrumentation systems. 3.9.A and 3.9.B cover the instrumentation associated with the reactor trip system and the engineered safety features actuation system. These systems are designed to shut down the reactor or initiate automatic protective actions when parameters exceed selected limits. The systems function to prevent or mitigate the consequences of postulated accidents that could result in damage to the reactor fuel cladding or the reactor coolant pressure boundary. Reactor operations have been terminated at the Maine Yankee facility and the reactor has been permanently defueled. Therefore, the postulated accident scenarios requiring actuation of these systems are no longer possible at the Maine Yankee facility and the licensee proposes not to retain these specifications in the PDTS. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS 3.9.C contains LCO's for accident monitoring instrumentation. This instrumentation is intended to provide information on selected plant parameters to monitor and assess variables during and following an accident that causes damage to the reactor core and/or a breach of the reactor coolant pressure boundary. Since the reactor at the Maine Yankee

facility has been permanently shut down and defueled, such postulated accidents are no longer possible and the functions of this instrumentation are no longer required. Therefore, the licensee proposes not to retain this specification in the PDTs. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.10 CEA Group, Power Distribution, Moderator Temperature Coefficient Limits and Coolant Conditions - These LCOs restrict the allowable spatial distribution of nuclear and thermal power generation within the reactor core. LCOs in this section include limitations on control element assemblies (CEA's), shut down margin, linear heat rate, radial peaking factor, symmetric offset and azimuthal power tilt, moderator temperature coefficient, and reactor coolant conditions. These limitations ensure that the integrity of the fuel cladding is maintained during normal reactor operations and anticipated transients and that the initial conditions assumed in the analyses of postulated accidents affecting the reactor core remain valid. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, these specifications are no longer applicable and the licensee proposes to delete them. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.11 Containment - These LCO requirements serve to ensure the integrity of the primary containment. The primary containment serves to limit the release of radioactive material to the environment in the event of postulated accidents that release radioactive materials from the reactor coolant system. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, there are no remaining postulated accidents which require the integrity of the primary containment to be maintained. Therefore, the specifications are no longer applicable and the licensee has proposed to delete them. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.12 Station Service Power - This CTS subsection contains LCOs associated with the AC and DC power sources and distribution systems. The LCOs are intended to ensure that sufficient power is available to supply the safety-related equipment required for the safe shutdown of the facility, the mitigation of accident conditions, and the monitoring of the facility status. The licensee states that these LCOs are not applicable with the reactor in the permanently shutdown and defueled condition. The remaining LCOs consists of limitations on selected parameters associated with the storage of irradiated fuel in the spent fuel pool (i.e., water level and boron concentration). These parameters are not subject to rapid change and do not require continuous monitoring. The licensee states that there is sufficient time to effect repairs to the cooling system or to establish makeup flow prior to uncovering the irradiated fuel in the event of a loss of cooling to the spent fuel pool. Since active safety systems are not contained in the proposed PDTs, the licensee has proposed not to retain the specifications covering electrical power to support such

spent-fuel-related systems in the PDTs. NRC publication NUREG/CR-6451, "A Safety and Regulatory Assessment of Generic BWR and PWR Permanently Shutdown Nuclear Plants," indicates that a total loss of cooling to the spent fuel pool would allow over 40 hours of boil off before any spent fuel would be exposed and potentially damaged. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility and the extended length of time since final shutdown, sufficient time exists for the licensee to respond to this event before any challenge is presented to the integrity of a fission product barrier. The staff has determined that this subsection is not necessary for safe storage of fuel at the site and finds its deletion to be acceptable.

CTS Subsection 3.13 Refueling and Fuel Consolidation Operations - This CTS subsection contains a number of specifications related to refueling operations. Since refueling operations are no longer conducted at the Maine Yankee facility, most of these specifications are not applicable to the storage of irradiated fuel in the spent fuel pool. The limited set of remaining LCOs consists of limitations on selected parameters associated with the storage of irradiated fuel in the spent fuel pool (i.e., water level and boron concentration).

CTS Subsection 3.13.A contains requirements related to the testing of the fuel handling cranes prior to each refueling. Since the Maine Yankee reactor has been permanently shut down and defueled, there will no longer be any refuelings. Crane design, inspection and testing along with detailed fuel handling instructions help to prevent the occurrence of fuel handling accidents. While the fuel handling accident in the spent fuel pool remains a valid DBA for the Maine Yankee facility, this specification is not included in the Standard Technical Specifications. Therefore, the licensee has proposed not to include this specification in the PDTs, but to relocate CTS 3.13.A to the DSAR. The staff has determined that relocation of this section from the technical specifications to a licensee-controlled document to be consistent with the STS and 50.36. The staff finds the relocation of this requirement to the DSAR to be acceptable, in that changes to the DSAR will be adequately controlled by 10 CFR 50.59.

CTS Subsection 3.13.B specifies a minimum decay time prior to the movement of irradiated fuel assemblies in the reactor pressure vessel. This decay time ensures that short-lived fission products are allowed to decay such that the remaining inventory of fission products in a fuel assembly is consistent with the assumptions of the accident analyses for a fuel handling accident. Since the reactor has been permanently defueled and approximately 15 months have elapsed since final reactor operation, this specification is no longer necessary to protect the initial conditions of any DBA. Therefore, the licensee has proposed to delete this specification from the PDTs. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.13.C sets limits on the soluble boron concentration in the reactor coolant system and refueling canal. The limits ensure that the reactor remains subcritical whenever the reactor vessel head is removed and there is fuel in the reactor. Since the reactor has been permanently defueled, this specification is no longer applicable to the Maine Yankee facility and the licensee has proposed not to retain it in the PDTs. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.13.D specifies conditions to be satisfied during core alterations or movement of irradiated fuel within the containment. Since the reactor has been permanently defueled and irradiated fuel is no longer located in the containment, this specification is no longer applicable to the Maine Yankee facility. However, in its submittal, Maine Yankee discussed the continued applicability of each subsection of this specification.

CTS Subsections 3.13.D.1, 2, 3, 4, and 5 contain requirements related to the containment building penetrations and containment ventilation and purge isolation. These requirements ensure that radioactive materials released to the environment due to a postulated fuel handling accident in the containment are limited. Since the reactor has been permanently defueled and irradiated fuel is no longer located in the containment, this specification is no longer applicable to the Maine Yankee facility and the licensee has proposed to not retain these subsections in the PDTs. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.13.D.6 contains a requirement to continuously monitor radiation levels in the containment and spent fuel storage areas. This monitoring requirement provided for immediate indication of an unsafe condition related to core alterations and fuel handling. Since the reactor has been permanently defueled and irradiated fuel is no longer located in the containment, the requirement to monitor radiation levels in containments as an indicator of an unsafe condition related to core alterations or fuel handling no longer applies. While the fuel handling accident in the spent fuel pool remains a valid DBA for the Maine Yankee facility, this specification is not included in the Standard Technical Specifications. Therefore, the licensee has proposed not to retain this specification in the PDTs, which it states is consistent with the improved STS. Maine Yankee proposes to relocate CTS 3.13.D.6 to the DSAR. The staff has determined that relocation of this section from the technical specifications to a licensee-controlled document to be consistent with the STS and 50.36. The staff finds the relocation of this requirement to the DSAR to be acceptable, in that changes to the DSAR will be adequately controlled by 10 CFR 50.59.

CTS Subsection 3.13.D.7 contains requirements related to the source range neutron flux monitors. This instrumentation is used to detect changes in the reactivity of the reactor core. Since the reactor has been permanently defueled, this specification is no longer applicable to the Maine Yankee facility and the licensee has proposed to not retain it in the

PDTS. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsections 3.13.D.8 & 9 contain requirements related to the operation of the residual heat removal system to provide cooling to the fuel in the reactor vessel during refueling operations and under different water levels. Since the reactor has been permanently defueled, the residual heat removal system is no longer required to perform this function, and the licensee has proposed to not retain this specification in the PDTS. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.13.D.10 specifies the minimum water level above the top of the core whenever irradiated fuel is being moved. The specified water level helped to limit the consequences of a fuel handling accident. Since the reactor has been permanently defueled and irradiated fuel is no longer located in the containment, there is no longer a potential for a fuel handling accident in the containment. However, a potential fuel handling event in the spent fuel pool remains a valid DBA for the Maine Yankee facility. Therefore the licensee has proposed to retain a limitation on minimum water level in the spent fuel pool as PDTS 3.1.1, and revised the limitation to be consistent with the improved Standard Technical Specifications. PDTS 3.1.1 requires that the spent fuel pool level be maintained within limits during the movement of irradiated fuel in the spent fuel pool. A verification of compliance at a 24-hour frequency is required whenever the LCO applies. The actions associated with this LCO require immediate suspension of movement of irradiated fuel. The licensee has stated that this 24-hour period is appropriate since the immediate actions preclude the possibility of a fuel handling accident or the loss of water shielding during fuel movement. The proposed Bases for PDTS 3.1.1 include the function of the spent fuel pool coolant inventory in providing shielding during the movement of irradiated fuel. The staff has determined that deletion of a specification for minimum water level above the top of the fuel in the core is appropriate because irradiated fuel is no longer located in the reactor core and the licensee is prohibited from placing fuel in the reactor vessel. However, the proposed modification to include a limit and bases for water level in the spent fuel pool is necessary to address a potential fuel handling event in the spent fuel pool at the Maine Yankee facility and is consistent with the STS. The staff finds the proposed change to be acceptable.

CTS Subsection 3.13.D.11 requires communications capability such that refueling station personnel can be informed of significant changes in the facility status or core reactivity conditions during core alterations. Since the reactor has been permanently defueled, this specification is no longer applicable to the Maine Yankee facility and the licensee has proposed to not retain it in the PDTS. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.13.E contains a requirement to move spent fuel storage racks only in accordance with approved procedures which ensure that no rack modules are moved over fuel assemblies. This specification prevented the unnecessary risk of spent fuel damage caused by dropping spent fuel racks. The licensee proposes to maintain this requirement at Maine Yankee, however, since this specification is not included in the Standard Technical Specifications, the licensee proposes not to retain the requirement in the PDTs. Rather, Maine Yankee proposes to relocate CTS 3.13.E to the DSAR. The staff has determined that relocation of this section from the technical specifications to a licensee-controlled document is consistent with the STS and 50.36. The staff finds the relocation of this requirement to the DSAR to be acceptable, in that changes to the DSAR will be adequately controlled by 10 CFR 50.59.

CTS Subsection 3.13.F contains a requirement to prohibit irradiated fuel consolidation until after a cooling period has elapsed. This prohibition ensured that the dose consequences of a consolidated spent fuel handling accident would be bounded by the consequences of the design basis spent fuel drop accident. It also ensured that the maximum outlet temperatures for the limiting fuel assembly and the consolidated fuel storage bundle were both well below the saturation temperature at the cell outlet for any storage array. All but the irradiated fuel discharged from the last cycle has completed the cooling period. Maine Yankee proposes to relocate CTS 3.13.F to the DSAR to preserve the option of future fuel consolidation up to the limit of 20 consolidated assemblies as specified in PDTs 4.2.3. The staff has determined that relocation of this section from the technical specifications to a licensee-controlled document is consistent with the STS and 50.36. The staff finds the relocation of this requirement to the DSAR to be acceptable, in that changes to the DSAR will be adequately controlled by 10 CFR 50.59.

CTS Subsection 3.14 Primary System Leakage - This CTS subsection contains limitations on the operation of the plant under varying rates and conditions of reactor coolant (primary) system leakage. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, the functions of the reactor coolant system are no longer required to prevent or mitigate the consequences of a postulated accident. Therefore, the licensee has stated that these specifications are no longer applicable and proposes to delete them in the PDTs. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.15 Reactivity Anomalies - This CTS subsection contains requirements to periodically compare the actual reactor coolant system boron concentration to the predicted value. This specification provides for the detection of reactivity anomalies within the reactor. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, this specification is no longer applicable, and the licensee proposes to delete it from the PDTs. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.16 - This subsection was previously deleted.

CTS Subsection 3.17 Gaseous Radioactive Waste Storage - This CTS subsection contains requirements related to gaseous waste stored in the Radioactive Waste Gas Storage Drums. Limits were specified for the quantity of radioactivity and the concentration of explosive gas contained in the drums. These limitations were established to minimize the possibility of drum rupture and assure that all releases would be within the dose limits specified in 10 CFR Part 20. With the reactor permanently defueled, there is no longer a need to degasify primary coolant. The contents of the waste gas decay tanks have been purged. The licensee has stated that this system will not be used to support decontamination/decommissioning and will not be used in any gaseous radioactive waste processing functions. Therefore, the licensee has proposed to not retain this subsection in the PDTs. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, and the licensee's intention not to use the gaseous radwaste storage facilities for decommissioning activities, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.18 Reactor Coolant System Oxygen and Chloride/Fluoride Concentration - This subsection contains limitations on the maximum oxygen and chloride/fluoride concentrations in the reactor coolant system. These limitations assure protection of the functional integrity of the material in the reactor coolant system. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, the functions of the reactor coolant system are no longer required to prevent or mitigate the consequences of a postulated accident. Therefore, these specifications are no longer applicable and the licensee proposes to delete them. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.19 Safety Injection System - This subsection contains requirements related to the condition of safety injection system isolation and loop stop valves. These requirements assure that plant operation is restricted to conditions considered in the loss-of-coolant accident analysis and valve failure does not result in a rate of flow which would exceed the pressure relief capacity of certain systems which interface with the reactor coolant system. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, a loss of coolant from the reactor coolant system is no longer of concern and the reactor coolant system no longer serves any function to prevent or mitigate the consequences of any postulated accident. Therefore, these specifications are no longer applicable and Maine Yankee has proposed to delete them. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.20 Shock Suppressors (Snubbers) - CTS Section 3.20 contains LCOs associated with snubbers. Functional snubbers were required to ensure the structural integrity of the reactor coolant system and other safety-related systems following a seismic or other dynamic load. This specification is not included in the improved Standard

Technical Specifications. Therefore, the licensee proposes not to retain this specification in the PDTs. The staff has determined that deletion of this section from the technical specifications is consistent with the STS. The staff finds the deletion of this requirement to be acceptable.

CTS Subsection 3.21 - This subsection was previously deleted.

CTS Subsection 3.22 Feedwater Trip System - This subsection specifies the conditions of the feedwater trip system necessary to ensure the steam generator cooldown potential remains acceptable in the event of a main steam line break. Limiting the reactor coolant system cooldown limits the reactivity insertion associated with a negative reactivity temperature coefficient during the cooldown associated with the main steam line break. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, the effects of a cooldown on reactivity resulting from a main steam line break are no longer of concern and the feedwater trip system no longer serves any function to mitigate the consequences of any remaining postulated accident. Therefore, these specifications are no longer applicable and Maine Yankee proposes to delete them. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.23 - This subsection was previously deleted.

CTS Subsection 3.24 Secondary Coolant Activity - CTS subsection 3.24 contains LCOs associated with the maximum activity in the secondary coolant system. These limitations insure that the resultant offsite radiation dose is limited to a small fraction of 10 CFR Part 100 following a steam line rupture. The activity limit applies to Dose Equivalent Iodine-131. Since the reactor has been shut down and permanently defueled, this system is no longer pressurized and no longer has a significant source of Iodine-131. Therefore, the licensee has proposed not to retain this specification in the PDTs. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 3.25 Installed Ventilation and Filter Systems - CTS subsection 3.25 defines the required operating status of installed ventilation and filter systems. The licensee provided a description for its proposed disposition of each of the three systems of 3.25 as discussed below.

CTS Subsection 3.25.A contains a requirement to maintain the containment hydrogen purge system operable whenever the reactor is critical. This system serves to detect and control the concentration of hydrogen within the containment to keep it below its flammable limit following a loss-of-coolant accident, thus preserving the function of the containment system. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, a loss-of-coolant accident is no longer of concern and there are no remaining postulated accidents which require the integrity of the primary containment to be

maintained. Therefore, the licensee proposes to delete these specifications. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS subsection 3.25.B contains LCO's associated with the control room ventilation system. The control room ventilation system ensures that the control room temperature does not exceed the duty rating of equipment and instrumentation cooled by this system and ensures that the control room will remain habitable for personnel during and following credible accidents involving the release of radioactive materials or toxic gases. The specification requires one train of control room ventilation to be operable whenever the reactor coolant system temperature and pressure exceed 210°F and 400 psig. Two trains are required whenever the reactor is critical. This specification is no longer applicable for Maine Yankee since the reactor is permanently shut down and defueled and the licensee proposes not to retain it in the PDTS. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Section 3.25.C contains LCOs related to the spent fuel pool ventilation system. This system provides filtration for radioactive material released from an irradiated fuel assembly as a result of a postulated fuel handling accident. The specification requires the spent fuel pool ventilation system to be operating and discharging through the HEPA and charcoal filter train when irradiated fuel which has decayed less than 60 days is in the spent fuel pool and either fuel is being moved in the spent fuel pool or the crane is being operated with loads over the spent fuel pool. Since all of the fuel in the spent fuel pool has decayed greater than 60 days, the licensee has determined that the specification is no longer applicable and is proposing not to retain this specification in the PDTS. However, because the spent fuel pool ventilation system is associated with the safe storage of spent fuel, Maine Yankee proposes to relocate TS 3.25.C to the DSAR. The staff has determined that due to the shutdown of Maine Yankee more than 14 months ago, and the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion from the PDTS and inclusion in the DSAR to be acceptable.

CTS Subsection 3.26 - This subsection was previously deleted.

CTS Subsection 3.27 - This subsection was previously deleted.

CTS Subsection 3.28 - This subsection was previously deleted.

CTS Section 4

In accordance with 10 CFR 50.36(c)(3), surveillance requirements are related to test, calibration, or inspection to assure that the necessary quality of systems and components is maintained, that facility operation will be within safety limits, and that the limiting

conditions for operations will be met. Maine Yankee has proposed to provide the surveillance requirements for the PDTS for each LCO directly following that LCO rather than being contained in a separate section as in the CTS. The staff has determined that this is an administrative change to revise the format of the PDTS to be consistent with the STS and finds the proposed change acceptable.

Since there are relatively few remaining LCOs, the licensee has proposed to greatly reduce the number of surveillance requirements. The following paragraphs provide a comparison of the CTS, the corresponding sections of the improved Standard Technical Specifications, and the PDTS.

CTS Subsection 4.0 Surveillance Requirements - This section contains specifications that have generic applicability to the surveillance requirements.

CTS 4.0.A and 4.0.B are reworded to be consistent with the improved Standard Technical Specifications. Additional applicability requirements have been added to CTS 4.0.A to specify the conditions when a surveillance requirement applies and the consequences of a failure to meet or perform a surveillance requirement. The staff has determined that this is an administrative change to revise the format of the PDTS to be consistent with the STS and finds the proposed change acceptable.

PDTS SR 3.0.3 has been added to allow for the possibility of the discovery that a surveillance has not been performed. This specification permits a 24-hour delay in declaring that the LCO was not met in order to allow performance of the surveillance after it is discovered that a surveillance was not performed. This specification is consistent with the improved Standard Technical Specifications. The staff has determined that this change is consistent with the STS and finds the proposed change acceptable.

STS 3.0.4 prohibits entry into an operating mode or other specified condition in the applicability of an LCO unless the surveillances have been met within their specified frequency. This prohibition is subject to certain conditions. Since the reactor at the Maine Yankee facility is permanently shut down and defueled, there will no longer be any changes in operating condition or mode. Therefore, the licensee has proposed not to include this specification in the PDTS. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection of the STS is not necessary for safe operation or maintenance of the plant, and finds the proposal not to include it in the Maine Yankee PDTS to be acceptable.

CTS 4.1 Instrumentation and Control - This subsection specifies the minimum frequency and type of surveillance to be applied to critical plant instrumentation and controls. These surveillance requirements apply primarily to equipment specified in CTS 3.9. Tables 4.1-1 and 4.1-2 specify the calibration, testing, and checking of instrument channels associated with the reactor trip system and the engineered safety features actuation system of CTS 3.9.A and B, respectively. As described above for those sections, the postulated accident scenarios requiring actuation of these systems are no longer possible at the Maine Yankee facility and the licensee proposes not to retain these specifications in the PDTS. Therefore,

the licensee proposes not to retain in the PDTs the surveillance requirements of Tables 4.1-1 and 4.1-2. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, the subsection for which these tables apply is no longer necessary for safe operation or maintenance of the plant, and finds deletion of these tables to be acceptable.

Table 4.1-3 specifies the calibration, testing, and checking of miscellaneous instrumentation systems of CTS 3.9.C. As described above for CTS 3.9.C most of these instrumentation systems are intended to provide information on selected plant parameters to monitor and assess variables during and following an accident that causes damage to the reactor core and/or a breach of the reactor coolant pressure boundary. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, such postulated accidents are no longer possible and the functions of these instrumentation systems are no longer required. Other instrumentation is associated with systems which are no longer required by the proposed PDTs as described above for CTS Section 3. However, CTS Table 4.1-3 contains two items which may still be considered relevant to Maine Yankee in its permanently shutdown condition; Item 3, Radiation Area Monitors, and Item 18, Radiation Process and Effluent Monitors. Since the reactor has been permanently shut down and defueled and the irradiated fuel storage limited to the Fuel Building, the number of accidents which could result in significant changes in radiological conditions or radioactive effluents have been greatly reduced. While there are accidents, including the fuel handling accident in the spent fuel pool, that remain valid DBA's for the Maine Yankee facility, this specification is not included in the improved Standard Technical Specifications. Therefore, Maine Yankee proposes to relocate CTS 4.1, Table 4.1-3, Item 3 to the DSAR. The staff has determined that relocation of this section from the technical specifications to a licensee-controlled document is consistent with the STS and 50.36. The staff finds the relocation of this requirement to the DSAR to be acceptable, in that changes to the DSAR will be adequately controlled by 10 CFR 50.59.

CTS Subsection 4.2 Equipment Sampling Tests - This subsection specifies the minimum frequency and type of surveillance to be applied to critical plant equipment and conditions. Table 4.2-1 specifies the minimum frequency for sampling tests of various system contents including the reactor coolant system, refueling water tank, boric acid storage tank, safety injection tanks, spent fuel pool, secondary coolant, liquid radwaste, radioactive gas decay tanks, spray chemical addition tank, sealed sources, and oil targeted for incineration. The type of sampling tests performed include radioactivity, isotopic analysis, chemical concentration, and contamination leakage. The licensee has determined that most of these systems are no longer required by the PDTs as described above for TS Section 3.

Therefore, the licensee proposes to eliminate most of the sampling tests listed in Table 4.2-1 from the PDTs with the exception of the following items:

CTS 4.2, Table 4.2-1, Item 6 Spent Fuel Pool Boron Concentration - The current sampling frequency listed in CTS for boron concentration in the spent fuel pool is monthly. In the PDTs, the licensee has proposed a sampling frequency of every seven days whenever fuel is stored in the spent fuel pool and a fuel pool verification has not been performed since the

last movement of fuel assemblies in the spent fuel pool. Maine Yankee states that these sampling frequencies ensure that the accident analysis assumptions are maintained with sufficient confidence as described for PDTs 3.1.2. The staff has determined that the proposed change in frequency and applicability for the spent fuel pool boron concentration is consistent with the improved standard Technology Specifications and will not adversely affect safe storage of fuel at the facility. The staff finds the proposed change acceptable.

CTS 4.2, Table 4.2-1, Item 8 Liquid Radwaste Radioactivity Analysis - The CTS require radioactivity analysis of liquid radwaste prior to release from the test tank. This specification does not meet the 50.36(c)(2)(ii) criteria discussed above and is not included in the improved Standard Technical Specifications. Maine Yankee proposes to relocate CTS 4.2, Table 4.2-1, Item 8 to the Radioactive Effluent Controls Program. The staff has determined that removal of this requirement from the technical specifications to a licensee-controlled document will not adversely affect safe operation or maintenance of the plant and is consistent with the STS and 50.36. The staff finds the proposed change acceptable.

CTS 4.2, Table 4.2-1, Item 11 Sealed Source Leakage - The CTS require radioactive sealed sources to be leak tested for contamination semiannually. This requirement was intended to ensure that radiation dose relating from ingestion or inhalation of source material do not exceed allowable limits. This specification does not meet the criteria listed in 10 CFR 50.36(c)(2)(ii) for inclusion in the Technical Specifications nor is this specification included in the improved Standard Technical Specifications. This specification does not involve instrumentation used to detect a significant abnormal degradation of the reactor coolant pressure boundary. It does not involve initial conditions assumed in any design basis analyses. It does not involve the function of any equipment or structure needed to prevent or mitigate any DBA. Finally, the specification does not involve any structure, system or component which has been shown to be significant to public health and safety. Maine Yankee proposes to relocate CTS 4.2, Table 4.2-1, Item 11 to the DSAR. The staff has determined that removal of this requirement from the technical specifications to the DSAR will not adversely affect safe operation or maintenance of the plant and is consistent with the STS. The staff finds the proposed change acceptable.

CTS 4.2, Table 4.2-1, Item 13 Incinerated Oil Principle Gamma - The CTS require a grab sample of oil, in liquid form, prior to incineration. This specification is not included in the improved Standard Technical Specifications. Maine Yankee proposes to relocate CTS 4.2, Table 4.2-1, Item 13 to the Radioactive Effluent Controls Program. The staff has determined that relocation of this requirement from the technical specifications to a licensee-controlled document will not adversely affect safe storage of irradiated fuel at the plant and is consistent with the STS. The staff finds the relocation of this requirement to the DSAR to be acceptable, in that changes to the DSAR will be adequately controlled by 10 CFR 50.59.

CTS 4.2, Table 4.2-2 specifies the minimum frequencies of equipment tests of various systems and components including control element assemblies, safety valves, refueling system interlocks, diesel fuel supply, reactor coolant system leakage, turbine valves, post-

accident containment vent system, pressurizer level and relief valves. Maine Yankee has proposed not to retain any of these systems or components in the PDTs as described above for CTS Section 3. Therefore, Maine Yankee has proposed to eliminate the related surveillance requirements from the PDTs. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, these systems or components are no longer necessary for safe operation or maintenance of the plant. Therefore, the staff finds the removal of the related surveillance requirement from the PDTs to be acceptable.

CTS Subsection 4.3 Reactor Coolant System Leak Tests - This subsection specifies the tests for reactor coolant system integrity after the system is closed following normal opening, modification, or repair. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, the functions of the reactor coolant system are no longer required to prevent or mitigate the consequences of a postulated accident. Therefore, the licensee has proposed to delete this specification. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 4.4 Containment Testing - These surveillance requirements serve to ensure the integrity of the primary containment. The primary containment serves to limit the release of radioactive material to the environment in the event of postulated accidents that release radioactive materials from the reactor coolant system. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, there are no remaining postulated accidents which require the integrity of the primary containment to be maintained. Therefore, the licensee has proposed to delete this specification. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 4.5 Emergency Power System Testing - This CTS subsection contains surveillance requirements associated with the AC and DC power sources and distribution systems. The surveillances are intended to ensure that sufficient power is available to supply the safety-related equipment required for the safe shutdown of the facility, the mitigation of accident conditions, and the monitoring of the facility status. The PDTs do not contain LCOs for active safety systems. Since active safety systems are not contained in the proposed PDTs and since LCOs covering electrical power to support such spent fuel related systems have not been retained in the proposed PDTs, the licensee has proposed to delete the related surveillance requirements. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 4.6 Periodic Testing - This TS subsection contains surveillance requirements associated with various engineered safety features including the safety injection system, the containment spray system, containment isolation, emergency

feedwater system, main steam excess flow check valves, feedwater trip system and reactor coolant system emergency ventilation system. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, such postulated accidents are no longer possible. The licensee has determined that the systems and components included in the specification are no longer required to be operable in the PDTs as described above for TS Section 3 and, therefore, proposes to delete the related surveillance requirements. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 4.7 Inservice Inspection and Testing of Safety Class Components - This subsection specifies the inservice testing and inspection of safety class 1, 2, and 3 components as required by 10 CFR 50.55a(g). With the Maine Yankee reactor permanently shut down and defueled many, if not all, of the components are no longer required to be tested and inspected. Maine Yankee is currently reviewing the scope of the ISI and IST programs and intends to address separately the disposition of the review and any consequent revision to the ISI and IST programs. In the interim, the licensee is proposing to transfer the IST portion of this specification as a program requirement to PDTs 5.6.5, which Maine Yankee states is consistent with the improved Standard Technical Specifications. The staff has determined that this is an administrative change to make the format of the PDTs consistent with the STS and finds the proposed change acceptable.

CTS Subsection 4.8 - This section was previously deleted.

CTS Subsection 4.9 Shock Suppressor (Snubbers) Surveillance Testing - This subsection contains surveillance requirements associated with snubbers. CTS subsection 3.20 contains LCOs associated with snubbers. As described above, functional snubbers were required to ensure the structural integrity of the reactor coolant system and other safety-related systems following a seismic or other dynamic load. The LCO subsection was not retained in the proposed PDTs, therefore, the license proposes not to retain the related surveillance requirements of this subsection in the PDTs. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 4.10 Steam Generator Tube Surveillance - This subsection contains surveillance requirements necessary to demonstrate the operability of the steam generators. The surveillance requirements specify the selection of steam generators, tube sample size, inspection result classification, acceptance criteria, inspection frequencies, and reporting requirements. Since the reactor at the Maine Yankee facility has been permanently shut down and defueled, the functions of the steam generators are no longer required to remove heat from the reactor coolant system or to prevent or mitigate the consequences of a postulated accident. Therefore, these specifications are no longer

applicable and Maine Yankee has proposed to delete them. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS Subsection 4.11 Ventilation Filter System Surveillance Testing - This subsection contains surveillance requirements (4.11.A, B, D, and a portion of 4.11.E) necessary to demonstrate the operability of ventilation and filter systems including the containment hydrogen purge system, the control room recirculation and breathing system, and the containment ventilation/purge system. The LCOs for these systems are specified in CTS 3.13.D.3 and 3.25.A, B. The licensee has proposed to not retain these LCOs in the PDTs and, therefore, to also delete the related surveillance requirements in this specification in the PDTs. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this subsection is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS 4.11.C and a portion of CTS 4.11.E contain surveillance requirements necessary to demonstrate the operability of the spent fuel pool ventilation system. The LCO associated with this system is specified in CTS 3.25.C. Maine Yankee has proposed to relocate CTS 3.25.C to the DSAR. Accordingly, Maine Yankee also proposes to relocate the related surveillance requirement (CTS 4.11.C and part of 4.11.E) to the DSAR. The staff has determined that relocation of this section from the technical specifications to a licensee-controlled document is consistent with the STS and 50.36. The staff finds the relocation of this requirement to the DSAR to be acceptable, in that changes to the DSAR will be adequately controlled by 10 CFR 50.59.

CTS Subsection 4.12 - This subsection was previously deleted.

CTS Subsection 4.13 - This subsection was previously deleted.

CTS Section 5

In accordance with 10 CFR 50.36(c)(5), administrative controls are the provisions relating to organization and management, procedures, record keeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner. Although the facility operating license no longer authorizes operation of the reactor in accordance with 10 CFR 50.82(a)(2), certain administrative controls will continue to be required to provide for the safe storage and handling of spent fuel.

To be consistent with the format of NUREG-1432 (STS), the licensee has proposed to locate the administrative controls section in Section 5.0 of the PDTs. Where practicable, the Maine Yankee has proposed to pattern the individual specifications in the PDTs after those contained in the STS, but some deviations from the standard technical specifications have been included where the licensee determined it was appropriate to the unique status of the Maine Yankee facility. The scope and complexity of activities, and consequently the size of the staff, at the Maine Yankee facility is greatly reduced from those required for an

operating power plant. Therefore, the licensee has proposed to simplify some administrative controls as appropriate for the permanently defueled status of the reactor. Also, Maine Yankee has proposed to simplify some administrative provisions because the potential impact on the health and safety of the public due to postulated accidents is much lower than at an operating power plant.

CTS subsection 5.1 Responsibility - This subsection defines the individual with the overall responsibility for operation of the Maine Yankee facility as the Plant Manager. The licensee proposes to augment the content of subsection 5.1 in the proposed PDTS to be consistent with the content of improved Standard Technical Specification.

The onsite shift manager has been designated with responsibility for the command function. The improved Standard Technical Specifications require that the command function be maintained in the control room. This requirement is based on the centralized nature of the controls of an operating reactor and the rapid response necessary to command those controls in an abnormal or accident situation. Maine Yankee has stated that with the reactor permanently shutdown and defueled and the irradiated fuel safely stored in the spent fuel pool, the number of relevant controls located in the control room and the gradual nature of abnormal and accident situations do not warrant that this command function remain in the control room. The licensee states that a capability will be provided to maintain ready communication between the control room and the shift manager at all times and that the individual qualified to stand watch in the control room will be provided with the training necessary to take the appropriate initial responses as described in procedures. The licensee has also added a provision to utilize generic titles in the PDTS for members of the staff as provided in Regulatory Guide 1.8 - 1975 and/or ANSI N18.1 - 1971, unless otherwise defined in the technical specifications. Plant-specific, Maine Yankee titles for the functions and responsibilities associated with these generic titles are identified in the DSAR and/or QA program. The licensee states that this provision allows functions and responsibilities to be specified without constraining the nomenclature of the plant-specific titles and proposes that changes to the plant-specific titles may be handled in accordance with the controlling regulatory process such as 10 CFR 50.54(a) or 10 CFR 50.59 as appropriate. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility and the reduced nature of abnormal and accident situations that can occur at the plant, the proposed change allowing the shift manager to be away from the control room is acceptable. The staff finds the proposed revision to the Responsibility subsection to be consistent with the STS and finds the proposed change to be acceptable.

CTS subsection 5.2 Organization - This subsection defines the general organizational requirements for the Maine Yankee facility. The licensee has proposed to reword this subsection and retain it in PDTS 5.2. Maine Yankee has patterned this PDTS section after the format and wording of the improved Standard Technical Specifications with provisions that address the permanently defueled condition of the facility. These provisions include the minimum shift crew composition and the requirements related to certified fuel handlers. The licensee proposes to delete CTS 5.2.2.d (which requires that an individual qualified in radiation protection procedures shall be onsite when fuel is in the reactor) because there is

no longer any fuel in the reactor. The licensee has stated that radiation protection requirements including the presence of on-shift individuals qualified in radiation protection procedures will be described in the Radiation Protection Program specified in PDTS 5.6.1. The assertion of CTS 5.2.2.g stating that an operator holding a Senior Reactor Operator (SRO) license is qualified as a certified fuel handler has been deleted because the SRO licenses at the Maine Yankee facility are no longer maintained due to the implementation of Technical Specification Change No. 206 (issued by the NRC on November 26, 1997, which eliminated requirements for licensed operators). CTS Table 5.2-1 has been redesignated as PDTS Table 5.2.2-1. The licensee has proposed to augment the wording of CTS 5.2.2.1 to be consistent with the wording in the improved Standard Technical Specifications and to transfer this section to the PDTS Table 5.2.2-1. The provisions contained in CTS 5.8.5 on unit staff working hours have been transferred to PDTS 5.2.2.e and reworded to be consistent with the wording of the improved Standard Technical Specifications while addressing work functions associated with safe storage of fuel rather than operation of the reactor. The staff has determined that the proposed changes are appropriate for a permanently shutdown and defueled facility and are consistent with the improved STS. Therefore, the staff finds these proposed changes acceptable.

CTS subsection 5.3 Facility Staff Qualifications - This subsection specifies the requirements for qualifications of the facility staff. The licensee has proposed to retain this specification as worded in the CTS. The specification of Technician qualifications in CTS 5.3.1.c has been deleted. This specification was an exception to the ANSI standard which is endorsed by Regulatory Guide 1.8 - 1975 and Maine Yankee proposes to relocate this exception to the Quality Assurance Program (QAP). The staff has determined that the revision to staff qualifications is consistent with the STS, and finds the proposed change and relocation of the Technician exception from the technical specifications to a licensee-controlled document is consistent with the STS. The staff finds the relocation of this requirement to the QAP to be acceptable, in that changes to the QAP will be adequately controlled by 10 CFR 50.54(a).

CTS subsection 5.4 Training - This subsection specifies the requirements for training. This subsection was modified in Change No. 206 to specify the training requirements for certified fuel handlers to address facility staff and qualifications appropriate to the permanently defueled status of the Maine Yankee reactor. The licensee has proposed to retain this subsection. The staff has determined that retention of this section is appropriate given the unique nature of the certified fuel handler training program at permanently shutdown and defueled facilities. The staff finds the proposed inclusion of subsection 5.4 Training acceptable.

CTS subsection 5.5 Review and Audit - This subsection specifies the review and audit functions performed by the Plant Operating Review Committee (PORC) and the Nuclear Safety Audit and Review Committee. Maine Yankee proposes to replace the review and audit functions of the PORC and the NSARC with the review and audit requirements identified in an attachment to its submittal. With the termination of reactor operations at the Maine Yankee facility and the removal of operating authority pursuant to 10 CFR 50.82(a)(2), the scope and complexity of activities at the facility have been greatly

reduced. Consequently, the permanent staff supporting the Maine Yankee facility will also be much smaller than those required to support an operating plant. The licensee claims that the reduced scope of activities and limited staff make operation of two review committees impracticable and unnecessary. The responsibilities associated with the new review requirements will encompass the majority of the functions previously performed by the PORC and NSARC. Selected functions will be modified consistent with the scope of activities at a permanently defueled facility. In order to be consistent with the content of the improved Standard Technical Specifications, Maine Yankee proposes to relocate these requirements to the Quality Assurance Program. This review and audit function will be maintained under the provisions of 10 CFR 50.54. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, the review and audit function subsection may be reduced as described by the licensee and that the proposed relocation of these requirements to the licensee-controlled Quality Assurance Program to be consistent with the STS is appropriate. Therefore, the staff finds the proposed change to be acceptable.

CTS subsection 5.6 Reportable Event Action - This subsection covers requirements for events that are reportable per 10 CFR 50.73. Consistent with the content of the improved Standard Technical Specifications, Maine Yankee proposes not to include these in the PDTs. The staff has determined that the requirements for reporting of events are specified in the Commission's regulations and additional detail is not necessary in the PDTs. The staff finds the proposed deletion of this subsection to be consistent with the STS and finds the proposed deletion of this section to be acceptable.

CTS subsection 5.7 Safety Limit Violation Report - This subsection specifies the actions to be taken if a safety limit specified in CTS Section 2 is violated. As noted in the discussion of CTS Section 2 above, the safety limits are no longer applicable and Maine Yankee has proposed not to retain them in the proposed PDTs. Therefore, the provisions of TS Section 5.7 are unnecessary and the licensee has proposed not to retain them in the PDTs. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, this specification is no longer necessary for safe operation or maintenance of the plant, and finds its deletion to be acceptable.

CTS subsection 5.8 Programs and Procedures - This subsection specifies requirements for programs and procedures. Maine Yankee has proposed to retain this specification, with appropriate modifications, as PDTs 5.5 and 5.6.

CTS 5.8.1.a contains the program requirements for the Radioactive Effluent Controls Program. The licensee proposes to retain this program as PDTs 5.6.3. Amendment No. 125 to the Maine Yankee Facility Operating License approved the incorporation of programmatic controls for the Radiological Effluent Technical Specifications which were submitted by Maine Yankee based upon the guidance provided by the NRC in Generic Letter 89-01. The wording of CTS 5.8.1.a has been retained as approved in Amendment No. 125. The staff has determined that the relocation of the Radioactive Effluent Controls Program from CTS 5.8.1.a to PDTs 5.6.3 and the wording of PDTs 5.6.3 to be consistent with the STS. The staff finds the proposed change acceptable.

CTS 5.8.1.b contains the program requirements for the Radiological Environmental Monitoring Program. This program is included in the Offsite Dose Calculation Manual. In order to be consistent with the improved Standard Technical Specifications, Maine Yankee proposed to relocate CTS 5.8.1.b to the Offsite Dose Calculation Manual. The staff has determined that the relocation of the Radioactive Environmental Program from CTS 5.8.1.b to PDTS 5.6.3 to the ODCM to be consistent with the STS. The staff finds the proposed change acceptable.

CTS 5.8.2 specifies the establishment, implementation, and maintenance of procedures covering various activities. CTS 5.8.2.a referred to activities for which procedures were recommended in Appendix A of Regulatory Guide 1.33, (Rev. 2), February 1978. This wording has been modified to clarify that only procedures applicable to the safe storage of irradiated fuel are included in this item (PDTS 5.5). CTS 5.8.2.b, refueling operations, has been deleted in the proposed PDTS since refueling operations will no longer be conducted at the Maine Yankee facility. CTS 5.8.2.c covering procedures for surveillance and test activities of safety-related equipment has also been deleted consistent with the scope of procedures included in the improved Standard Technical Specifications. This provision is redundant to CTS 5.8.2.a which is included in the PDTS as noted above. CTS 5.8.2.g includes the Process Control Program (PCP) as an activity for which procedures are required to be established, implemented, and maintained. In order to be consistent with the improved Standard Technical Specifications, Maine Yankee proposed to relocate CTS 5.8.2.g to the DSAR. The staff finds the relocation of this requirement to the DSAR to be acceptable, in that changes to the DSAR will be adequately controlled by 10 CFR 50.59. CTS 5.8.2.h specifies the Offsite Dose Calculation Manual (ODCM) as an activity for which procedures are required to be established, implemented and maintained. The licensee states that this is subsumed in PDTS 5.5.1.f since the Offsite Dose Calculation Manual (ODCM) is a program specified in PDTS 5.6. The staff has determined that relocation of this section from the technical specifications to a licensee-controlled document is consistent with the STS and 50.36.

CTS subsections 5.8.3 and 5.8.4 contain requirements associated with permanent and temporary changes to procedures. Except for the ODCM portion, the licensee proposes to retain the provisions of these sections in the PDTS consistent with the improved Standard Technical Specifications. The provisions addressing changes to the ODCM (CTS 5.8.4.e) are covered by PDTS 5.6.2. Maine Yankee proposed to relocate CTS 5.8.4.d, the provisions addressing changes to the PCP, to the DSAR. Maine Yankee proposes to relocate the remaining requirements of 5.8.3 and 5.8.4 to the Quality Assurance Program. The staff has determined that relocation of this section from the technical specifications to a licensee-controlled document is consistent with the STS. The staff finds the relocation of this requirement to the DSAR and QAP to be acceptable, in that changes to the DSAR will be adequately controlled by 10 CFR 50.59 and changes to the QAP will be adequately controlled by 10 CFR 50.54(a).

CTS subsection 5.8.5 contains requirements regarding working hours. As discussed in CTS subsection 5.2 Organization above, the licensee has proposed to relocate and revise CTS subsection 5.8.5 Working Hours to PDTS 5.2.2.e to be consistent with the STS. As discussed in the evaluation of subsection 5.2 above, the staff finds this proposed change acceptable.

Additional Programs Included in PDTS 5.6 Programs and Manuals - The licensee has proposed several editorial revisions of the CTS to be consistent with the STS. Maine Yankee proposed the following programs as part of the PDTS:

- 5.6.1 Radiation Protection Program - This program is transferred in its entirety from CTS 5.11.
- 5.6.2 Offsite Dose Calculation Manual - This program is transferred in its entirety from the CTS Definition Section and CTS 5.8.4.d. The wording of this specification is consistent with the improved Standard Technical Specifications.
- 5.6.4 Technical Specification (TS) Bases Control Program - This is a new program being added consistent with the improved Standard Technical Specification.
- 5.6.5 Inservice Testing Program - This is a new program being added consistent with the improved Standard Technical Specification. It replaces the inservice testing portion of CTS 4.7.

The staff has determined that the proposed revisions are consistent with the improved STS to the extent consistent with the permanently shutdown and defueled status of the facility. The staff finds the proposed changes acceptable.

STS 5.5 Programs Not Included in PDTS 5.6 - There are some programs specified in the improved Standard Technical Specifications that the licensee stated do not apply to a facility with a permanently shutdown and defueled reactor. Maine Yankee has proposed not to include the following programs in their PDTS:

- STS 5.5.2 Primary Coolant Sources Outside Containment;
- STS 5.5.3 Post Accident Sampling;
- STS 5.5.5 Component Cyclic or Transient Limit;
- STS 5.5.6 Pre-Stressed Concrete Containment Tendon Surveillance Program;
- STS 5.5.7 Reactor Coolant Pump Flywheel Inspection Program;
- STS 5.5.9 Steam Generator (SG) Tube Surveillance Program;
- STS 5.5.10 Secondary Water Chemistry Program;
- STS 5.5.11 Ventilation Filter Testing Program (VFTP);
- STS 5.5.12 Explosive Gas and Storage Tank Radioactivity Monitoring Program;
- STS 5.5.13 Diesel Fuel Oil Testing Program; and
- STS 5.5.15 Safety Functions Determination Program (SFDP)

STS 5.5.2 and 5.5.3 requires controls for monitoring and preventing the release of highly radioactive fluids generated from design basis accidents. However, since the reactor has been permanently shut down and defueled, the limiting design basis accidents no longer have the potential for generating highly radioactive fluids. Therefore, Maine Yankee has proposed not to specify these programs in the PDTS. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, these specifications are not necessary for safe operation or maintenance of the plant, and finds not including them in the PDTS to be acceptable.

STS 5.5.5, 5.5.6, 5.5.7, 5.5.9, 5.5.10, 5.5.11, and 5.5.13 requires controls for monitoring, tracking or inspection activities associated with systems, structures, and components which either do not apply to Maine Yankee or are no longer required with the reactor in a permanently shutdown and defueled condition. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, these specifications are not necessary for safe operation or maintenance of the plant, and finds not including them in the PDTS to be acceptable.

STS 5.5.12 requires monitoring of explosive gas and radioactivity contained in gas storage tanks and systems and radioactivity in unprotected outdoor liquid storage tanks. The licensee has proposed not to adopt the provisions of STS 5.5.12 associated with gas storage because the activities at Maine Yankee will no longer result in the generation of gasses to be stored in the radioactive gas storage system. The licensee has proposed not to adopt the provisions of STS 5.5.12 associated with outdoor tanks because the basis of this portion of STS 5.5.12 is to limit potential releases to less than 10 CFR Part 20 limits at the nearest potable water supply and the nearest surface water supply. Maine Yankee is located on a point of land on a salt water estuary and there are no downstream water supplies that could be affected. In the 1980s when Maine Yankee was converting the Radiological Environmental Technical Specifications (RETS) to the Offsite Dose Calculation Manual, it was determined that there was not a need for a storage tank monitoring program for the facility. Therefore, the licensee contends that the basis for the STS does not apply to Maine Yankee, and has proposed not to adopt the specification. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility and its location such that there are no downstream potable water supplies, STS specification 5.5.12 is not necessary for safe operation or maintenance of the plant, and finds not including it in the PDTS to be acceptable.

STS 5.5.15 requires a program to ensure that any loss of safety function is detected and appropriate action taken. The program consists of safety function evaluations, cross train checks and evaluation to determine the impact on supported system's operability and required action completion times. With the Maine Yankee reactor permanently shut down and defueled, the complexity of determining safety functions normally associated with operating reactors is greatly reduced. As a result, the licensee contends that the simplified LCO section of the proposed PDTS makes a Safety Functions Determination Program

unnecessary. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, and the limited number of LCOs contained in the PDTS, STS specification 5.5.15 is not necessary for safe storage of irradiated fuel at the facility, and finds not including it in the PDTS to be acceptable.

The licensee determined that several additional programs not specified in the CTS, but included in the standard technical specifications were appropriate to the Maine Yankee facility and proposed to incorporate them in the PDTS. These include PDTS 5.6.1, radiation control program; PDTS 5.6.2, offsite dose calculation manual; PDTS 5.6.3, radioactive effluent controls program; PDTS 5.6.4, technical specification basis control program; and PDTS 5.6.5, inservice testing program. The staff has determined that the proposed revisions are consistent with the improved STS to the extent consistent with the permanently shutdown and defueled status of the facility. The staff finds the proposed changes acceptable.

CTS subsection 5.9 Reporting Requirements - This subsection contains requirements for submitting various reports. The licensee has proposed to retain this subsection, with appropriate modifications, as PDTS 5.7. The wording is consistent with the improved STS to the extent consistent with the permanently shutdown and defueled status of the reactor. Several reports listed in CTS Section 5.9 are no longer appropriate for a permanently defueled facility and have been deleted in the PDTS 5.7. These include:

- Startup Reports required by CTS 5.9.1.1 & 5.9.1.2;
- Monthly Operating Reports required by CTS 5.9.1.4;
- Special Reports CTS 5.9.1.7; and
- Core Operating Limits Report required by CTS 5.9.1.7.

The staff has determined that the proposed revisions are consistent with the improved STS to the extent consistent with the permanently shutdown and defueled status of the facility. The staff finds the proposed changes acceptable.

CTS 5.9.1.7 requires special reports for: (a) Reactivity Anomalies, CTS 3.15; (b) Excessive Radioactive Release, ODCM; (c) Plans for Restoration of 115 kV Service, CTS 3.12; and (d) Total Dose, ODCM. Maine Yankee proposes to delete CTS 5.9.1.7(a) and (c) because the related CTS has been deleted. Maine Yankee also proposes to relocate CTS 5.9.1.7(b) and (d) to the ODCM. The staff has determined that the proposed revisions are consistent with the improved STS to the extent consistent with the permanently shutdown and defueled status of the facility. The staff finds the proposed changes acceptable.

STS 5.6 Reporting Requirements Not Included in PDTS 5.7 - There are some reporting requirements specified in the improved Standard Technical Specifications which the licensee has stated do not apply to a facility with a permanently shutdown and defueled reactor. The licensee has proposed not including the following STS reporting requirements in the PDTS:

- STS 5.6.6 Reactor Coolant System Pressure and Temperature Limits Report(PTLR);
- STS 5.6.7 EDG Failures Report;
- STS 5.6.8 Post Accident Monitoring Report;
- STS 5.6.9 Tendon Surveillance Report; and
- STS 5.6.10 Steam Generator Tube Inspector Report

The licensee has stated that these reporting requirements are associated with systems, structures, and components which either do not apply to Maine Yankee or are no longer required with the reactor in a permanently shutdown and defueled condition. The staff has determined that these reports are not necessary for safe storage of irradiated fuel at the Maine Yankee facility. The staff finds the licensee's proposal not to include these reports in the PDTS to be acceptable.

CTS Section 5.10 Record Retention - This subsection contains requirements for the retention of various types of records. Maine Yankee has proposed to relocate the record retention requirements to the Quality Assurance Program where they will be maintained pursuant to 10 CFR 50.54(a), consistent with the improved STS. Therefore, the licensee proposes not to include the record retention requirements of CTS 5.10 in the PDTS. The staff has determined that the proposed revisions are consistent with the improved STS to the extent consistent with the permanently shutdown and defueled status of the facility. The staff finds the proposed changes acceptable.

The licensee has proposed not to retain some record types in the relocation to the Quality Assurance Program as the licensee states that they are no longer applicable as discussed in specific CTS sections. These include:

- CTS 5.10.2.f covering records of transient or operational cycles,
- CTS 5.10.2.i covering records of inservice inspections.

The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, these specification are not necessary for safe operation or maintenance of the plant, and finds not including them in the PDTS to be acceptable.

CTS subsection 5.11 Radiation Protection Program - This subsection specifies the requirement for a radiation protection program. The licensee proposes to retain this specification without modification as PDTS 5.6.1. The staff has determined that the proposed change is consistent with the improved STS and finds the proposed change acceptable.

CTS subsection 5.12 High Radiation Areas - This subsection specifies requirements for the control of high radiation areas. The provisions of the CTS subsection are included in proposed PDTS 5.8. The licensee has also included in this PDTS additional provisions contained in the improved Standard Technical Specifications. The scope and content of PDTS 5.8 are consistent with the improved Standard Technical Specifications contained in NUREG-1432. The staff has determined that the proposed change is consistent with the improved STS and finds the proposed change acceptable.

CTS subsection 5.13 - This subsection was previously deleted.

CTS subsection 5.14 Core Operating Limits Report - This subsection specifies core operating limit parameters be established and implemented in the Core Operating Limits Report (COLR) by specified analytical methods that have been previously reviewed and approved by the NRC. Because the Maine Yankee reactor is permanently shut down and defueled, the license states that these parameters and related analytical methods no longer apply. Therefore, Maine Yankee proposes not to retain this subsection in the PDTS. The staff has determined that due to the permanently shutdown and defueled status of the Maine Yankee facility, these specification are not necessary for safe operation or maintenance of the plant, and finds not including them in the PDTS to be acceptable.

Specifications Included in the PDTS

The licensee has proposed to include two LCOs and associated surveillance requirements in the proposed PDTS. Maine Yankee determined that these specifications are necessary to meet 10 CFR 50.36(c)(2)(ii) criterion, in that they cover limits that are initial conditions for design bases accidents. These specifications are discussed separately below.

PDTS 3.1.1 Spent Fuel Pool Water Level - This specification would require that the spent fuel pool water level be maintained within limits during fuel movement and requires verification of compliance at a 24-hour frequency. The actions associated with this LCO would require immediate suspension of movement of irradiated fuel assemblies in the fuel storage to minimize the potential for a fuel handling accident or a loss of shielding during fuel movement. Maine Yankee states that the minimum water level in the fuel storage pool meets the assumptions of iodine decontamination factors following a fuel handling accident. Although the spent fuel fission products have actually decayed more than one year, the licensee based the proposed LCO on an analysis which assumes a one week and/or 72 hour decay period. The resulting doses which are calculated for the fuel handling accident are below the values specified in 10 CFR100. The specified water level also shields and minimizes the general area dose during fuel movement. The staff has determined that the proposed addition of a specification for spent fuel pool water level will help to ensure that initial conditions assumed in the accident analysis are preserved. The staff finds the proposed change acceptable.

PDTS 3.1.2 Spent Fuel Boron Concentration - This specification would place a limit on the minimum soluble boron concentration in the spent fuel pool. This limit would apply whenever fuel assemblies are stored in the spent fuel pool and a fuel storage pool

verification has not been performed since the last movement of fuel assemblies in the spent fuel pool. The design of the spent fuel pool is based on the use of unborated water, which maintains a subcritical condition ($K_{eff} < 0.95$) during normal operation with the spent fuel racks fully loaded. However, the water in the spent fuel pool normally contains soluble boron. The presence of this soluble boron is credited in the analyses of abnormal conditions. PDTS 3.1.2 limits the boron concentration to no less than 1000 ppm to preserve, with operating margin, the initial conditions assumed in the licensee's accident analyses. An analysis value for boron concentration of 663 ppm, assumed in the analysis for the postulated misplaced fuel assembly, was determined by Maine Yankee to be required to maintain a 5% $\Delta k/k$ safety margin to criticality. The LCO would be applicable whenever fuel assemblies are stored in the spent fuel pool and a spent fuel pool verification has not been performed since the last movement of fuel assemblies in the fuel storage pool. If the concentration of boron in the spent fuel pool is less than required, the LCO would require immediate action to minimize the potential for misplacement of a fuel assembly. Immediate actions are also required to either initiate action to restore fuel storage pool boron concentration to within limit or initiate action to perform a fuel storage pool verification.

The surveillance requirements verify that the concentration of boron in the spent fuel pool is within the required limit when the LCO is applicable. Maine Yankee states that the 7-day frequency is appropriate during the movement of fuel assemblies because no major replenishment of pool water that could result in a dilution of the boron concentration is expected to take place over such a short period. The staff has determined that the inclusion of a specification for spent fuel pool boron concentration is appropriate for the safe storage of irradiated fuel and that the proposed specification is consistent with the improved STS. The staff finds the proposed specification acceptable.

The proposed defueled technical specifications reflect more accurately the permanently shutdown and defueled status of the facility than do the current technical specifications. They will be clearer and easier to use as a result of the adaption of the Standard Technical Specification format. It is the staff's assessment that the changes proposed in this amendment do not pose any decrease in safety, or an increase in the probability of an analyzed or unanalyzed accident. Therefore, the staff finds the proposed defueled technical specifications acceptable.

3.0 STATE CONSULTATION

In accordance with the regulations of the Commission, on March 20, 1998, Mr. Pat Dostie of State of Maine, Office of Nuclear Safety, was notified of the proposed issuance of this amendment. The State official had no comments.

4.0 ENVIRONMENTAL CONSIDERATION

The amendment changes 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 and also changes a reporting requirement. The amendment also relates to administrative procedures or 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 (62 FR 63978). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9) and (10). 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.

5.0 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 regulations of the Commission, 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.

Principal Contributor: M. Webb

Date: March 30, 1998