

September 30, 2003

Mr. John L. Skolds, Chairman
and Chief Executive Officer
AmerGen Energy Company, LLC
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: THREE MILE ISLAND NUCLEAR STATION, UNIT 1 (TMI-1), RE:
CONTAINMENT ISOLATION VALVES (TAC NO. MB6424)

Dear Mr. Skolds:

The Commission has issued the enclosed Amendment No. 246 to Facility Operating License No. DPR-50 for the Three Mile Island Nuclear Station, Unit 1 (TMI-1), in response to your application dated September 30, 2002.

The amendment revises the Technical Specification (TS) definition of containment integrity to ensure that all power-operated valves, relief valves, and check valves are included and clarifies the handling of operability and reportability issues related to Type III containment isolation valves. The amendment also includes minor administrative and editorial changes to improve the consistency and clarity of the TSs.

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/

Donna M. Skay, Senior Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-289

Enclosures: 1. Amendment No. 246 to DPR-50
2. Safety Evaluation

cc w/encls: See next page

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*SE provided. No substantive changes.

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| DATE | 9/25/03 | 9/25/03 | 08/28/03 | 9/26/03 | 9/30/03 |

OFFICIAL RECORD COPY

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AMERGEN ENERGY COMPANY, LLC

DOCKET NO. 50-289

THREE MILE ISLAND NUCLEAR STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 246
License No. DPR-50

1. The Nuclear Regulatory Commission (the Commission or NRC) has found that:
 - A. The application for amendment by AmerGen Energy Company, LLC (the licensee), dated September 30, 2002, 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.

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. DPR-50 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 246, are hereby incorporated in the license. The AmerGen Energy Company, LLC, 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 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Richard J. Laufer, Chief, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: September 30, 2003

ATTACHMENT TO LICENSE AMENDMENT NO. 246

FACILITY OPERATING LICENSE NO. DPR-50

DOCKET NO. 50-289

Replace the following pages of 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

iii
iv
1-5
3-12
3-14
3-15a
3-33
3-41
3-41a
3-41c
3-41d

4-8
4-38
4-51
Figure 5-1
Figure 5-3
5-10

Insert

iii
iv
1-5
3-12
3-14
3-15a
3-33
3-41
3-41a
3-41c
3-41d
3-41e
4-8
4-38
4-51
Figure 5-1
Figure 5-3
5-10

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 246 TO FACILITY OPERATING LICENSE NO. DPR-50
AMERGEN ENERGY COMPANY, LLC
THREE MILE ISLAND NUCLEAR STATION, UNIT 1
DOCKET NO. 50-289

1.0 INTRODUCTION

By application dated September 30, 2002, AmerGen Energy Company, LLC (the licensee), requested changes to the Technical Specifications (TSs) for Three Mile Island Nuclear Station, Unit 1 (TMI-1).

Specifically, the proposed changes would revise the TSs for the containment isolation valves (CIVs), in particular, main steam isolation valves (MSIVs). The changes would add a limiting condition for operation (LCO) and required action times for the MSIVs. In addition, the licensee requested changes to correct inaccurate information and make several administrative and editorial changes to improve the consistency and clarity of the TSs.

2.0 REGULATORY EVALUATION

In discussions with the licensee related to the failure of a motor operator for an MSIV (reference Licensee Event Report 99-012-00, dated November 17, 1999), the Nuclear Regulatory Commission (NRC) staff noted that TMI-1 TS 4.8 is incomplete in that it requires a surveillance for stroke time testing of the MSIVs, but contains no LCO or required action times for these components. The September 30, 2002, application addresses the recommendations for additional guidance on the handling of operability and reportability issues related to the Type III CIVs that resulted from the licensee's review of the appropriateness of TS 4.8.

The TMI-1 Updated Final Safety Analysis Report (UFSAR), Section 5.3.2, classifies the containment isolation design requirements for fluid penetrations that require isolation after an accident as follows (as used below, "reactor building" means "containment"):

- Type I: Each line connecting directly to the reactor coolant system has two reactor building isolation valves. One valve is external and the other is internal to the reactor building. These valves may be either a check valve and a remotely operated valve or two remotely operated valves, depending on the direction of normal flow.
- Type II: Each line connecting directly to the reactor building atmosphere has two isolation valves. At least one valve is external and the other may be internal or external to the reactor building. These valves may be either a check valve and

a remotely operated valve or two remotely operated valves, depending on the direction of normal flow.

Type III: Each line not directly connected to the reactor coolant system or not open to the reactor building atmosphere has at least one valve, either a check valve or a remotely operated valve. This valve is located external to the reactor building. A closed loop, which has a low probability of rupture during an accident, may be used as the second isolation barrier.

Type IV: Lines that penetrate the reactor building and are connected to either the building or the reactor coolant system, but which are never opened during reactor operation, have two normally closed barriers (e.g. blind flange, closed valve).

The MSIVs fall into the Type III category.

The design of the MSIVs also conforms to the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Appendix A, General Design Criterion 57, "Closed System Isolation Valves," although conformance is not required (see Staff Requirements Memorandum "SECY-92-223 - Resolution of Deviations Identified During the Systematic Evaluation Program," dated September 18, 1992).

Although typical MSIVs have closure times on the order of 5 seconds, the TMI-1 MSIVs have a closure time of less than 120 seconds, per current TS 4.8. UFSAR Section 10.3.1 states that MSIV closure is manually controlled and is not depended on by any accident analysis.

3.0 TECHNICAL EVALUATION

3.1 Definition of Containment Integrity

The licensee proposes to revise the definition of containment integrity for the purpose of ensuring that all of the CIVs and closure devices are included as appropriate. This change is meant to provide additional conservatism since the current TS do not provide an action statement for remotely operated non-automatic CIVs.

The proposed TS 1.7, "Containment Integrity," reads as follows.

CONTAINMENT INTEGRITY exists when the following conditions are satisfied:

- a. The equipment hatch is closed and sealed and both doors of the personnel and emergency air locks are closed and sealed.
- b. All passive Containment Isolation Valves (CIVs) and isolation devices, including manual valves and blind flanges, are closed as required by the "Containment Integrity Check List" attached to the operating procedure, "Containment Integrity and Access Limits." Normally closed passive CIVs may be unisolated intermittently under administrative control.

- c. All active CIVs, including power-operated valves, check valves, and relief valves, are OPERABLE or locked closed. Normally closed active CIVs (other than the purge valves) may be unisolated intermittently or manual control of power-operated valves may be substituted for automatic control under administrative control.
- d. The containment leakage determined at the last testing interval satisfies Specification 4.4.1.

Current TS 1.7.b and 1.7.c would be revised to classify the CIVs in terms of 1) passive CIVs and isolation devices, including manual valves and blind flanges, rather than nonautomatic CIVs; and 2) active CIVs, including power-operated valves, check valves, and relief valves, rather than automatic CIVs. The licensee considers the terms "automatic" and "nonautomatic," as used in the current TS to classify CIVs, to not be precisely defined.

Current TS 1.7.b and 1.7.c would also be revised to include provisions for intermittent opening of normally closed CIVs or manual control of power-operated valves under administrative control, while excluding from these provisions the reactor building purge valves. The NRC staff finds that these provisions are consistent with the Standard Technical Specifications (STS) for Babcock and Wilcox Plants, NUREG-1430, Revision 2, Specification 3.6.3, and similar to provisions for manual control of emergency feedwater (EFW) valves during surveillance testing to provide an EFW flow path in TS 4.9.1.2. These administrative controls are defined in the revised Bases for TS 3.6 consistent with NRC Generic Letter (GL) 91-08, "Removal of Component Lists from Technical Specifications." The administrative controls assure that, in the event of an accident, isolation of containment will be accomplished without exceeding the calculated dose projections of the accident analyses.

The NRC staff notes that the definitions of active and passive containment isolation devices are included in the American Nuclear Society (ANS) standard ANS-56.2, "Containment Isolation Provisions for Fluid Systems." The NRC staff finds that introduction of these terms into the containment integrity definition results in a clear and somewhat more conservative definition, and is therefore acceptable.

The staff finds that the provisions for allowing intermittent opening of CIVs under administrative control are consistent with GL 91-08. The administrative control includes (1) stationing an operator, who is in constant communication with the control room, at the valve controls, (2) instructing this operator to close these valves in an accident situation, and (3) assuring that environmental conditions will not preclude access to close the valves and that this action will prevent the release of radioactivity outside the containment. The staff finds that these provisions are sufficient to limit containment releases during an accident, while allowing the licensee operational flexibility, and that they provide adequate protection to public health and safety and are acceptable.

3.2 CIV Operability Requirements

Current TS 3.6.2 states:

Containment integrity shall be maintained when both the reactor coolant system is open to the containment atmosphere and a shutdown margin exists that is less than that for a refueling shutdown.

The licensee proposes to add, at the beginning of TS 3.6.2, the clause, "Except as provided in Specifications 3.6.6, 3.6.8, and 3.6.12," because, the licensee asserts, these exceptions, which are already in TS 3.6.1, are intended to apply whenever containment integrity is required.

The NRC staff finds that the exceptions cover situations where containment integrity may properly not be continuously maintained, such as when a CIV is inoperable, as allowed by the cited TS. Therefore, this change is acceptable.

Current TS 3.6.6 states:

While the reactor is critical, if a reactor building isolation valve (other than a purge valve) is determined to be inoperable in a position other than the required position, the other reactor building isolation valve in the line shall be verified to be OPERABLE. If the inoperable valve is not restored within 48 hours, the OPERABLE valve will be closed or the reactor shall be brought to HOT SHUTDOWN within the next 6 hours and to the COLD SHUTDOWN condition within additional 30 hours.

Proposed TS 3.6.6 states:

When CONTAINMENT INTEGRITY is required, if a CIV (other than a purge valve) is determined to be inoperable:

- a. For lines isolable by two or more CIVs, the CIVs* required to isolate the penetration shall be verified to be OPERABLE. If the inoperable valve is not restored within 48 hours, at least one CIV* in the line will be closed or the reactor shall be brought to HOT SHUTDOWN within the next 6 hours and to the COLD SHUTDOWN condition within an additional 30 hours.
- b. For lines isolable by one CIV, where the other barrier is a closed system, the line shall be isolated by at least one closed and deactivated automatic valve, closed manual valve, or blind flange within 72 hours or the reactor shall be brought to HOT SHUTDOWN within the next 6 hours and to the COLD SHUTDOWN condition within an additional 30 hours.

* All CIVs required to isolate the penetration.

TS 3.6.6 contains the LCOs for all CIVs except the reactor building purge valves, which are covered by TS 3.6.8. The licensee proposes to change the applicability of TS 3.6.6 from "when the reactor is critical" to "when containment integrity is required." The NRC staff finds

that the proposed language provides additional conservatism by applying the operability requirements for CIVs during periods of heatup or cooldown when containment integrity is required, in addition to the operating conditions when the reactor is critical. This change resolves an apparent discrepancy since containment integrity is required by the current TS under conditions with nuclear fuel in the core, the reactor coolant system (RCS) pressure above 300 psig, and temperature above 200 degrees F, although current TS 3.6.6 actions do not apply if the reactor is not critical. The staff, therefore, finds this change to be logical, conservative, and acceptable.

The licensee proposes to delete the phrase "inoperable in a position other than the required position" because it is somewhat ambiguous and no longer needed for the interpretation that, when a CIV is closed, it is accomplishing its containment isolation function. No further action is required in accordance with proposed TS 3.6.6 if at least one CIV in a penetration line is closed to isolate the penetration, and thus the containment isolation function for that penetration is accomplished. The staff agrees that, with the restructuring of the proposed TS, this phrase is no longer needed.

Proposed TS 3.6.6 is broken into two subsections. The revised TS 3.6.6.a applies to reactor building penetration lines isolable by two or more CIVs. Whereas the current specification addresses containment penetration lines having two CIVs, the revised wording in TS 3.6.6.a addresses penetration lines with two or more CIVs (as would exist, for example, if the line branched before the CIV). The staff finds that this revision is acceptable because it clarifies the intent of the action to isolate the penetration.

Proposed TS 3.6.6.b is included to apply to the penetrations that use one CIV and a closed system inside the reactor building as the containment isolation barriers. For such a penetration, there is not a second operable CIV if the one CIV becomes inoperable. The closed system will provide containment isolation until the inoperable CIV is restored or plant shutdown is initiated. The staff's judgment is that a required action time of 72 hours is justified as it is unlikely that a closed system would be inoperable as a containment isolation barrier. Also, the required action time of 72 hours is consistent with STS 3.6.3, Completion Time for Action C.1.

3.3 MSIV Testing Requirements

The licensee proposes to delete, in its entirety, current TS 4.8, "Main Steam Isolation Valves," and the associated line 6 for MSIVs in Table 4.1-2, "Minimum Equipment Test Frequency," which simply refers back to TS 4.8.

Current TS 4.8 specifies the frequency and types of tests for the MSIVs. It requires:

- A monthly check of valve stem movement, up to 10 percent, when the unit is operational and under normal flow and load conditions.
- A closure time test at a refueling frequency, with a maximum closure time of 120 seconds under no flow and no load conditions.

If an MSIV were to fail the partial or full-stroke test, the current TS has no operability or action requirements associated with this surveillance requirement.

The licensee has provided the following statements regarding this proposal:

This specification is being deleted since, except for the requirement for a partial stroke test each month, this surveillance specification is redundant to the Inservice Testing (IST) requirements of the ASME Code [American Society of Mechanical Engineers Boiler and Pressure Vessel Code] Section XI, TS 4.2.2, and 10 CFR 50.55a(f). TS 4.8 was included in the original TMI-1 TS, which were issued in 1974 prior to implementation of the IST requirements for Class 2 and 3 components in 1978. There is no recommendation from the manufacturer to perform this test more frequently than quarterly. Therefore, with the deletion of Specification 4.8, the partial stroke test requirement can be changed from monthly to quarterly in accordance with IST requirements for all safety related valves.

In accordance with the requested amendment, the MSIVs will be partial stroke tested once per quarter and full stroke tested once per refueling interval. The IST program in conjunction with the requested change to TS 3.6.6 described above, will provide applicable TS required actions should the MSIVs fail to stroke as required.

TMI is currently committed to applicable parts of ASME/ANSI OMa-1988 Addenda to ASME/ANSI OM-1987 Edition as required by the ASME Section XI Division 1, 1989 Edition. The TMI, Unit 1 submittal of the IST program to the NRC committed to testing of the MSIVs every three months in accordance with the OM Part 10. However, TMI currently meets the IST partial stroke testing frequency requirement due to testing the MSIVs each month per TS 4.8. Thus, by deleting TS 4.8, the partial stroke testing of the MSIVs may be revised from monthly to quarterly. The frequency of full stroke testing each refueling in accordance with the ASME Code remains unchanged.

The NRC staff concludes that changing the partial stroke test frequency from monthly to quarterly provides a suitable test frequency for ensuring the MSIVs operational readiness and meets the inservice testing frequency requirement of the ASME code. Although, the MSIVs are not required per the STS to be partial stroke tested due to the risk of valve closure with the unit generating power, the licensee intends to continue partial stroke testing of the MSIVs in accordance with the Code because this test has been conducted once each month during power operation since the initial startup of TMI-1 in 1974 and is judged to have some benefit without subjecting the plant to an increased risk of a trip at power. The staff finds it appropriate to delete TS 4.8.

The staff finds that the MSIV stop check function is unaffected by this change. The licensee stated that this will continue to be tested as part of the IST program each refueling interval in accordance with surveillance procedure 1300-3Y, "MS Isolation Valve Closure IST."

Table 4.1-2, "Minimum Equipment Test Frequency," Item No.6, "Main Steam Isolation Valves," which refers to TS 4.8, is also being deleted. With the deletion of specification 4.8, the staff finds that this item will be redundant and imposes no additional test requirements beyond that of IST in accordance with the ASME Code, TS 4.2.2, and 10 CFR 50.55a(f).

The staff finds that the change from monthly to quarterly for the MSIV partial stroke testing frequency meets the requirements of the ASME Code. The staff further finds that the requirements of the ASME Code, TS 4.2.2, and 10 CFR 50.55a(f) are sufficient to control the testing of the MSIVs, and that current TS 4.8 and Item No.6 of TS Table 4.1-2 may be deleted. Therefore, the staff finds that the proposed changes are acceptable.

3.4 Revisions to Figures

The licensee proposes to revise Figures 5-1 and 5-3 to reflect the current conditions. Figure 5-1 is revised to show the transmission lines leaving the TMI-1 site and to delete the destination of the transmission lines which is incorrect as shown. The current figure shows the destination of transmission lines that do not exist as labeled. The staff finds that the text of the UFSAR, Section 8.2.1 provides a correct detailed description of the electrical transmission network. Therefore, the staff concludes that there is no need to provide the number and destination of the transmission lines on the extended plot plan. This change is acceptable.

Figure 5-3 is being updated to reflect that the emergency discharge from the TMI-2 mechanical draft cooling tower was permanently isolated by a modification and is no longer a liquid effluent release point. This is also noted on TS page 5-10. The staff, therefore, finds this change acceptable.

3.5 Administrative Changes

The licensee proposed to delete references to TS sections that have been deleted by prior amendments. In particular:

- The Table of Contents page is revised to reflect the deletion of TS 4.4.4, "Hydrogen Recombiner System." This TS section was deleted by License Amendment No. 240.
- TS Section 3.1.6.6 is revised to delete the reference to TS 3.22.2.1 and refer to the dose rate limit for gaseous radiological effluent which was relocated from the TS to the Offsite Dose Calculation Manual by License Amendment No. 197.
- TS 3.5.2.2.a is revised to delete a reference to TS 4.7.2.3, which was deleted by License Amendment No. 211.

Several editorial changes are made to correct grammatical errors, incorporate acronyms, or change words to all capital letters to make convention consistent throughout the TS. The staff finds these changes acceptable.

3.6 Bases Changes

The licensee proposes to delete the alarm setpoint range (13 ± 2 gpm) provided for Emergency Core Cooling System cubicle leak detection from the Bases of TS 3.1.6 because the detector's alarms are set conservatively and sufficiently below the design basis flow of 13 gpm. Because the licensee's calculations have shown that the alarm setpoint is sufficiently conservative, the range is not needed. Therefore, the bases are being revised to reflect 13 gpm as the basis flow rate for leakage detection rather than 13 ± 2 gpm.

The Bases for TS 3.6, "Reactor Building," is being revised to incorporate appropriate bases for the CIVs operability requirements, applicability and actions required when CIVs become inoperable. The staff reviewed this change for consistency with the proposed TS changes discussed above.

3.7 Conclusion

Based on the foregoing evaluation, the NRC staff finds that the proposed changes to the definition of containment integrity, CIV operability requirements, and MSIV testing requirements are acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Pennsylvania State official was notified of the proposed issuance of the amendment. The State official 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 a surveillance requirement. 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 68729). 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: J. Pulsipher

Date: September 30, 2003