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SOUTHERN COMPANY
Energy to Serve Your World℠

October 9, 2000

Docket Nos.: 50-348
50-364

NEL-00-0227

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555-0001

Joseph M. Farley Nuclear Plant
Technical Specification Change Request
Incorporating Changes to 10 CFR 50.59

Ladies and Gentlemen:

In accordance with the provisions of 10 CFR 50.90, Southern Nuclear Operating Company (SNC) proposes to amend the Farley Nuclear Plant (FNP) Unit 1 and Unit 2 Technical Specifications (TS). The amendment will revise TS 5.5.14, "Technical Specification (TS) Bases Control Program," to provide consistency with the changes to 10 CFR 50.59 as published in the Federal Register (Volume 64, Number 191) dated October 4, 1999.

This change is consistent with the Nuclear Energy Institute (NEI) Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-364 Revision 0, "Revision to TS Bases Control Program to Incorporate Changes to 10 CFR 50.59." The approval of TSTF-364 Revision 0 was documented in NRC letter to Mr. James Davis, Director Operations Department – Nuclear Energy Institute (NEI) dated June 16, 2000.

The basis for the proposed change is provided in Attachment 1. As defined by 10 CFR 50.92, SNC has determined that the proposed change does not involve a significant hazards consideration. The supporting significant hazards evaluation is provided in Attachment 2. The proposed Technical Specifications change is provided in Attachment 3. In accordance with 10 CFR 50.91(b)(1), a copy of the proposed change has been sent to Dr. D. E. Williamson, the Alabama State Designee. SNC has determined the proposed change will not significantly affect the quality of the human environment.

SNC requests that this amendment be approved by January 19, 2001 with an implementation date to correspond with the implementation of the new 10 CFR 50.59 rule.

A001

If you have any questions, please advise.

Respectfully submitted,

SOUTHERN NUCLEAR OPERATING COMPANY

Dave Morey

Sworn to and subscribed before me this 9th *day of* October *2000*

Martha Gayle Dow
Notary Public

My Commission Expires: November 1, 2001

CHM/maf: TS for new 5059.doc

Attachments:

Attachment 1	Basis for Proposed Change
Attachment 2	Significant Hazards Evaluation
Attachment 3	Technical Specifications Changed Page List, Mark-up and Typed Pages

cc: Southern Nuclear Operating Company
Mr. L. M. Stinson, General Manager - Farley

U. S. Nuclear Regulatory Commission, Washington, D. C.
Mr. L. M. Padovan, Licensing Project Manager - Farley

U. S. Nuclear Regulatory Commission, Region II
Mr. L. A. Reyes, Regional Administrator
Mr. T. P. Johnson, Senior Resident Inspector – Farley

Alabama Department of Public Health
Dr. D. E. Williamson, State Health Officer

Attachment 1

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Basis for Proposed Change

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Basis for Proposed Change

Description of Change

Technical Specification 5.5.14, "Technical Specifications (TS) Bases Control Program," requires a program for processing changes to the Bases of the Technical Specifications. TS 5.5.14b. states: "Licensees may make changes to the Bases without prior NRC approval provided the changes do not involve either of the following: 1. a change in the TS incorporated in the license; or 2. a change to the updated FSAR or Bases that involves an unreviewed safety question as defined in 10 CFR 50.59."

TS 5.5.14b.2. is revised to state: "a change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59."

Background

10 CFR 50.59 establishes the conditions under which licensees may make changes to the facility or procedures and conduct tests or experiments without prior NRC approval.

In 1999, the NRC revised the regulation (Federal Register – Volume 64, Number 191 dated October 4, 1999) controlling changes, tests and experiments performed by nuclear plant licensees. The changes were prompted by the need to resolve differences in interpretation of the rule's requirements by the industry and the NRC. The rule changes had two principal objectives, both aimed at restoring much needed regulatory stability to this extensively used regulation:

- Establish clear definitions to promote common understanding of the rule's requirements.
- Clarify the criteria for determining when changes, tests and experiments require prior NRC approval.

The changes approved by the Commission in 1999 made 10 CFR 50.59 more focused and efficient by:

- Providing greater flexibility to licensees, primarily by allowing changes that have minimal safety impact to be made without prior NRC approval.
- Clarifying the threshold for "screening out" changes that do not require full evaluation under 10 CFR 50.59, primarily by adoption of key definitions.

Proposed changes, tests and experiments that satisfy the definitions and one or more of the criteria in the rule must be reviewed and approved by the NRC before implementation.

As indicated above, the Bases Control Program required by TS 5.5.14 allows licensees to make changes to the Bases without NRC approval provided the change does not involve a change to the updated FSAR or Bases that involves an unreviewed safety question as defined in 10 CFR 50.59. With the revisions to 10 CFR 50.59, the definition of unreviewed safety questions was eliminated. Therefore, the TS should be revised consistent with the revision to 10 CFR 50.59.

Justification

The NRC amended its regulations concerning the authority for licensees of production or utilization facilities, such as nuclear reactors, and independent spent fuel storage facilities, and for certificate holders for spent fuel storage casks, to make changes to the facility or procedures, or to conduct tests or experiments, without prior NRC approval. The final rule clarifies the specific types of changes, tests, and experiments conducted at a licensed facility or by a certificate holder that require evaluation, and revises the criteria that licensees and certificate holders must use to determine when NRC approval is needed before such changes, tests, or experiments can be implemented. The final rule also adds definitions for terms that have been subject to differing interpretations, and reorganizes the rule language for clarity.

10 CFR 50.59 was revised to state, in part:

(c) (1) A licensee may make changes in the facility as described in the final safety analysis report (as updated), make changes in the procedures as described in the final safety analysis report (as updated), and conduct tests or experiments not described in the final safety analysis report (as updated) without obtaining a license amendment pursuant to Section 50.90 only if:

(i) A change to the technical specifications incorporated in the license is not required, and

(ii) The change, test, or experiment does not meet any of the criteria in paragraph (c)(2) of this section.

(2) A licensee shall obtain a license amendment pursuant to Section 50.90 prior to implementing a proposed change, test, or experiment if the change, test, or experiment would:

(i) Result in more than a minimal increase in the frequency of occurrence of an accident previously evaluated in the final safety analysis report (as updated);

(ii) Result in more than a minimal increase in the likelihood of occurrence of a malfunction of a structure, system, or component (SSC) important to safety previously evaluated in the final safety analysis report (as updated);

(iii) Result in more than a minimal increase in the consequences of an accident previously evaluated in the final safety analysis report (as updated);

(iv) Result in more than a minimal increase in the consequences of a malfunction of an SSC important to safety previously evaluated in the final safety analysis report (as updated);

(v) Create a possibility for an accident of a different type than any previously evaluated in the final safety analysis report (as updated);

(vi) Create a possibility for a malfunction of an SSC important to safety with a different result than any previously evaluated in the final safety analysis report (as updated);

(vii) Result in a design basis limit for a fission product barrier as described in the FSAR (as updated) being exceeded or altered; or

(viii) Result in a departure from a method of evaluation described in the FSAR (as updated) used in establishing the design bases or in the safety analyses.

Environmental Review

The proposed change to the TS Bases Control Program does not alter any design requirements, equipment specifications or safety analyses modeling assumptions. The change does not require any hardware modifications. The plant operating procedures are not impacted. Therefore the proposed change will not increase the type or amount of any effluent which may be released offsite or the individual or cumulative occupational radiation exposure. In addition, SNC has determined that the proposed change involves no significant hazards consideration. As such, this change meets the criterion for "categorical exclusion" for not requiring an environmental review in accordance with 10 CFR 51.22 in that the human environment is not affected by this amendment.

Summary

The TS Bases Control Program required by TS 5.5.14 allows licensees to make changes to the TS Bases without NRC approval provided the changes do not involve either a change in the TS incorporated in the license or a change to the updated FSAR or TS Bases that involves an unreviewed safety question as defined in 10 CFR 50.59. With the revision to 10 CFR 50.59, the definition of unreviewed safety questions was eliminated. Therefore, the TS are revised consistent with the revision to 10 CFR 50.59 and are acceptable.

Attachment 2

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Significant Hazards Evaluation

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Significant Hazards Evaluation

Change Description

In accordance with the provisions of 10 CFR 50.90, Southern Nuclear Operating Company (SNC) proposes to amend the Farley Nuclear Plant (FNP) Unit 1 and Unit 2 Technical Specifications (TS). The amendment will revise TS 5.5.14, "Technical Specification (TS) Bases Control Program," to provide consistency with the changes to 10 CFR 50.59 as published in the Federal Register (Volume 64, Number 191) dated October 4, 1999.

Technical Specifications 5.5.14 Technical Specifications (TS) Bases Control Program, requires a program for processing changes to the Bases of the Technical Specifications. TS 5.5.14b. states: "Licensees may make changes to the Bases without prior NRC approval provided the changes do not involve either of the following: 1. a change in the TS incorporated in the license; or 2. a change to the updated FSAR or Bases that involves an unreviewed safety question as defined in 10 CFR 50.59."

TS 5.5.14b.2. is revised to state: "a change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59."

This change is consistent with the Nuclear Energy Institute (NEI) Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-364 Revision 0, "Revision to TS Bases Control Program to Incorporate Changes to 10 CFR 50.59." The approval of TSTF-364 Revision 0 was documented in NRC letter to Mr. James Davis, Director Operations Department - NEI dated June 16, 2000.

10 CFR 50.92 Evaluation

The proposed amendment will revise TS 5.5.14, "Technical Specification (TS) Bases Control Program," to provide consistency with the changes to 10 CFR 50.59 as published in the Federal Register (Volume 64, Number 191) dated October 4, 1999.

Conformance of the proposed amendment to the standards for a determination of no significant hazard as defined in 10 CFR 50.92 is shown in the following.

1. Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

   The proposed change deletes the reference to unreviewed safety question as defined in 10 CFR 50.59. Deletion of the definition of unreviewed safety question was approved by the NRC with the revision of 10 CFR 50.59. Consequently, the probability of an accident previously evaluated is not significantly increased. Changes to the TS Bases are still evaluated in accordance with 10 CFR 50.59. As a result, the consequences of any accident previously evaluated are not significantly affected. Therefore, this change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the change create the possibility of a new or different kind of accident from any accident previously analyzed?

   The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. Therefore, this change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the change involve a significant reduction in a margin of safety?

   The proposed change will not reduce a margin of safety because it has no direct effect on any safety analyses assumptions. Changes to the TS Bases that result in meeting the criteria in paragraph 10 CFR 50.59 (c)(2) will still require NRC approval pursuant to 10 CFR 50.59. This change is administrative in nature based on the revision to 10 CFR 50.59. Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Based on the previous information, the proposed changes do not involve a significant hazards consideration as defined in 10 CFR 50.92.

Conclusion

Based on the preceding evaluation, it is concluded that revising the term "unreviewed safety question" is acceptable and the proposed license amendment does not involve a significant hazards consideration as defined in 10 CFR 50.92.

Attachment 3

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FNP Technical Specifications Changed Page List

FNP Technical Specifications Mark-up Page

FNP Technical Specifications Typed Page

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Incorporating Changes to 10 CFR 50.59

Changed Pages List

Changed Page	Revision Instruction
5.5-22	Replace

5.5 Programs and Manuals

5.5.13 Diesel Fuel Oil Testing Program

A diesel fuel oil testing program to implement required testing of both new fuel oil and stored fuel oil shall be established. The program shall include sampling and testing requirements, and acceptance criteria, all in accordance with applicable ASTM Standards. The purpose of the program is to establish the following:

a. Acceptability of new fuel oil for use prior to addition to the emergency diesel generator storage tanks by determining that the fuel oil has:

1. an API gravity or an absolute specific gravity within limits,

2. a flash point and kinematic viscosity within limits for ASTM 2D fuel oil, and

3. a clear and bright appearance.

b. Fuel oil stored in the emergency diesel generator storage tanks is within limits by verifying that a sample of diesel fuel oil from the storage tank, obtained in accordance with ASTM-D270-65, is within the acceptable limits specified in Table 1 of ASTM D975-74 when checked for viscosity, water, and sediment every 92 days.

c. The provisions of SR 3.0.2 and SR 3.0.3 are applicable to the Diesel Fuel Oil Testing Program surveillance test frequencies.

5.5.14 Technical Specifications (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.

b. Licensees may make changes to Bases without prior NRC approval provided the changes do not involve either of the following:

1. a change in the TS incorporated in the license; or

2. a change to the updated FSAR or Bases that involves an unreviewed safety question as defined in 10 CFR 50.59.

that requires NRC approval pursuant to

(continued)

5.5 Programs and Manuals

5.5.13 Diesel Fuel Oil Testing Program

A diesel fuel oil testing program to implement required testing of both new fuel oil and stored fuel oil shall be established. The program shall include sampling and testing requirements, and acceptance criteria, all in accordance with applicable ASTM Standards. The purpose of the program is to establish the following:

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5.5.14 Technical Specifications (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.

b. Licensees may make changes to Bases without prior NRC approval provided the changes do not involve either of the following:

1. a change in the TS incorporated in the license; or

2. a change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59.

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