

October 1, 2003

Mr. Mark E. Warner, Site Vice President
c/o James M. Peschel
Seabrook Station
FPL Energy Seabrook, LLC
P.O Box 300
Seabrook, NH 03874

SUBJECT: SEABROOK STATION, UNIT NO. 1 - ISSUANCE OF AMENDMENT RE:
CHANGES TO TECHNICAL SPECIFICATIONS ASSOCIATED WITH NUCLEAR
INSTRUMENTATION (TAC NO. MB6615)

Dear Mr. Warner:

The Commission has issued the enclosed Amendment No. 91 to Facility Operating License No. NPF-86 for the Seabrook Station, Unit No. 1, in response to your application dated October 11, 2002, filed by North Atlantic Energy Service Corporation (NAESCO) as the then licensee for Seabrook Station, Unit No. 1. On November 1, 2002, the U.S. Nuclear Regulatory Commission (NRC or Commission) approved the transfer of the license for Seabrook Station, to the extent held by NAESCO, and certain co-owners of the facility, on whose behalf NAESCO was also acting, to FPL Energy Seabrook, LLC (FPLE Seabrook). By letter dated December 20, 2002, FPLE Seabrook requested that the NRC continue to review and act upon all requests before the Commission that had been submitted by NAESCO. FPLE Seabrook supplemented the October 11, 2002, application by letters dated April 21, 2003 and July 16, 2003.

The amendment deletes the Power Range Neutron Flux High Negative Rate reactor trip function from Technical Specification (TS) 2.2.1, "Reactor Trip System Instrumentation Setpoints," TS 3/4.3.1, "Reactor Trip System Instrumentation," including their associated bases.

The amendment also revises the TSs to: (1) delete Special Test Exceptions TS 3/4.10.4, "Reactor Coolant Loops," in its entirety; (2) revise TS 3/4.4.1.1, "Reactor Coolant Loops and Coolant Circulation - Startup and Power Operation," by eliminating reference to the Special Test Exceptions TS 3/4.10.4 from limiting condition for operation 3.4.1.1; and (3) revise Special Test Exception TS 3/4.10.3, "Physics Tests," to clarify the surveillance requirement time interval for the Analog Channel Operational Test.

M. Warner

- 2 -

A copy of the related Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

/RA/

Victor Nerses, Senior Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-443

Enclosures: 1. Amendment No. 91 to NPF-86
2. Safety Evaluation

cc w/encls: See next page

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M. Warner

- 2 -

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Victor Nerses, Senior Project Manager, Section 2
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cc w/encls: See next page

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FPL ENERGY SEABROOK, LLC, ET AL.*

DOCKET NO. 50-443

SEABROOK STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 91
License No. NPF-86

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment filed by the FPL Energy Seabrook, LLC, et al. (the licensee), dated October 11, 2002, as supplemented April 21 and July 16, 2003, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations 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.

*FPL Energy Seabrook, LLC (FPLE Seabrook), is authorized to act as agent for the: Hudson Light & Power Department, Massachusetts Municipal Wholesale Electric Company, and Taunton Municipal Light Plant and has exclusive responsibility and control over the physical construction, operation and maintenance of the facility.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-86 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 91, and the Environmental Protection Plan contained in Appendix B are incorporated into Facility License No. NPF-86. FPLE Seabrook shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

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

/RA/

James W. Clifford, Chief, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: October 1, 2003

ATTACHMENT TO LICENSE AMENDMENT NO. 91

FACILITY OPERATING LICENSE NO. NPF-86

DOCKET NO. 50-443

Replace the following pages of the Appendix A, Technical Specifications, with the attached revised pages as indicated. The revised pages are identified by amendment number and contain marginal lines indicating the area of change.

Remove

ix
xii
2-4
3/4 3-2
3/4 3-9
3/4 3-10
3/4 3-12
3/4 4-1
3/4 10-3
3/4 10-4
B 2-4
B 3/4 10-1

Insert

ix
xii
2-4
3/4 3-2
3/4 3-9
3/4 3-10
3/4 3-12
3/4 4-1
3/4 10-3
3/4 10-4
B 2-4
B 3/4 10-1

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 91 TO FACILITY OPERATING LICENSE NO. NPF-86

FPL ENERGY SEABROOK, LLC

SEABROOK STATION, UNIT NO. 1

DOCKET NO. 50-443

1.0 INTRODUCTION

By letter dated October 11, 2002, the North Atlantic Energy Service Corporation (NAESCO), as the then licensee for Seabrook Station, Unit No. 1 (Seabrook), submitted an application requesting changes to Seabrook's Technical Specifications (TSs). On November 1, 2002, the U.S. Nuclear Regulatory Commission (NRC or the Commission) approved the transfer of the license for Seabrook, to the extent held by NAESCO, and certain co-owners of the facility on whose behalf NAESCO was also acting, to FPL Energy Seabrook, LLC (FPLE Seabrook or licensee). By letter dated December 20, 2002, FPLE Seabrook requested that the NRC continue to review and act upon all requests before the Commission that had been submitted by NAESCO. The licensee submitted supplemental letters dated April 21, 2003 and July 16, 2003. The supplements provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the *Federal Register* on November 26, 2002, (67 FR 70767).

The requested changes would delete the Power Range Neutron Flux High Negative Rate reactor trip function from TS 2.2.1, "Reactor Trip System Instrumentation Setpoints," TS 3/4.3.1, "Reactor Trip System Instrumentation," including their associated bases.

The licensee also proposed to: (1) delete Special Test Exceptions TS 3/4.10.4, "Reactor Coolant Loops," in its entirety; (2) revise TS 3/4.4.1.1, "Reactor Coolant Loops and Coolant Circulation - Startup and Power Operation," by eliminating reference to the Special Test Exceptions TS 3/4.10.4 from limiting condition for operation (LCO) 3.4.1.1; and (3) revise Special Test Exception TS 3/4.10.3, "Physics Tests," to clarify the surveillance requirement time interval for the Analog Channel Operational Test.

2.0 REGULATORY EVALUATION

General Design Criteria (GDC) 10, "Reactor Design," in Appendix A to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50 requires that the reactor core and associated coolant, control, and protection systems be designed with appropriate margin to assure that specified

acceptable fuel design limits are not exceeded during any condition of normal operation, including the effects of anticipated operational occurrences (AOO).

Section 50.36(c)(3) of 10 CFR states "Surveillance requirements are requirements relating 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 operation will be met." The setpoint for instrumentation accounts for, among other variables and uncertainties, instrument drift. The interval for surveillance of instrument setpoints is selected such that there is a high degree of confidence that drift will be within an assumed value for that time period. This margin ensures that the instrument would have operated properly in response to an AOO such that no safety limits would be violated.

Additionally, in 10 CFR 50.36, the Commission establishes its regulatory requirements related to the content of TSs. Section 50.36(c)(2)(ii) of 10 CFR specifies four screening criteria for TS LCO inclusion. They are:

Criterion 1: Installed instrumentation that is used to detect, and indicate in the control room, a significant abnormal degradation of the reactor coolant pressure boundary (RCPB);

Criterion 2: 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 that failure of, or presents a challenge to, the integrity of a fission product barrier;

Criterion 3: A structure, system or component (SSC) that is a part of the primary success path and which functions or actuates to mitigate a DBA or transient that either assumes the failure of, or presents a challenge to, the integrity of a fission product barrier; and

Criterion 4: An SCC which operating experience or probabilistic safety assessment has shown to be significant to public health and safety.

The licensee proposed to delete the Power Range Neutron Flux High Negative Rate trip function and the reactor coolant loop special test exception from the Seabrook TSs. The staff evaluation of these TS changes was based on continued compliance with GDC 10 and the screening criteria specified in 10 CFR 50.36.

3.0 TECHNICAL EVALUATION

3.1 Deletion of Power Range Neutron Flux High Negative Rate Trip Function

The Seabrook TSs 2.2.1 and 3/4.3.1, respectively, include Functional Unit 4, "Power Range, Neutron Flux, High Negative Rate," in Table 2.2-1, "Reactor Trip System Instrumentation Trip Setpoints," Table 3.3-1, "Reactor Trip System Instrumentation," and Table 4.3-1, "Reactor Trip System instrumentation Surveillance Requirements." The proposed TS changes would delete this trip function from Tables 2.2-1, 3.3-1, and 4.3-1.

The original design basis for the Power Range Neutron Flux High Negative Rate trip function was to mitigate the consequences of one or more dropped rod control cluster assemblies (RCCA), also referred to as a dropped rod event. The dropped rod event is an American

Nuclear Society Condition II event, and is assumed to be initiated by a single electric or mechanical failure, which causes any number and combination of RCCAs from the same group of a given bank to drop to the bottom of the core. The resulting negative reactivity insertion causes nuclear power to quickly decrease. Following a dropped rod event, and in the automatic rod control mode, the Rod Control System receives signals from the excore detectors and the turbine indicating a primary/secondary side power mismatch, and initiates the withdrawal of a partially inserted control bank to eliminate the mismatch. Power overshoot may occur, after which the control system will insert the control bank and return the plant to nominal power. In addition to a power overshoot, an increase in the hot channel factor may occur due to the skewed power distribution representative of a dropped rod configuration. Since the dropped rod event is an AOO, it must be shown that the departure from nucleate boiling ratio (DNBR) design basis is met for the combination of high nuclear power, high hot channel factor, and other system conditions which exist following the dropped rod.

The intent of the high negative flux rate trip function was that, in the event of a dropped RCCA, the reactor protection system would detect the rapidly decreasing neutron flux due to the dropped rod(s) and trip the reactor, thus ending the transient and assuring that the DNBR limit was not exceeded. This trip function is not credited in the safety analyses of any other design basis event.

In topical report WCAP-10297, "Dropped Rod Methodology for Negative Flux Rate Trip Plants" (Ref. 3), Westinghouse documented a methodology for the analysis of the dropped rod event and concluded that the high negative flux rate trip was required only when a dropped rod (or bank) exceeded a threshold value reactivity worth. Any dropped rod having a worth below the threshold value would not require an automatic reactor trip to comply with the DNBR limit. The threshold value was dependent upon plant design (2-, 3-, or 4-loops) and fuel type. NRC approved this topical report in a letter to Westinghouse dated March 31, 1983.

By letter dated May 22, 1987, the Westinghouse Owners Group submitted a new topical report WCAP-11394-P, "Methodology for the Analysis of the Dropped Rod Event." The methodology provides a means to be used to demonstrate that the DNB design basis is met during the course of the dropped RCCA transient. The analysis using this methodology takes no credit for any direct trip due to the dropped RCCAs, and assumes that no automatic power reduction features are actuated by the dropped RCCAs. The conclusion reached in WCAP-11394-P was that sufficient margin is expected with all Westinghouse plant designs and fuel types, such that the negative flux rate trip is not required, regardless of the worth of the dropped rod (or bank), subject to a plant cycle-specific analysis. NRC staff reviewed the Westinghouse analysis and the results, and concluded that this approach was acceptable for analyzing the dropped rod event for which no credit is taken for any direct trip or automatic power reduction features. In the approval (by SER dated October 23, 1989), the NRC noted that further review by the NRC staff for each cycle is not necessary, subject to a licensee verification that the analysis described in WCAP-11394-P has been performed and makes the comparisons specified in the topical report with favorable results. The analysis consists of five main parts: (1) selection of core and system initial state parameters and selection of transient kinetic parameters; (2) a transient analysis to obtain the reactor state points (temperature, pressure, and power) at maximum overshoot for use in the DNB analysis; (3) DNB limit line determination using ITDP and plant-specific parameters; (4) transition via given parameters from initial to maximum state power peaking; and (5) a determination that TS allowable initial conditions will lead to conditions within DNB limits.

The Seabrook Updated Final Safety Analysis Report (UFSAR) Section 15.4.3 documents the safety analysis of the dropped rod event. The analysis was performed in accordance with the methodology described in WCAP-11394-P-A, and did not take credit for the high negative flux rate reactor trip function or any automatic power reduction due to the dropped RCCAs. The analysis assumes the maximum dropped RCCA worth of 800 percent change millirho (pcm) and concludes that the minimum DNBR remains above the limit value for each analyzed case and, therefore, complies with GDC 10. In addition, the high negative flux rate trip function is also not credited in the Seabrook safety analyses of other design basis events, including LOCA and non-LOCA events. The deletion of the high negative flux rate trip has no impact on the safety systems setpoints, the emergency operating procedures, and the reactor coolant system component integrity. For each fuel cycle design, a cycle-specific dropped RCCA evaluation is performed without crediting the high negative flux rate trip. The reload safety analysis verifies that the limiting dropped rod worth is less than 800 pcm. Therefore, the conclusion presented in the UFSAR, that the DNB design basis is met, remains valid.

The staff finds that the Power Range Neutron Flux High Negative Rate reactor trip function passes the four screening criteria specified in 10 CFR 50.36(c)(2)(ii) for TS LCO, i.e., it is (1) not an installed instrumentation used to detect and indicate a significant abnormal degradation of the RCPB (Criterion 1); (2) not a process variable, design feature, or operating restriction that is an initial condition of a DBA or transient analysis (Criterion 2); (3) not an SSC that is part of the primary success path and which functions or actuates to mitigate a DBA or transient (Criterion 3); and (4) not an SSC which operating experience or PRA has shown to be significant to public health and safety (Criterion 4). In addition, the licensee has appropriately implemented WCAP-11394-P and documented its analysis in the FSAR, thus providing adequate controls, pursuant to 10 CFR 50.59, for any subsequent change in the licensing basis for the dropped rod event. Therefore, the licensee's proposed TS changes to delete the Power Range Neutron Flux High Negative Rate reactor trip from TS Tables 2.2-1, 3.3-1, and 4.3-1 are acceptable.

3.2 Extension of Analog Channel Operational Test (ACOT) Frequency, Table 4.3-1, Selected Functional Units

In its original submittal, the licensee proposed to change Note (1) to Table 4.3-1 from "If not performed in previous 31 days" to "If not performed in previous 92 days". This note is an exception to performing an ACOT during startup. Changing this note would have impacted Functional Units 2b "Power Range, Neutron Flux Low Setpoint", 5 "Intermediate Range, Neutron Flux", 6 "Source Range Neutron Flux", 16a "Turbine Trip, Low Fluid Oil Pressure", and 16b "Turbine Trip, Turbine Stop Valve" of the Reactor Trip System Instrumentation Surveillance Requirements.

Based on discussions with the staff, and by letters dated April 21, 2003 and July 16, 2003, the licensee modified the amendment request to have the noted exception for Functional Units 6, 16a, and 16b remain at 31 days. To implement this update, the licensee changed Note (8) to Table 4.3-1 from "(not used)" to "If not performed in previous 31 days" and updated the note references of these functional units to point to Note (8) instead of Note (1). The licensee continued to use the Note (1) reference to extend the exception time for Functional Units 2b and 5. The rearranging of the notes and note references, as it pertains to Functional Units 6, 16a, and 16b, is an administrative change and is, therefore, acceptable.

In support of the extension of Note (1), which would extend the exception for Functional Units 2b and 5, the licensee performed a historical review of its as-found data on instrument drifts. This review found the Functional Units to be extremely stable between ACOTs, with little drift and requiring few adjustments. Additionally, NUREG-1431, Rev. 2, "Standard Technical Specifications, Westinghouse Plants" recommends quarterly ACOTs for these instrumentation channels. Historically, these Functional Units have shown a high degree of stability; therefore, instrument drift within the 92 day exception is not likely to exceed the value assumed in their setpoint methodology. Given this consideration, the requirements of 10 CFR 50.36(c)(3) will continue to be met with the extension and it is, therefore, acceptable.

3.3 Modification of Special Test Exception Regarding Reactivity Control Systems

The licensee has proposed to modify LCO 3.10.3, Special Test Exception, "Reactivity Control Systems" by inserting the word "Range" after Intermediate and place an asterisk ("*") after the words Power Range. The asterisk then references a footnote stating "Power Range Low Setpoint Only." This change provides clarification that the requirement to be set at less than, or equal to, 25% of rated thermal power applies only to the Power Range low setpoint only. This change is administrative in nature, providing only further clarification, and is, therefore, acceptable.

Additionally, the licensee has proposed to modify SR 4.10.3.2 such that it would read as follows: "Verify each OPERABLE Intermediate Range and Power Range* channel ~~shall be~~ has been subjected to an ANALOG CHANNEL OPERATIONAL TEST....." where newly inserted text is underlined, and removed text is lined out. The asterisk inserted after words Power Range, point to the footnote discussed previously, providing the same clarification. This change is administrative in nature, providing only further clarification, and is, therefore, acceptable.

The licensee has proposed to further modify SR 4.10.3.2 such that the words "within 12 hours" are replaced by "per Specification TABLE 4.3-1." Currently, Table 4.3-1 specifies 31 days for both Intermediate and Power Range channels. However, as previously discussed, the licensee has also proposed to extend this time-frame to 92 days. A similar ACOT extension was addressed in the NRC-approved TSTF-108, Rev. 1, "Industry/TSTF Standard Technical Specification Change Traveler," dated May 2, 1997. This TSTF recommended extending the ACOT from 12 hours to 92 days prior to initiation of physics tests for Power Range and Intermediate Range channels. The TSTF stated that the initiation of Physics Tests does not impact the ability of the monitors to perform their required function, does not affect the trip setpoints or Reactor Trip System capability, and does not invalidate previous surveillances. Given this consideration, and (as previously discussed) the high stability of the channels, performance of the surveillance prior to the performance of Physics Tests is unnecessary. The instrument drift within the 92-day exception is not likely to exceed the value assumed in their setpoint methodology. Given this consideration, the requirements of 10 CFR 50.36(c)(3) will continue to be met with the extension and it is, therefore, acceptable.

3.4 Deletion of Special Test Exception Regarding Reactor Coolant Loops

Special Test Exceptions Specification 3/4.10.4, "Reactor Coolant Loops," specifies that the limitations of Specification 3/4.4.1.1 may be suspended during the performance of STARTUP and PHYSICS TESTS provided that: (a) the thermal power does not exceed the P-7 Interlock Setpoint; and (b) the reactor trip setpoints on the Operable Intermediate and Power Range

channels are set less than, or equal, to 25% of Rated Thermal Power. LCO 3.4.1.1 specifies that all reactor coolant loops shall be in operation during MODES 1 and 2, except as denoted in its footnote, which references Specification 3.10.4. As explained in its associated Bases, Specification 3.10.4 permits reactor criticality under no flow conditions while at low THERMAL POWER levels. This conditional exception was created to support the initial startup test program prior to commercial operation.

The licensee stated that present and future startup and physics testing (post core reload) do not require natural circulation conditions/low flow to perform these tests. Therefore, Specification 3/4.10.4 Special Test Exception is not necessary, and the licensee proposed to delete it in its entirety. Additionally, the licensee also proposed to delete the footnote in LCO 3.4.1.1, which references TS 3/4.10.4.

The staff notes that, since Specification 3/4.10.4 Special Test Exception is a relaxation, allowing an exception from the requirement of all reactor coolant loops being in operation, its deletion would be more restrictive to LCO 3.4.1.1. In addition, this Special Test Exception does not meet any of the four screening criteria of 10 CFR 50.36 for inclusion in the TSs. Therefore, the staff agrees that Specification 3/4.10.4, including its associated Bases, can be deleted.

Because TS 3/4.10.4 no longer exists, the staff agrees the LCO 3.4.1.1 footnote referencing TS 3/4.10.4 can be deleted.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New Hampshire and Massachusetts State officials were notified of the proposed issuance of the amendment. The State officials had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20, and changes SRs. 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 (67 FR 70767). Accordingly, the amendment meets 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 amendment.

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) such activities will be conducted in compliance with the Commission's regulations, 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: S. Mazumdar
Y. Hsui

Date: October 1, 2003