**William T. O'Connor, Jr.**
Vice President, Nuclear Generation

Fermi 2
6400 North Dixie Hwy., Newport, Michigan 48166
Tel: 734.586.5201 Fax: 734.586.4172

**Detroit Edison**

*A DTE Energy Company*

10CFR50.90

November 11, 2001
NRC-01-0074

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

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

Subject: Application for Technical Specification Change Regarding Missed Surveillances Using the Consolidated Line Item Improvement Process

In accordance with the provisions of 10 CFR 50.90 Detroit Edison is submitting a request for an amendment to the Technical Specifications (TS) for Fermi 2.

The proposed amendment would modify TS requirements for missed surveillances in SR 3.0.3.

Attachment 1 provides a description of the proposed change, the requested confirmation of applicability, and plant-specific verifications. Attachment 2 provides the existing TS pages marked up to show the proposed change. Attachment 3 provides revised (clean) TS pages. Attachment 4 provides a summary of the regulatory commitments made in this submittal. Attachment 5 provides the existing TS Bases pages marked up to show the proposed change (for information only).

Detroit Edison requests approval of the proposed License Amendment by March 30, 2002, with the amendment being implemented within 60 days following approval.

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In accordance with 10 CFR 50.91, a copy of this application, with attachments, is being provided to the designated Michigan Official.

If you should have any questions regarding this submittal, please contact Norm Peterson at (734) 586-4258.

Sincerely,

William J. O'Connor Jr.

Attachments:
1. Description and Assessment
2. Proposed Technical Specification Changes
3. Revised Technical Specification Pages
4. Regulatory Commitments
5. Proposed Technical Specification Bases Changes

cc: T. J. Kim
M. A. Ring
NRC Resident Office
Regional Administrator, Region III
Supervisor, Electric Operators,
Michigan Public Service Commission

I, WILLIAM T. O'CONNOR, JR., do hereby affirm that the foregoing statements are based on facts and circumstances which are true and accurate to the best of my knowledge and belief.

William T. O'Connor Jr.

WILLIAM T. O'CONNOR, JR.
Vice President - Nuclear Generation

On this 11 th day of November, 2001 before me personally appeared William T. O'Connor, Jr., being first duly sworn and says that he executed the foregoing as his free act and deed.

NORMAN K. PETERSON
Notary Public, Monroe County, MI
My Commission Expires July 24, 2002

Notary Public

# ATTACHMENT 1

# DESCRIPTION and ASSESSMENT

## 1.0 DESCRIPTION

The proposed amendment would modify technical specification (TS) requirements for missed surveillances in SR 3.0.3.

The changes are consistent with Nuclear Regulatory Commission approved Industry/Technical Specification Task Force (TSTF) STS change TSTF-358 Revision 5, as modified by Federal Register Notice 66FR32400, of June 14, 2001, and in response to public comments. The availability of this TS improvement was published in the Federal Register on September 28, 2001 as part of the consolidated line item improvement process (CLIIP).

## 2.0 ASSESSMENT:

### 2.1 Applicability of Published Safety Evaluation

Detroit Edison has reviewed the safety evaluation dated June 14, 2001 as part of the CLIIP. This review included a review of the NRC staff's evaluation, as well as the supporting information provided to support TSTF-358. Detroit Edison has concluded that the justifications presented in the TSTF proposal and the safety evaluation prepared by the NRC staff are applicable to Fermi 2 and justify this amendment for the incorporation of the changes to the Fermi 2 TS.

### 2.2 Optional Changes and Variations

Detroit Edison is not proposing any variations or deviations from the TS changes described in the fully modified TSTF-358 Revision 5 or the NRC staff's model safety evaluation dated June 14, 2001.

## 3.0 REGULATORY ANALYSIS

### 3.1 No Significant Hazards Consideration Determination

Detroit Edison has reviewed the proposed no significant hazards consideration determination (NSHCD) published in the Federal Register as part of the CLIIP. Detroit Edison has concluded

that the proposed NSHCD presented in the Federal Register notice is applicable to Fermi 2 and is hereby incorporated by reference to satisfy the requirements of 10 CFR 50.91(a).

### 3.2 Verification and Commitments

As discussed in the notice of availability published in the Federal Register on September 28, 2001 for this TS improvement, plant-specific verifications were performed as follows:

Detroit Edison has established TS Bases for Surveillance Requirement (SR) 3.0.3 which state that use of the delay period established by SR 3.0.3 is a flexibility which is not intended to be used as an operational convenience to extend surveillance intervals, but only for the performance of missed surveillances.

The modification will also include changes to the Bases for SR 3.0.3 that provide details on how to implement the new requirements. The Bases changes provide guidance for surveillance frequencies that are not based on time intervals but are based on specified unit conditions, operating situations, or requirements of regulations. In addition, the Bases changes state that Detroit Edison is expected to perform a missed surveillance test at the first reasonable opportunity, taking into account appropriate considerations, such as the impact on plant risk and accident analysis assumptions, consideration of unit conditions, planning, availability of personnel, and the time required to perform the surveillance. The Bases also state that the risk impact should be managed through the program in place to implement 10 CFR 50.65(a)(4) and its implementation guidance, NRC Regulatory Guide 1.182. ``Assessing and Managing Risks Before Maintenance Activities at Nuclear Power Plants," and that the missed surveillance should be treated as an emergent condition, as discussed in Regulatory Guide 1.182. In addition, the Bases state that the degree of depth and rigor of the evaluation should be commensurate with the importance of the component and that missed surveillances for important components should be analyzed quantitatively. The Bases also state that the results of the risk evaluation determine the safest course of action. In addition, the Bases state that all missed surveillances will be placed in the licensee's Corrective Action Program. Finally, Detroit Edison has a Bases Control Program consistent with Section 5.5 of the STS.

## 4.0 ENVIRONMENTAL EVALUATION

Detroit Edison has reviewed the environmental evaluation included in the model safety evaluation dated June 14, 2001 as part of the CLIIP. Detroit Edison has concluded that the staff's findings presented in that evaluation are applicable to Fermi 2 and the evaluation is hereby incorporated by reference for this application.

# ATTACHMENT 2

# PROPOSED TECHNICAL SPECIFICATION CHANGES (MARK-UP)

3.0 SR APPLICABILITY (continued)

SR 3.0.3

If it is discovered that a Surveillance was not performed within its specified Frequency, then compliance with the requirement to declare the LCO not met may be delayed, from the time of discovery, up to 24 hours or up to the limit of the specified Frequency, whichever is ~~less~~ greater. This delay period is permitted to allow performance of the Surveillance.

Insert 1

If the Surveillance is not performed within the delay period, the LCO must immediately be declared not met, and the applicable Condition(s) must be entered.

When the Surveillance is performed within the delay period and the Surveillance is not met, the LCO must immediately be declared not met, and the applicable Condition(s) must be entered.

SR 3.0.4

Entry into a MODE or other specified condition in the Applicability of an LCO shall not be made unless the LCO's Surveillances have been met within their specified Frequency. This provision shall not prevent entry into MODES or other specified conditions in the Applicability that are required to comply with Actions or that are part of a shutdown of the unit.

SR 3.0.4 is only applicable for entry into a MODE or other specified condition in the Applicability in MODES 1, 2, and 3.

TS Insert

Insert 1

A risk evaluation shall be performed for any Surveillance delayed greater than 24 hours and the risk impact shall be managed.

# ATTACHMENT 3

# PROPOSED TECHNICAL SPECIFICATION PAGES (TYPED)

3.0 LCO APPLICABILITY (continued)

SR 3.0.3

If it is discovered that a Surveillance was not performed within its specified Frequency, then compliance with the requirement to declare the LCO not met may be delayed, from the time of discovery, up to 24 hours or up to the limit of the specified Frequency, whichever is greater. This delay period is permitted to allow performance of the Surveillance. A risk evaluation shall be performed for any Surveillance delayed greater than 24 hours and the risk impact shall be managed.

If the Surveillance is not performed within the delay period, the LCO must immediately be declared not met, and the applicable Condition(s) must be entered.

When the Surveillance is performed within the delay period and the Surveillance is not met, the LCO must immediately be declared not met, and the applicable Condition(s) must be entered.

SR 3.0.4

Entry into a MODE or other specified condition in the Applicability of an LCO shall not be made unless the LCO's Surveillances have been met within their specified Frequency. This provision shall not prevent entry into MODES or other specified conditions in the Applicability that are required to comply with Actions or that are part of a shutdown of the unit.

SR 3.0.4 is only applicable for entry into a MODE or other specified condition in the Applicability in MODES 1, 2, and 3.

BASES

SR 3.0.3

SR 3.0.3 establishes the flexibility to defer declaring affected equipment inoperable or an affected variable outside the specified limits when a Surveillance has not been completed within the specified Frequency. A delay period of up to 24 hours or up to the limit of the specified Frequency, whichever is greater, applies from the point in time that it is discovered that the Surveillance has not been performed in accordance with SR 3.0.2, and not at the time that the specified Frequency was not met.

This delay period provides adequate time to complete Surveillances that have been missed. This delay period permits the completion of a Surveillance before complying with Required Actions or other remedial measures that might preclude completion of the Surveillance.

The basis for this delay period includes consideration of unit conditions, adequate planning, availability of personnel, the time required to perform the Surveillance, the safety significance of the delay in completing the required Surveillance, and the recognition that the most probable result of any particular Surveillance being performed is the verification of conformance with the requirements.

When a Surveillance with a Frequency based not on time intervals, but upon specified unit conditions, operating situations, or requirements of regulations (e.g., prior to entering MODE 1 after each fuel loading, or in accordance with 10 CFR 50, Appendix J, as modified by approved exemptions, etc.) is discovered to not have been performed when specified, SR 3.0.3 allows for the full delay period of up to the specified Frequency to perform the Surveillance. However, since there is not a time interval specified, the missed Surveillance should be performed at the first reasonable opportunity.

SR 3.0.3 provides a time limit for, and allowances for the performance of, Surveillances that become applicable as a consequence of MODE changes imposed by Required Actions.

Failure to comply with specified Frequencies for SRs is expected to be an infrequent occurrence. Use of the delay period established by SR 3.0.3 is a flexibility which is not intended to be used as an operational convenience to extend Surveillance intervals. While up to 24 hours or the limit of the specified Frequency is provided to perform the missed Surveillance, it is expected that the missed Surveillance

BASES

SR 3.0.3 (continued)

will be performed at the first reasonable opportunity. The determination of the first reasonable opportunity should include consideration of the impact on plant risk (from delaying the Surveillance as well as any plant configuration changes required or shutting the plant down to perform the Surveillance) and impact on any analysis assumptions, in addition to unit conditions, planning, availability of personnel, and the time required to perform the Surveillance. This risk impact should be managed through the program in place to implement 10 CFR 50.65(a)(4) and its implementation guidance, NRC Regulatory Guide 1.182, "Assessing and Managing Risk Before Maintenance Activities at Nuclear Power Plants." This Regulatory Guide addresses consideration of temporary and aggregate risk impacts, determination of risk management action thresholds, and risk management action up to and including plant shutdown. The missed Surveillance should be treated as an emergent condition as discussed in the Regulatory Guide. The risk evaluation may use quantitative, qualitative, or blended methods. The degree of depth and rigor of the evaluation should be commensurate with the importance of the component. Missed Surveillances for important components should be analyzed quantitatively. If the results of the risk evaluation determine the risk increase is significant, this evaluation should be used to determine the safest course of action. All missed Surveillances will be placed in the licensee's Corrective Action Program.

If a Surveillance is not completed within the allowed delay period, then the equipment is considered inoperable or the variable is considered outside the specified limits and the Completion Times of the Required Actions for the applicable LCO Conditions begin immediately upon expiration of the delay period. If a Surveillance is failed within the delay

## ATTACHMENT 4

## LIST OF REGULATORY COMMITMENTS

The following table identifies those actions committed to by Detroit Edison in this document. Any other statements in this submittal are provided for information purposes and are not considered to be regulatory commitments. Please direct questions regarding these commitments to Norm Peterson (734) 586-4258.

| Regulatory commitments | Due date/event |
|---|---|
| Detroit Edison will establish the Technical Specification Bases for SR 3.0.3 as adopted with the applicable license amendment. | This change will be implemented simultaneously with the License Amendment, within 60 days following approval of the License Amendment. |

# ATTACHMENT 5

# PROPOSED TECHNICAL SPECIFICATION BASES CHANGES

BASES

SR 3.0.3

SR 3.0.3 establishes the flexibility to defer declaring affected equipment inoperable or an affected variable outside the specified limits when a Surveillance has not been completed within the specified Frequency. A delay period of up to 24 hours or up to the limit of the specified Frequency, whichever is less, applies from the point in time that it is discovered that the Surveillance has not been performed in accordance with SR 3.0.2, and not at the time that the specified Frequency was not met.

greater

This delay period provides adequate time to complete Surveillances that have been missed. This delay period permits the completion of a Surveillance before complying with Required Actions or other remedial measures that might preclude completion of the Surveillance.

The basis for this delay period includes consideration of unit conditions, adequate planning, availability of personnel, the time required to perform the Surveillance, the safety significance of the delay in completing the required Surveillance, and the recognition that the most probable result of any particular Surveillance being performed is the verification of conformance with the requirements.

Insert 1

When a Surveillance with a Frequency based not on time intervals, but upon specified unit conditions or operational situations, is discovered not to have been performed when specified, SR 3.0.3 allows the full delay period of 24 hours to perform the Surveillance.

SR 3.0.3 also provides a time limit for completion of Surveillances that become applicable as a consequence of MODE changes imposed by Required Actions.

Failure to comply with specified Frequencies for SRs is expected to be an infrequent occurrence. Use of the delay period established by SR 3.0.3 is a flexibility which is not intended to be used as an operational convenience to extend Surveillance intervals.

Insert 2

If a Surveillance is not completed within the allowed delay period, then the equipment is considered inoperable or the variable is considered outside the specified limits and the Completion Times of the Required Actions for the applicable LCO Conditions begin immediately upon expiration of the delay period. If a Surveillance is failed within the delay

TS Bases Insert

Insert 1

When a Surveillance with a Frequency based not on time intervals, but upon specified unit conditions, operating situations, or requirements of regulations (e.g., prior to entering MODE 1 after each fuel loading, or in accordance with 10 CFR 50, Appendix J, as modified by approved exemptions, etc.) is discovered to not have been performed when specified, SR 3.0.3 allows for the full delay period of up to the specified Frequency to perform the Surveillance. However, since there is not a time interval specified, the missed Surveillance should be performed at the first reasonable opportunity.

SR 3.0.3 provides a time limit for, and allowances for the performance of, Surveillances that become applicable as a consequence of MODE changes imposed by Required Actions.

Insert 2

While up to 24 hours or the limit of the specified Frequency is provided to perform the missed Surveillance, it is expected that the missed Surveillance will be performed at the first reasonable opportunity. The determination of the first reasonable opportunity should include consideration of the impact on plant risk (from delaying the Surveillance as well as any plant configuration changes required or shutting the plant down to perform the Surveillance) and impact on any analysis assumptions, in addition to unit conditions, planning, availability of personnel, and the time required to perform the Surveillance. This risk impact should be managed through the program in place to implement 10 CFR 50.65(a)(4) and its implementation guidance, NRC Regulatory Guide 1.182, 'Assessing and Managing Risk Before Maintenance Activities at Nuclear Power Plants.' This Regulatory Guide addresses consideration of temporary and aggregate risk impacts, determination of risk management action thresholds, and risk management action up to and including plant shutdown. The missed Surveillance should be treated as an emergent condition as discussed in the Regulatory Guide. The risk evaluation may use quantitative, qualitative, or blended methods. The degree of depth and rigor of the evaluation should be commensurate with the importance of the component. Missed Surveillances for important components should be analyzed quantitatively. If the results of the risk evaluation determine the risk increase is significant, this evaluation should be used to determine the safest course of action. All missed Surveillances will be placed in the licensee's Corrective Action Program.