

December 3, 2003

Mr. J. B. Beasley, Jr.
Vice President - Farley Project
Southern Nuclear Operating
Company, Inc.
Post Office Box 1295
Birmingham, Alabama 35201-1295

SUBJECT: JOSEPH M. FARLEY NUCLEAR PLANT, UNITS 1 AND 2 RE: PUBLIC NOTICE
OF APPLICATION FOR AMENDMENT TO FACILITY OPERATING LICENSE
(TAC NO. MC1445 AND MC1446)

Dear Mr. Beasley:

The enclosed announcement was forwarded to the *Dothan Eagle* newspaper for publication. This announcement relates to your application dated December 3, 2003, for exigent amendment to Facility Operating Licenses Nos. NPF-2 and NPF-8. The proposed amendment would modify the Technical Specifications to allow the continued operation of the Joseph M. Farley Nuclear Plant, Units 1 and 2 with one emergency diesel generator set inoperable until December 31, 2003.

Sincerely,

/RA/

Frank Rinaldi, Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-348 and 50-364

Enclosure: Public Notice

cc w/encl: See next page

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NRR-106

OFFICE	PDII-1/PM	PDII-1/LA	PDII-1/SC
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DATE	12/03/03	12/03/03	12/03/03

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PUBLIC NOTICE

NRC STAFF PROPOSES TO AMEND OPERATING LICENSE AT THE JOSEPH M. FARLEY NUCLEAR PLANT, UNITS 1 AND 2

The U.S. Nuclear Regulatory Commission (NRC) staff has received an application dated December 3, 2003, from Southern Nuclear Operating Company (the licensee or SNC), for an exigent amendment to the operating license for the Joseph M. Farley Nuclear Plant (FNP), Units 1 and 2, located in Houston County, Alabama.

The proposed amendment would modify the Technical Specifications (TS) to allow the continued operation of FNP, Units 1 and 2, with one emergency diesel generator set inoperable until midnight on December 31, 2003. The proposed changes would revise TS 3.8.1, "Electrical Power Systems AC Sources – Operating," such that, with one emergency diesel generator (EDG) set inoperable, the allowed completion time in Action B is extended from 10 days to 13 days, provided that the other conditions of the statement are met. These TS changes will be in effect for FNP, Units 1 and 2, during December 2003, for the 1C EDG only.

SNC is performing the 24-month preventative maintenance on EDG 1C that includes replacing the cylinder liners. This EDG outage was started on November 30, 2003. Emergent problems have been encountered that could force the maintenance schedule to exceed 10 days. The proposed license amendments are needed to avoid a potential shutdown in accordance with TS 3.8.1, which would require FNP, Units 1 and 2, to be placed in Mode 3 within 6 hours after the 10-day allowed outage time has expired and Mode 5 within the following 36 hours. This TS revision request represents a risk-informed licensing change and

meets the criteria of Regulatory Guide (RG) 1.174, "An Approach for Using Probabilistic Risk Assessment in Risk-Informed Decisions on Plant-Specific Changes to the Licensing Basis," for risk-informed changes.

The licensee requested that the NRC issue this amendment on an exigent basis because the condition was not created by their failure to take timely action. The licensee discovered the degradation on November 30, 2003, while performing the 24-month preventive maintenance on EDG 1C.

The amendment has been evaluated against the three standards in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.92(c).

Following an initial review of this application, the requested amendment has been evaluated against the standards in 10 CFR 50.92. In its analysis of the issue of no significant hazards consideration, as required by 10 CFR 50.91(a), the licensee has provided the following:

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

Response: No.

The emergency diesel generators (EDG) provide onsite electrical power to vital systems should offsite electrical power be interrupted. The EDGs are not an initiator to any accident previously evaluated. Therefore, this extended period of operation with the EDG out-of-service will not increase the probability of an accident previously evaluated.

The EDGs act to mitigate the consequences of design basis accidents that assume a loss of offsite power. For that purpose, redundant EDGs are provided to protect against a single-failure. During the Technical Specification ten day Completion Time, an operating unit is allowed by the Technical Specifications to remove one of the EDGs from service, thereby losing this single-failure protection. This operating condition is considered acceptable. The consequences of a design basis accident coincident with a failure of the redundant EDG during the period of 13 days are the same as those during the ten days Completion Time. Therefore, during the period of non-compliance, there is no significant increase in consequences of an accident previously evaluated.

Therefore, the proposed changes will not result in a significant increase in the probability or consequences of an accident previously evaluated.

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

Response: No.

There are no new failure modes or mechanisms created due to plant operation for an extended period to perform repairs and post-maintenance testing of 1C EDG. Extended operation with an inoperable 1C EDG does not involve any modification in the operational limits or physical design of plant systems. There are no new accident precursors generated due to the extended allowed completion time.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

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

Response: No.

Plant operation for 13 days with an inoperable 1C EDG, has been shown to have a very small impact on plant risk using the criteria of RG 1.174. During the extended allowable completion time, the electrical power system maintains the ability to perform its safety function of providing an available source of power to the Engineered Safety Feature (ESF) systems as assumed in the accident analyses. During the extended maintenance and test period, appropriate compensatory measures will be implemented to restrict high-risk activity.

Therefore, the change does not involve a significant reduction in a margin of safety as defined in the basis for any Technical Specification.

If the proposed determination that the requested license amendment involves no significant hazards consideration becomes final, the NRC staff will issue the amendments without first offering an opportunity for a public hearing. An opportunity for a hearing will be published in the *Federal Register* at a later date and any hearing request will not delay the effective date of the amendment.

If the NRC staff decides in its final determination that the amendment does involve a significant hazards consideration, a notice of opportunity for a prior hearing will be published in the *Federal Register* and, if a hearing is granted, it will be held before the amendment is issued.

Comments on the proposed determination of no significant hazards consideration may be (1) telephoned to John Nakoski, Chief, Section 1, Project Directorate II, by collect call to (301) 415-1068 or by facsimile to (301) 415-1222; (2) e-mailed to jan1@nrc.gov; or

(3) submitted in writing to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555. All comments received by close of business on October 21, 2003, from 7:30 a.m. to 4:15 p.m. Federal workdays will be considered in reaching a final determination. A copy of the application may be examined electronically through the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room link at the NRC Web site <http://www.nrc.gov/reading-rm/adams.html> and at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209 or 301-415-4737, or by e-mail to pdr@nrc.gov.

Joseph M. Farley Nuclear Plant

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