



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 8, 2022

Mr. Steven M. Snider
Vice President, Oconee Nuclear Station
Duke Energy Carolinas, LLC
7800 Rochester Highway
Seneca, SC 29672-0752

SUBJECT: OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3 – ISSUANCE OF AMENDMENT NOS. 426, 428, AND 427, RE: ADDITIONAL MODE CHANGE LIMITATIONS APPLICABLE TO THE ADOPTION OF TSTF- 359, REVISION 9, “INCREASE FLEXIBILITY IN MODE RESTRAINTS” (EPID L-2022-LLA-0050)

Dear Mr. Snider:

The U.S. Nuclear Regulatory Commission (Commission) has issued the enclosed Amendment Nos. 426, 428, and 427 to Renewed Facility Operating Licenses DPR-38, DPR-47, and DPR-55, for the Oconee Nuclear Station, Units 1, 2, and 3, (ONS) respectively. The amendments are in response to the application from Duke Energy Carolinas, LLC, dated March 31, 2022, as supplemented by letter dated October 7, 2022.

The amendments revise ONS technical specifications (TSs) to address additional mode change limitations applicable to the adoption of Technical Specifications Tasks Force (TSTF) Traveler No. 359, Revision 9, “Increase Flexibility in Mode Restraints.” Specifically, the change removes the notes restricting the applicability of Limiting Condition for Operation (LCO) 3.0.4 to TS 3.6.5, “Reactor Building Spray and Cooling Systems,” TS 3.7.10a, “Protected Service Water (PSW) Battery Cell Parameters,” TS 3.7.16, “Control Room Area Cooling Systems (CRACS),” TS 3.8.5, “Battery Cell Parameters,” TS 3.10.1, “Standby Shutdown Facility (SSF),” and TS 3.10.2, “Standby Shutdown Facility (SSF) Battery Cell Parameters.”

A copy of the related safety evaluation is also enclosed. A Notice of Issuance will be included in the Commission’s monthly *Federal Register* notice.

S. Snyder

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If you have any questions, please call me at 301-415-1009, or by email at Shawn.Williams@nrc.gov.

Sincerely,

/RA/

Shawn A. Williams, Senior Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-269, 50-270, and 50-287

Enclosures:

1. Amendment No. 426 to DPR-38
2. Amendment No. 428 to DPR-47
3. Amendment No. 427 to DPR-55
4. Safety Evaluation

cc: Listserv



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

DUKE ENERGY CAROLINAS, LLC

DOCKET NO. 50-269

OCONEE NUCLEAR STATION, UNIT 1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 426
Renewed License No. DPR-38

1. The Nuclear Regulatory Commission (NRC, the Commission) has found that:
 - A. The application for amendment to the Oconee Nuclear Station, Unit 1 (the facility), Renewed Facility Operating License No. DPR-38, filed by Duke Energy Carolinas, LLC (the licensee), dated March 31, 2022, and supplemented by letter dated October 7, 2022, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations as set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is hereby amended by page changes to the Renewed Facility Operating License and Technical Specifications as indicated in the attachment to this license amendment, and Paragraph 3.B of Renewed Facility Operating License No. DPR-38 is hereby amended to read as follows:

B. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 426, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 90 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Michael T. Markley, Chief
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to Renewed Facility
Operating License No. DPR-38
and the Technical Specifications

Date of Issuance: December 8, 2022



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

DUKE ENERGY CAROLINAS, LLC

DOCKET NO. 50-270

OCONEE NUCLEAR STATION, UNIT 2

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 428
Renewed License No. DPR-47

1. The Nuclear Regulatory Commission (NRC, the Commission) has found that:
 - A. The application for amendment to the Oconee Nuclear Station, Unit 2 (the facility), Renewed Facility Operating License No. DPR-47, filed by Duke Energy Carolinas, LLC (the licensee), dated March 31, 2022, and supplemented by letter dated October 7, 2022, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations as set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is hereby amended by page changes to the Renewed Facility Operating License and Technical Specifications as indicated in the attachment to this license amendment, and Paragraph 3.B of Renewed Facility Operating License No. DPR-47 is hereby amended to read as follows:

B. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 428, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 90 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Michael T. Markley, Chief
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to Renewed Facility
Operating License No. DPR-47
and the Technical Specifications

Date of Issuance: December 8, 2022



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

DUKE ENERGY CAROLINAS, LLC

DOCKET NO. 50-287

OCONEE NUCLEAR STATION, UNIT 3

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 427
Renewed License No. DPR-55

1. The Nuclear Regulatory Commission (NRC, the Commission) has found that:
 - A. The application for amendment to the Oconee Nuclear Station, Unit 3 (the facility), Renewed Facility Operating License No. DPR-55, filed by Duke Energy Carolinas, LLC (the licensee), dated March 31, 2022, and supplemented by letter dated October 7, 2022, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations as set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is hereby amended by page changes to the Renewed Facility Operating License and Technical Specifications as indicated in the attachment to this license amendment, and Paragraph 3.B of Renewed Facility Operating License No. DPR-55 is hereby amended to read as follows:

B. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 427, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 90 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Michael T. Markley, Chief
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to Renewed Facility
Operating License No. DPR-55
and the Technical Specifications

Date of Issuance: December 8, 2022

ATTACHMENT TO

AMENDMENT NO. 426 RENEWED FACILITY OPERATING LICENSE NO. DPR-38

AMENDMENT NO. 428 RENEWED FACILITY OPERATING LICENSE NO. DPR-47

AMENDMENT NO. 427 RENEWED FACILITY OPERATING LICENSE NO. DPR-55

OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3

DOCKET NOS. 50-269, 50-270, AND 50-287

Replace the following pages of the Operating Licenses and the Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove Pages

Insert Pages

Operating Licenses

Operating Licenses

License No. DPR-38, page 3
License No. DPR-47, page 3
License No. DPR-55, page 3

License No. DPR-38, page 3
License No. DPR-47, page 3
License No. DPR-55, page 3

Technical Specifications

Technical Specifications

3.6.5.1
3.7.10a-1
3.7.16-1
3.8.5-1
3.10.1-1
3.10.2-1

3.6.5.1
3.7.10a-1
3.7.16-1
3.8.5-1
3.10.1-1
3.10.2-1

A. Maximum Power Level

The licensee is authorized to operate the facility at steady state reactor core power levels not in excess of 2610 megawatts thermal.

B. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 426 are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

C. This license is subject to the following antitrust conditions:

Applicant makes the commitments contained herein, recognizing that bulk power supply arrangements between neighboring entities normally tend to serve the public interest. In addition, where there are net benefits to all participants, such arrangements also serve the best interests of each of the participants. Among the benefits of such transactions are increased electric system reliability, a reduction in the cost of electric power, and minimization of the environmental effects of the production and sale of electricity.

Any particular bulk power supply transaction may afford greater benefits to one participant than to another. The benefits realized by a small system may be proportionately greater than those realized by a larger system. The relative benefits to be derived by the parties from a proposed transaction, however, should not be controlling upon a decision with respect to the desirability of participating in the transaction. Accordingly, applicant will enter into proposed bulk power transactions of the types hereinafter described which, on balance, provide net benefits to applicant. There are net benefits in a transaction if applicant recovers the cost of the transaction (as defined in ¶1 (d) hereof) and there is no demonstrable net detriment to applicant arising from that transaction.

1. As used herein:

- (a) "Bulk Power" means electric power and any attendant energy, supplied or made available at transmission or sub-transmission voltage by one electric system to another.
- (b) "Neighboring Entity" means a private or public corporation, a governmental agency or authority, a municipality, a cooperative, or a lawful association of any of the foregoing owning or operating, or proposing to own or operate, facilities for the generation and transmission of electricity which meets each of

A. Maximum Power Level

The licensee is authorized to operate the facility at steady state reactor core power levels not in excess of 2610 megawatts thermal.

B. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 428 are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

C. This license is subject to the following antitrust conditions:

Applicant makes the commitments contained herein, recognizing that bulk power supply arrangements between neighboring entities normally tend to serve the public interest. In addition, where there are net benefits to all participants, such arrangements also serve the best interests of each of the participants. Among the benefits of such transactions are increased electric system reliability, a reduction in the cost of electric power, and minimization of the environmental effects of the production and sale of electricity.

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- (b) "Neighboring Entity" means a private or public corporation, a governmental agency or authority, a municipality, a cooperative, or a lawful association of any of the foregoing owning or operating, or proposing to own or operate, facilities for the generation and transmission of electricity which meets each of

A. Maximum Power Level

The licensee is authorized to operate the facility at steady state reactor core power levels not in excess of 2610 megawatts thermal.

B. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 427 are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

C. This license is subject to the following antitrust conditions:

Applicant makes the commitments contained herein, recognizing that bulk power supply arrangements between neighboring entities normally tend to serve the public interest. In addition, where there are net benefits to all participants, such arrangements also serve the best interests of each of the participants. Among the benefits of such transactions are increased electric system reliability, a reduction in the cost of electric power, and minimization of the environmental effects of the production and sale of electricity.

Any particular bulk power supply transaction may afford greater benefits to one participant than to another. The benefits realized by a small system may be proportionately greater than those realized by a larger system. The relative benefits to be derived by the parties from a proposed transaction, however, should not be controlling upon a decision with respect to the desirability of participating in the transaction. Accordingly, applicant will enter into proposed bulk power transactions of the types hereinafter described which, on balance, provide net benefits to applicant. There are net benefits in a transaction if applicant recovers the cost of the transaction (as defined in ¶1 (d) hereof) and there is no demonstrable net detriment to applicant arising from that transaction.

1. As used herein:

- (a) "Bulk Power" means electric power and any attendant energy, supplied or made available at transmission or sub-transmission voltage by one electric system to another.
- (b) "Neighboring Entity" means a private or public corporation, a governmental agency or authority, a municipality, a cooperative, or a lawful association of any of the foregoing owning or operating, or proposing to own or operate, facilities for the generation and transmission of electricity which meets each of

3.6 CONTAINMENT SYSTEMS

3.6.5 Reactor Building Spray and Cooling Systems

LCO 3.6.5 Two reactor building spray trains and three reactor building cooling trains shall be OPERABLE.

-----NOTE-----
Only one train of reactor building spray and two trains of reactor building cooling are required to be OPERABLE during MODES 3 and 4.

APPLICABILITY: MODES 1, 2, 3, and 4.

ACTIONS

CONDITION	REQUIRED ACTION	COMPLETION TIME
A. One reactor building spray train inoperable in MODE 1 or 2.	A.1 Restore reactor building spray train to OPERABLE status.	7 days
B. One reactor building cooling train inoperable in MODE 1 or 2.	B.1 Restore reactor building cooling train to OPERABLE status.	7 days

(continued)

3.7 PLANT SYSTEMS

3.7.10a Protected Service Water (PSW) Battery Cell Parameters

LCO 3.7.10a Battery Cell parameters for the required PSW battery shall be within limits.

APPLICABILITY: When the PSW system is required to be OPERABLE.

ACTIONS

CONDITION	REQUIRED ACTION	COMPLETION TIME
A. Required battery with one or more battery cell float voltages ≤ 2.07 V.	A.1 Perform SR 3.7.10.1	2 hours
	<u>AND</u>	
	A.2 Perform SR 3.7.10a.1.	2 hours
	<u>AND</u>	
	A.3 Restore affected cell voltage > 2.07 V.	24 hours
B. Required battery with float current > 2 amps.	B.1 Perform SR 3.7.10.1	2 hours
	<u>AND</u>	
	B.2 Restore battery float current to ≤ 2 amps.	12 hours

(continued)

3.7 PLANT SYSTEMS

3.7.16 Control Room Area Cooling Systems (CRACS)

LCO 3.7.16 Two CRACS trains shall be OPERABLE as follows:

- a. Two trains of the Control Room Ventilation System (CRVS) shall be OPERABLE, and
- b. Two trains of the Chilled Water (WC) System shall be OPERABLE.

APPLICABILITY: MODES 1, 2, 3, and 4,
During movement of recently irradiated fuel assemblies.

ACTIONS

CONDITION	REQUIRED ACTION	COMPLETION TIME
A. One CRVS train inoperable.	A.1 Restore CRVS train to OPERABLE status.	30 days
B. One WC train inoperable.	B.1 Restore WC train to OPERABLE status.	30 days
C. Control Room area air temperature not within limit.	C.1 Restore Control Room area air temperature within limit.	7 days

(continued)

3.8 ELECTRICAL POWER SYSTEMS

3.8.5 Battery Cell Parameters

LCO 3.8.5 Battery cell parameters for the Keowee Hydro Unit (KHU), 125 VDC Vital I&C, and 230 kV 125 VDC switchyard batteries shall be within the limits of Table 3.8.5-1.

APPLICABILITY: When associated DC power sources are required to be OPERABLE.

ACTIONS

-----NOTE-----
Separate Condition entry is allowed for each battery.

CONDITION	REQUIRED ACTION	COMPLETION TIME
A. One or more batteries with one or more battery cell parameters not within Category A or B limits.	A.1 Verify pilot cell electrolyte level and float voltage meet Table 3.8.5-1 Category C values.	1 hour
	<u>AND</u>	
	A.2 Verify battery cell parameters meet Table 3.8.5-1 Category C values.	24 hours <u>AND</u> Once per 7 days thereafter
	<u>AND</u>	
	A.3 Restore battery cell parameters to Category A and B limits of Table 3.8.5-1.	90 days

(continued)

3.10 STANDBY SHUTDOWN FACILITY

3.10.1 Standby Shutdown Facility (SSF)

LCO 3.10.1 The SSF Instrumentation and the following SSF Systems shall be OPERABLE:

- a. SSF Auxiliary Service Water System;
- b. SSF Portable Pumping System;
- c. SSF Reactor Coolant Makeup System; and
- d. SSF Power System.

APPLICABILITY: MODES 1, 2, and 3.

ACTIONS

CONDITION	REQUIRED ACTION	COMPLETION TIME
A. SSF Auxiliary Service Water System inoperable.	A.1 Restore SSF Auxiliary Service Water System to OPERABLE status.	7 days
B. SSF Portable Pumping System inoperable.	B.1 Restore SSF Portable Pumping System to OPERABLE status.	7 days

(continued)

3.10 STANDBY SHUTDOWN FACILITY

3.10.2 Standby Shutdown Facility (SSF) Battery Cell Parameters

LCO 3.10.2 Battery cell parameters for the SSF batteries shall be within the limits of Table 3.10.2-1.

APPLICABILITY: When the associated SSF Power System battery is required to be OPERABLE.

ACTIONS

CONDITION	REQUIRED ACTION	COMPLETION TIME
<p>A. Required SSF battery with one or more battery cell parameters not within Category A or B limits.</p>	<p>A.1 Verify pilot cell(s) electrolyte level and float voltage meet Table 3.10.2-1 Category C values.</p>	<p>1 hour</p>
	<p><u>AND</u></p> <p>A.2 Verify battery cell parameters meet Table 3.10.2-1 Category C values.</p>	<p>24 hours</p> <p><u>AND</u></p> <p>Once per 7 days thereafter</p>
	<p><u>AND</u></p> <p>A.3 Restore battery cell parameters to Category A and B limits of Table 3.10.2-1.</p>	<p>90 days</p>

(continued)



UNITED STATES
NUCLEAR REGULATORY COMMISSION
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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION FOR
AMENDMENT NO. 426 TO RENEWED FACILITY OPERATING LICENSE NO. DPR-38
AMENDMENT NO. 428 TO RENEWED FACILITY OPERATING LICENSE NO. DPR-47
AMENDMENT NO. 427 TO RENEWED FACILITY OPERATING LICENSE NO. DPR-55

DUKE ENERGY CAROLINAS, LLC

OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3

DOCKET NOS. 50-269, 50-270, AND 50-287

1.0 INTRODUCTION

By application dated March 31, 2022 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML22090A090), as supplemented by letter dated October 7, 2022 (ML22280A032), Duke Energy Carolinas, LLC (Duke, the licensee), requested changes to the technical specifications (TSs) for the Oconee Nuclear Station, Units 1, 2, and 3 (Oconee, ONS) related to their previous adoption of NRC-approved Technical Specifications Tasks Force (TSTF) Traveler No. 359, Revision 9, "Increase Flexibility in Mode Restraints" (ML031190607). The availability of TSTF-359-A for adoption by licensees was announced in the *Federal Register* on April 4, 2003 (68 FR 16579) as part of the Consolidated Line Item Improvement Process.

Prior to the U.S. Nuclear Regulatory Commission's (NRC) approval of TSTF-359-A, the Standard Technical Specifications (STS, NUREG-1430 through 1434) specified that a nuclear power plant could not go to higher modes of operation (i.e., move toward power operation) unless: 1) all technical specification (TS) systems, normally required for the higher mode, are operable, or 2) if the required actions for the inoperable system or component allow continued operation for an indefinite period of time. In addition, entry into higher modes of operation could not be made unless all LCO Surveillances had been met within their specified frequency. These limitations were typically included in licensee technical specifications in limiting condition for operation (LCO) 3.0.4 and surveillance requirement (SR) 3.0.4. The industry felt that these requirements were unnecessarily restrictive and could unduly delay plant startup while considerable resources were used to resolve startup issues that are risk insignificant or low risk. A maintenance activity that takes longer than planned could delay a mode change and adversely impact a utility's orderly plant startup and return to power operation. The objective of TSTF-359-A was to provide additional operational flexibility without compromising plant safety.

The changes in TSTF-359-A revised LCO 3.0.4 and SR 3.0.4 in the STS. Specifically, LCO 3.0.4 was modified to create:

- 1) LCO 3.0.4(a), which retains the current allowance for when the required actions allow indefinite operation
- 2) LCO 3.0.4(b), which allows entering modes or other specified conditions in the applicability except when higher-risk systems and components, for the mode being entered, are inoperable. The decision for entering a higher mode or condition in the applicability of the LCO will be made by plant management after the required risk assessment has been performed and requisite risk management actions established, through the program established to implement 10 CFR [Title 10 of the *Code of Federal Regulations*] 50.65(a)(4). Entry into the modes or other specified conditions in the applicability of the TS shall be for no more than the duration of the applicable required actions completion time, or until the LCO is met.
- 3) LCO 3.0.4(c), which allows a mode change when an allowance is specifically stated in the individual value or parameter specification.

In addition, existing notes in individual specifications that permitted mode changes under the previous LCO 3.0.4 by restricting the applicability of LCO 3.0.4 are now encompassed by LCO 3.0.4(b) and can be removed. Notes that prohibit mode changes under LCO 3.0.4(b) must be added for higher-risk systems and components. The proposed LCO 3.0.4(b) allowance can involve multiple components in a single LCO or in multiple LCOs; however, use of the LCO 3.0.4(b) provisions are always contingent upon completion of a 10 CFR 50.65(a)(4) based risk assessment.

The licensee previously adopted the provisions of TSTF-359-A through license amendment numbers 417, 419, and 418 dated September 4, 2020 (ML20237F435). This license amendment request (LAR) seeks to remove the remaining notes in the ONS TS that had been inadvertently omitted in the licensee's previous application to adopt the provisions of TSTF- 359- A. Specifically, the change removes the notes restricting the applicability of LCO 3.0.4 to TS 3.6.5, "Reactor Building Spray and Cooling Systems," TS 3.7.10a, "Protected Service Water (PSW) Battery Cell Parameters," TS 3.7.16, "Control Room Area Cooling Systems (CRACS)," TS 3.8.5, "Battery Cell Parameters," TS 3.10.1, "Standby Shutdown Facility (SSF)," and TS 3.10.2, "Standby Shutdown Facility (SSF) Battery Cell Parameters."

The supplement dated October 7, 2022, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards consideration determination as published in the *Federal Register* on May 17, 2022 (87 FR 29883).

2.0 REGULATORY EVALUATION

2.1 Description of Changes

The proposed changes would remove restrictions from six LCOs that prevent the application of the current LCO 3.0.4 for mode changes consistent with the provisions of TSTF-359-A. The six LCOs are plant-specific LCOs that previously restricted the applicability of LCO 3.0.4 and were not previously identified as needing modification in the licensee's application associated with the

adoption of TSTF-359-A. Accordingly, in this LAR, they are seeking removal of TS notes for these plant-specific LCOs. The specific changes requested in the LAR are:

- LCO 3.6.5 – Reactor Building Spray and Cooling Systems
Delete Note that states, “LCO 3.0.4 is not applicable for Unit 2.”
- TS 3.7.10a – Protected Service Water (PSW) Battery Cell Parameters
Delete Note that states, “LCO 3.0.4 is not applicable.”
- LCO 3.7.16 – Control Room Area Cooling Systems (CRACS)
Delete Note from Action C that states, “LCO 3.0.4 is not applicable.”
- TS 3.8.5 – Battery Cell Parameters
Revise Notes to delete Note 2 that states, “LCO 3.0.4 is not applicable.”
- LCO 3.10.1 – Standby Shutdown Facility (SSF)
Delete Note that states, “LCO 3.0.4 is not applicable.”
- TS 3.10.2 – Standby Shutdown Facility (SSF) Battery Cell Parameters
Delete Note that states, “LCO 3.0.4 is not applicable.”

2.2 Regulatory Evaluation

In 10 CFR 50.36, the Commission established its regulatory requirements related to the content of TS. Pursuant to 10 CFR 50.36, TS are required to include items in the following five specific categories related to station operation: (1) safety limits, limiting safety system settings, and limiting control settings; (2) limiting conditions for operation (LCO); (3) surveillance requirements (SR); (4) design features; and (5) administrative controls. The rule does not specify the particular requirements to be included in a plant’s TS.

As stated in 10 CFR 50.36(c)(2)(i), the “Limiting conditions for operation are the lowest functional capability or performance levels of equipment required for safe operation of the facility. When a limiting condition for operation of a nuclear reactor is not met, the licensee shall shut down the reactor or follow any remedial action permitted by the technical specifications ...”

By convention, the LCOs are contained in Sections 3.1 through 3.10 of the STS. LCO 3.0.4 and SR 4.0.4 address requirements for LCO compliance when transitioning between modes.

The NRC staff’s guidance for the review of TSs is in Chapter 16.0, “Technical Specifications,” of NUREG-0800, Revision 3, “Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants: LWR [Light-Water Reactor] Edition” (SRP), March 2010 (ML100351425). As described therein, as part of the regulatory standardization effort, the NRC staff has prepared STSs for each of the LWR nuclear designs. Accordingly, the NRC staff’s review includes consideration of whether the proposed changes are consistent with the NUREG-1430, “Standard Technical Specifications, Babcock and Wilcox Plants,” Volume 1, “Specifications,” and Volume 2, “Bases,” Revision 5.0, dated September 2021 (ML21272A363 and ML21272A370, respectively), as modified by NRC-approved travelers.

The licensee previously adopted the provisions of TSTF-359-A through license amendment dated September 4, 2020. As noted above, the adoption of LCO 3.0.4(b) allows for the removal of previous notes that permitted mode changes under the previous LCO 3.0.4. In addition, notes that prohibit mode changes under LCO 3.0.4(b) must be added for higher-risk systems and components. This license amendment request seeks to remove the remaining notes in the ONS TS that were inadvertently overlooked in the licensee's application to adopt the provisions of TSTF-359-A. As such, the staff's safety evaluation from the September 4, 2020, license amendment is applicable and relevant to the staff's evaluation of this LAR.

3.0 TECHNICAL EVALUATION

3.1 Licensee's Justification

The licensee stated that the six proposed TS note revisions in this LAR should have been included in the February 6, 2020 LAR (ML20041F551) to adopt TSTF-359 such that the notes precluding the applicability of LCO 3.0.4 would have been removed. The licensee stated that with the change to LCO 3.0.4 approved by the issuance of Amendment Nos. 417, 419, and 418, to adopt TSTF-359, ONS no longer needs to limit the applicability of LCO 3.0.4 to the proposed six TS notes in this LAR and that the removal of the notes would restore the operational flexibility ONS previously had before they adopted TSTF-359 on September 4, 2020.

When the original LCO 3.0.4 notes were added to numerous TSs, ONS had an LCO 3.0.4 that was structured as a conditional prohibition on changing modes when an LCO was not met. The notes restricting the applicability of LCO 3.0.4 (i.e., the notes stated the LCO 3.0.4 does not apply), in this case, enabled the licensee to change modes when one or more of the LCOs that had the note were not met. By adopting TSTF-359, the licensee's new LCO 3.0.4 was restructured as a conditional allowance. By not deleting the six TS notes proposed in this LAR when TSTF-359 was adopted on September 4, 2020, the notes now prohibit the licensee from making mode changes because the allowance to change modes is not applicable. For this reason, the licensee stated that the requested changes are administrative because they are intended to restore the previously approved ability to change modes.

3.2 NRC Staff Evaluation

The NRC staff reviewed the LAR and the six proposed TS note revisions. The NRC staff notes that in the approved TSTF-359 traveler, the Babcock and Wilcox Owners Group (B&WOG) provided a qualitative risk assessment that focused on STS delineated systems required to be operable prior to changing modes during a return to power from a plant shutdown. The qualitative assessment was based on return to power operations following a plant shutdown. The assessment identified required systems that are more important during Modes 5,4, 3, and 2 than during at-power operation (Mode 1). As stated in the Model Safety Evaluation in the Notice of Availability for TSTF-359-A:

TS systems and components which may be of higher risk during mode changes were identified generically by each owner's group for each plant operational mode or condition. Licensees will identify such plant-specific systems and components in the individual plant TS. The proposed LCO 3.0.4(b) allowance does not apply to these systems and components for the mode or condition in the applicability of an LCO at which they are of higher risk.

The LCOs affected by this LAR are all plant-specific LCOs. Accordingly, the licensee assessed each of the LCOs in this LAR as indicated in the Model SE and utilizing the approach used by the B&WOG for TSTF-359-A. The licensee determined that none of the systems and components associated with this LAR are higher risk, as defined in the SE dated September 4, 2020.

The NRC staff reviewed the licensee's evaluation and the technical basis for their determination that the affected six LCOs in this LAR are not in the higher risk category. The NRC staff agrees with the determination by the licensee that none of the affected LCOs is a higher risk in Modes 5, 4, 3 or 2 that during at-power operation (Mode 1); therefore, they do not require prohibiting the applicability of LCO 3.0.4(b).

The NRC staff also compared the proposed changes against the criteria in 10 CFR 50.36 and concluded that the proposed changes meet the requirements of the regulation because they have no impact the ONS technical specification compliance with any requirement in 10 CFR 50.36. In addition, the NRC staff compared the proposed changes with the format and content of the STS and found that they are consistent with Revision 5 of the Babcock and Wilcox STS.

3.3 NRC Staff Conclusion

The NRC staff previously approved the licensees requested TS changes to allow entry into a higher mode of operation, or other specified condition in the TS Applicability, while relying on the TS conditions, and associated required actions and completion times, provided a risk assessment is performed to confirm the acceptability of that action. The previous amendment revised Oconee TS LCO 3.0.4 and SR 3.0.4, and their application to the TSs. New paragraphs a, b, and c were added to TS LCO 3.0.4. The NRC staff's safety evaluation of that change is unaffected by this change, and remains applicable to the changes proposed in this LAR.

Because TSTF-359-A was not intended to remove mode change allowances previously approved, the removal of the notes, in this case, is an administrative change because they restore the previously approved allowance. Therefore, the NRC staff finds that the removal of the six TS notes is acceptable.

In addition, the licensee verified the applicability of LCO 3.0.4(b) by verifying that none of the affected LCOs were in the higher risk category. Therefore, NRC staff finds that no notes prohibiting the use of LCO 3.0.4(b) are required.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the South Carolina State official was notified of the proposed issuance of the amendments on November 18, 2022. On November 22, 2022, the State official confirmed that the State of South Carolina had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendments change the requirements with respect to the installation or use of facility components located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendments involve 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 amendments involve no

significant hazards consideration published in the *Federal Register* on May 17, 2022 (87 FR 29883), and there has been no public comment on such finding. Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors: R. Elliot, NRR

Date: December 8, 2022

SUBJECT: OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3 – ISSUANCE OF AMENDMENT NOS. 426, 428 AND 427, RE: ADDITIONAL MODE CHANGE LIMITATIONS APPLICABLE TO THE ADOPTION OF TSTF- 359, REVISION 9, “INCREASE FLEXIBILITY IN MODE RESTRAINTS” (EPID L-2022-LLA-0050) DATED DECEMBER 8, 2022

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