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DTE Energy



10 CFR 50.90

October 31, 2005
NRC-05-0047

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

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

Subject: Application for Technical Specification Change to
Add LCO 3.0.8 on the Inoperability of Snubbers Using
The Consolidated Line Item Improvement Process

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

The proposed amendment would revise TS requirements for inoperable snubbers by adding LCO 3.0.8.

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.

Detroit Edison requests approval of the proposed License Amendment by May 1, 2006, with the amendment being implemented within 30 days thereafter.

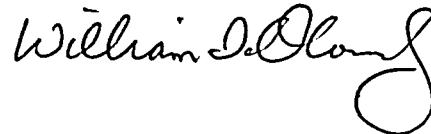
In accordance with 10 CFR 50.91, a copy of this application, with attachments, is being provided to the designated Michigan State Official.

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If you have any questions or require additional information, please contact Mr. Ronald W. Gaston, Manager, Nuclear Licensing at (734) 586-5197.

Sincerely,

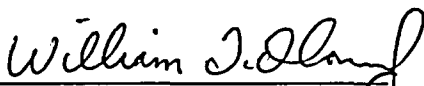
A handwritten signature in cursive script, appearing to read "William DeLong". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Attachments:

1. Description and Assessment
2. Proposed Technical Specification Changes (Mark-up)
3. Revised Technical Specification Pages (Typed)
4. Regulatory Commitments

cc: D. P. Beaulieu
T. J. Kozak
NRC Resident Office
Regional Administrator, Region III
Supervisor, Electric Operators,
Michigan Public Service Commission

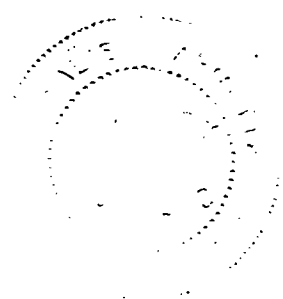
I, WILLIAM T. O'CONNOR, JR., do hereby affirm that the foregoing statements are based on facts and circumstances which are true and accurate to the best of my knowledge and belief.


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

On this 31st day of October, 2005 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.


Notary Public

ROSALIE ARMETTA
NOTARY PUBLIC MONROE CO., MI
MY COMMISSION EXPIRES Oct 11, 2007



**ATTACHMENT 1 TO
NRC-05-0047**

DESCRIPTION AND ASSESSMENT

1.0 DESCRIPTION

The proposed amendment would modify Technical Specifications (TS) requirements for inoperable snubbers by adding LCO 3.0.8.

The changes are consistent with Nuclear Regulatory Commission (NRC) approved Industry/Technical Specification Task Force (TSTF) STS change TSTF-372 Revision 4. The availability of this TS improvement was published in the Federal Register on May 4, 2005 (70 FR 23252) 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 May 4, 2005 (70 FR 23252) 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-372. 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 TSTF-372 Revision 4 or the NRC staff's model safety evaluation dated May 4, 2005 (70 FR 23252).

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 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 May 4, 2005 (70 FR 23252) for this TS improvement, plant-specific verifications were performed as follows:

Detroit Edison has established TS Bases for LCO 3.0.8 which provide guidance and details on how to implement the new requirements. LCO 3.0.8 requires that risk be managed and assessed. The Bases also state that while the Industry and NRC guidance on implementation of 10 CFR 50.65(a)(4), the Maintenance Rule, does not address seismic risk, LCO 3.0.8 should be considered with respect to other plant maintenance activities, and integrated into the existing Maintenance Rule process to the extent possible so that maintenance on any unaffected train or subsystems properly controlled, and emergent issues are properly addressed. The risk assessment need not be quantified, but may be a qualitative assessment of the vulnerability of systems and components when one or more snubbers are not able to perform their associated support function. 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 May 4, 2005 (70 FR 23252) 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 TO
NRC-05-0047**

PROPOSED TECHNICAL SPECIFICATION CHANGES (MARK-UP)

Pages 3.0-1 & 3.0-3

3.0 LIMITING CONDITION FOR OPERATION (LCO) APPLICABILITY

LCO 3.0.1 LCOs shall be met during the MODES or other specified conditions in the Applicability, except as provided in LCO 3.0.2, and LCO 3.0.7, and LCO 3.0.8.

LCO 3.0.2 Upon discovery of a failure to meet an LCO, the Required Actions of the associated Conditions shall be met, except as provided in LCO 3.0.5 and LCO 3.0.6.

If the LCO is met or is no longer applicable prior to expiration of the specified Completion Time(s), completion of the Required Action(s) is not required, unless otherwise stated.

LCO 3.0.3 When an LCO is not met and the associated ACTIONS are not met, an associated ACTION is not provided, or if directed by the associated ACTIONS, the unit shall be placed in a MODE or other specified condition in which the LCO is not applicable. Action shall be initiated within 1 hour to place the unit, as applicable, in:

- a. MODE 2 within 7 hours;
- b. MODE 3 within 13 hours; and
- c. MODE 4 within 37 hours.

Exceptions to this Specification are stated in the individual Specifications.

Where corrective measures are completed that permit operation in accordance with the LCO or ACTIONS, completion of the actions required by LCO 3.0.3 is not required.

LCO 3.0.3 is only applicable in MODES 1, 2, and 3.

(continued)

3.0. LCO APPLICABILITY

LCO 3.0.6
(continued) When a support system's Required Action directs a supported system to be declared inoperable or directs entry into Conditions and Required Actions for a supported system, the applicable Conditions and Required Actions shall be entered in accordance with LCO 3.0.2.

LCO 3.0.7 Special Operations LCOs in Section 3.10 allow specified Technical Specifications (TS) requirements to be changed to permit performance of special tests and operations. Unless otherwise specified, all other TS requirements remain unchanged. Compliance with Special Operations LCOs is optional. When a Special Operations LCO is desired to be met but is not met, the ACTIONS of the Special Operations LCO shall be met. When a Special Operations LCO is not desired to be met, entry into a MODE or other specified condition in the Applicability shall only be made in accordance with the other applicable Specifications.

INSERT 1

- LCO 3.0.8 When one or more required snubbers are unable to perform their associated support function(s), any affected supported LCO(s) are not required to be declared not met solely for this reason if risk is assessed and managed, and:
- the snubbers not able to perform their associated support function(s) are associated with only one train or subsystem of a multiple train or subsystem supported system or are associated with a single train or subsystem supported system and are able to perform their associated support function within 72 hours; or
 - the snubbers not able to perform their associated support function(s) are associated with more than one train or subsystem of a multiple train or subsystem supported system and are able to perform their associated support function within 12 hours.

At the end of the specified period the required snubbers must be able to perform their associated support function(s), or the affected supported system LCO(s) shall be declared not met.

**ATTACHMENT 3 TO
NRC-05-0047**

PROPOSED TECHNICAL SPECIFICATIONS PAGES

Page 3.0-1 & 3.0-3

3.0 LIMITING CONDITION FOR OPERATION (LCO) APPLICABILITY

LCO 3.0.1 LCOs shall be met during the MODES or other specified conditions in the Applicability, except as provided in LCO 3.0.2, LCO 3.0.7, and LCO 3.0.8.

LCO 3.0.2 Upon discovery of a failure to meet an LCO, the Required Actions of the associated Conditions shall be met, except as provided in LCO 3.0.5 and LCO 3.0.6.

If the LCO is met or is no longer applicable prior to expiration of the specified Completion Time(s), completion of the Required Action(s) is not required, unless otherwise stated.

LCO 3.0.3 When an LCO is not met and the associated ACTIONS are not met, an associated ACTION is not provided, or if directed by the associated ACTIONS, the unit shall be placed in a MODE or other specified condition in which the LCO is not applicable. Action shall be initiated within 1 hour to place the unit, as applicable, in:

- a. MODE 2 within 7 hours;
- b. MODE 3 within 13 hours; and
- c. MODE 4 within 37 hours.

Exceptions to this Specification are stated in the individual Specifications.

Where corrective measures are completed that permit operation in accordance with the LCO or ACTIONS, completion of the actions required by LCO 3.0.3 is not required.

LCO 3.0.3 is only applicable in MODES 1, 2, and 3.

(continued)

**ATTACHMENT 4 TO
NRC-05-0047**

LIST OF REGULATORY COMMITMENTS

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 purpose and are not considered to be regulatory commitments. Please direct questions regarding these commitments to Ronald W. Gaston, Manager, Nuclear Licensing at (734) 586-5197.

REGULATORY COMMITMENTS	DUE DATE / EVENT
Detroit Edison will establish the Technical Specification Bases for LCO 3.0.8 as adopted with the applicable license amendment.	To be implemented concurrently with implementation of the associated Technical Specification implementation.

**ATTACHMENT 5 TO
NRC-05-0047**

PROPOSED CHANGES TO TECHNICAL SPECIFICATION BASES PAGES

B 3.0 LIMITING CONDITION FOR OPERATION (LCO) APPLICABILITY

BASES

-
- LCOs LCO 3.0.1 through LCO 3.0.7⁽⁸⁾ establish the general requirements applicable to all Specifications and apply at all times, unless otherwise stated.
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- LCO 3.0.1 LCO 3.0.1 establishes the Applicability statement within each individual Specification as the requirement for when the LCO is required to be met (i.e., when the unit is in the MODES or other specified conditions of the Applicability statement of each Specification).
-
- LCO 3.0.2 LCO 3.0.2 establishes that upon discovery of a failure to meet an LCO, the associated ACTIONS shall be met. The Completion Time of each Required Action for an ACTIONS Condition is applicable from the point in time that an ACTIONS Condition is entered. The Required Actions establish those remedial measures that must be taken within specified Completion Times when the requirements of an LCO are not met. This Specification establishes that:
- a. Completion of the Required Actions within the specified Completion Times constitutes compliance with a Specification; and
 - b. Completion of the Required Actions is not required when an LCO is met within the specified Completion Time, unless otherwise specified.
- There are two basic types of Required Actions. The first type of Required Action specifies a time limit in which the LCO must be met. This time limit is the Completion Time to restore an inoperable system or component to OPERABLE status or to restore variables to within specified limits. If this type of Required Action is not completed within the specified Completion Time, a shutdown may be required to place the unit in a MODE or condition in which the Specification is not applicable. (Whether stated as a Required Action or not, correction of the entered Condition is an action that may always be considered upon entering ACTIONS.) The second type of Required Action specifies the
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BASES

LCO 3.0.7 (continued)

Applicability (i.e., should the requirements of this other LCO not be met, the ACTIONS of the Special Operations LCO apply, not the ACTIONS of the other LCO). However, there are instances where the Special Operations LCO ACTIONS may direct the other LCOs' ACTIONS be met. The Surveillances of the other LCO are not required to be met, unless specified in the Special Operations LCO. If conditions exist such that the Applicability of any other LCO is met, all the other LCO's requirements (ACTIONS and SRs) are required to be met concurrent with the requirements of the Special Operations LCO.



INSERT 2

INSERT 2

LCO 3.0.8 LCO 3.0.8 establishes conditions under which systems are considered to remain capable of performing their intended safety function when associated snubbers are not capable of providing their associated support function(s). This LCO states that the supported system is not considered to be inoperable solely due to one or more snubbers not capable of performing their associated support function(s). This is appropriate because a limited length of time is allowed for maintenance, testing, or repair of one or more snubbers not capable of performing their associated support function(s) and appropriate compensatory measures are specified in the snubber requirements, which are located outside of the Technical Specifications (TS) under licensee control. The snubber requirements do not meet the criteria in 10 CFR 50.36(c)(2)(ii), and, as such, are appropriate for control by the licensee.

If the allowed time expires and the snubber(s) are unable to perform their associated support function(s), the affected supported system's LCO(s) must be declared not met and the Conditions and Required Actions entered in accordance with LCO 3.0.2.

LCO 3.0.8.a applies when one or more snubbers are not capable of providing their associated support function(s) to a single train or subsystem of a multiple train or subsystem supported system or to a single train or subsystem supported system. LCO 3.0.8.a allows 72 hours to restore the snubber(s) before declaring the supported system inoperable. The 72 hour Completion Time is reasonable based on the low probability of a seismic event concurrent with an event that would require operation of the supported system occurring while the snubber(s) are not capable of performing their associated support function and due to the availability of the redundant train of the supported system.

LCO 3.0.8.b applies when one or more snubbers are not capable of providing their associated support function(s) to more than one train or subsystem of a multiple train or subsystem supported system. LCO 3.0.8.b allows 12 hours to restore the snubber(s) before declaring the supported system inoperable. The 12 hour Completion Time is reasonable based on the low probability of a seismic event concurrent with an event that would require operation of the supported system occurring while the snubber(s) are not capable of performing their associated support function.

LCO 3.0.8 requires that risk be assessed and managed. Industry and NRC guidance on the implementation of 10 CFR 50.65(a)(4) (the Maintenance Rule) does not address seismic risk. However, use of LCO 3.0.8 should be considered with respect to other plant maintenance activities, and integrated into the existing Maintenance Rule process to the extent possible so that maintenance on any unaffected train or subsystem is properly controlled, and emergent issues are properly addressed. The risk assessment need not be quantified, but may be a qualitative awareness of the vulnerability of systems and components when one or more snubbers are not able to perform their associated support function.