

July 28, 2006

Mr. M. R. Blevins
Senior Vice President
& Chief Nuclear Officer
TXU Power
ATTN: Regulatory Affairs
P. O. Box 1002
Glen Rose, TX 76043

SUBJECT: COMANCHE PEAK STEAM ELECTRIC STATION (CPSES), UNITS 1 AND 2 -
ISSUANCE OF AMENDMENTS RE: REVISION TO TECHNICAL
SPECIFICATION 5.5.13, "DIESEL FUEL OIL TESTING PROGRAM"
(TAC NOS. MC8161 AND MC8162)

Dear Mr. Blevins:

The Commission has issued the enclosed Amendment No. 127 to Facility Operating License No. NPF-87 and Amendment No. 127 to Facility Operating License No. NPF-89 for CPSES, Units 1 and 2, respectively. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated August 10, 2005.

The amendments (1) revise TS 5.5.13 to relocate the specific American Society for Testing and Materials (ASTM) standard reference to a licensee-controlled document, (2) clarify that the American Petroleum Institute's (API's) gravity is tested in accordance with ASTM D1298, "Standard Test Method for Density, Relative Density (Specific Gravity), or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method," (3) provide additional methods for testing sulfur and for determining particulate concentration, and (4) correct the formatting and typographical errors in the TS.

The Nuclear Regulatory Commission (NRC) staff has reviewed the licensee's request, and concludes that the licensee's proposed changes will continue to provide adequate testing and verification of fuel oil quality to ensure the availability of onsite emergency power sources when needed. Based on that conclusion, the NRC staff finds that the proposed changes are acceptable.

M. R. Blevins

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

Sincerely,

/RA/

Mohan C. Thadani, Senior Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

Enclosures: 1. Amendment No. 127 to NPF-87
2. Amendment No. 127 to NPF-89
3. Safety Evaluation

cc w/encls: See next page

M. R. Blevins

- 2 -

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Sincerely,

/RA/

Mohan C. Thadani, Senior Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

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cc w/encls: See next page

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OFFICIAL RECORD COPY

TXU GENERATION COMPANY LP
COMANCHE PEAK STEAM ELECTRIC STATION, UNIT NO. 1
DOCKET NO. 50-445
AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 127
License No. NPF-87

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by TXU Generation Company LP dated August 10, 2005, 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, as amended, 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 license 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. NPF-87.

3. The license amendment is effective as of its date of issuance and shall be implemented within 120 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

David Terao, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications and Facility Operating License

Date of Issuance: July 28, 2006

TXU GENERATION COMPANY LP
COMANCHE PEAK STEAM ELECTRIC STATION, UNIT NO. 2
DOCKET NO. 50-446
AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 127
License No. NPF-89

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by TXU Generation Company LP dated August 10, 2005, 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, as amended, 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 license 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. NPF-89.

3. This license amendment is effective as of its date of issuance and shall be implemented within 120 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

David Terao, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications and Facility Operating License

Date of Issuance: July 28, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 127

TO FACILITY OPERATING LICENSE NO. NPF-87

AND AMENDMENT NO. 127

TO FACILITY OPERATING LICENSE NO. NPF-89

DOCKET NOS. 50-445 AND 50-446

Replace each page 3 of the Facility Operating Licenses, NPF-87 and NPF-89, with the attached revised pages.

Replace the following page of the Appendix A Technical Specifications with the attached revised page. The revised page is identified by an amendment number and contains marginal lines indicating the areas of change.

REMOVE

5.0-24

INSERT

5.0-24

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 127 TO

FACILITY OPERATING LICENSE NO. NPF-87

AND AMENDMENT NO. 127 TO

FACILITY OPERATING LICENSE NO. NPF-89

TXU GENERATION COMPANY LP

COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2

DOCKET NOS. 50-445 AND 50-446

1.0 INTRODUCTION

By application dated August 10, 2005 (Agencywide Documents Access and Management System Accession No. ML052280310), TXU Generation Company (the licensee), submitted a request for changes to the Comanche Peak Steam Electric Station (CPSES) Unit 1 Operating License (NPF-87) and CPSES Unit 2 Operating License (NPF-89) Technical Specifications (TSs).

The proposed changes would revise TS 5.5.13 to relocate specific American Society for Testing and Materials (ASTM) standard reference to a licensee-controlled document, clarify that the American Petroleum Institute (API) gravity is tested in accordance with ASTM D1298, "Standard Test Method for Density, Relative Density (Specific Gravity), or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method," provide additional methods for sulfur testing and for determining particulate concentrations, and correct the formatting and typographical errors in the TS.

The proposed changes are consistent with Section 5.5.13 of NUREG-1431, Revision 3, "Standard Technical Specifications, Westinghouse Plants" (STS), which has incorporated Technical Specification Task Force (TSTF) Improved Standard Technical Specifications Change Traveler 374-A, Revision 0, "Revision to TS 5.5.13 and associated TS Bases for Diesel Fuel Oil."

These changes were described in a Notice of Availability published in the *Federal Register* on April 21, 2006 (71 FR 20735).

2.0 REGULATORY EVALUATION

The onsite electrical power system includes standby power sources, distribution systems, and vital auxiliary supporting systems to supply power to safety-related equipment. Most commercial nuclear power plants use diesel generators as the emergency power source for the safety-related electrical buses. The importance of the diesel generators (or other standby power sources) is reflected in their incorporation into the Nuclear Regulatory Commission (NRC) regulations, TSs, and other regulatory

programs, including Appendix B ("Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants") to Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 50). NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants," addresses diesel fuel oil and other supporting systems in Section 9.5.4, "Emergency Diesel Engine Fuel Oil Storage and Transfer System."

The TSs include requirements for testing diesel fuel oil to ensure that it is of the appropriate grade and that it has not been contaminated (i.e., proper fuel oil quality). The Diesel Fuel Oil Testing Program defined in the TS includes tests for (1) the acceptability of new fuel oil for use prior to addition to the storage tanks; (2) other properties of new fuel oil that are within limits within 31 days following sampling and addition to storage tanks; and (3) total particulate concentration of the fuel oil every 31 days. The current TSs identify particular ASTM standards and methods of performing these tests. The industry submitted TSTF-374 proposing changes to the STS (NUREGs 1430 - 1434) to provide the flexibility to address future changes in Environmental Protection Agency (EPA) regulations for fuel oil or revisions to the ASTM standards. TSTF-374-A was reviewed and accepted by the NRC staff and has been incorporated into each of the STS NUREGs. Requirements for testing the diesel fuel oil are maintained, but references to specific ASTM standards are relocated to licensee-controlled documents and an alternative to the "clear and bright" acceptance test for new fuel is added to address changes in EPA requirements.

3.0 TECHNICAL EVALUATION

The changes proposed by the licensee incorporate TSTF-374-A with certain exceptions to TS Bases Surveillance Requirement (SR) 3.8.3.3. The NRC staff finds the exceptions acceptable because the limits stated are consistent with the plant's current licensing basis and are determined through a referenced standard provided in the approved TSTF-374-A.

In adopting TSTF-374-A, the licensee proposes to relocate the reference to specific ASTM standards from the TS Administrative Controls Section 5.5.13, "Diesel Fuel Oil Testing Program," to a licensee-controlled document. Although the reference to specific testing standards or methods is relocated, TS 5.5.13 retains acceptance criteria for new and stored diesel fuel oil and refers to "applicable ASTM standards" for sampling and testing requirements. The specific testing standards or methods are relocated to the TS Bases Section, which is controlled in accordance with 10 CFR 50.59, "Changes, tests, and experiments," as described in TS 5.5.14, "Technical Specification (TS) Bases Control Program." The licensee's testing programs for diesel fuel oil are also governed by other regulatory requirements, including Appendix B (Quality Assurance Criteria) to 10 CFR Part 50. While the relocation of selected program details provides the licensee with some flexibility to adopt practices defined in future ASTM standards, the NRC staff finds that the remaining TSs, TS Bases Control Program, and other NRC regulations provide appropriate regulatory controls to ensure diesel fuel oil quality will be maintained.

The plant-specific adoption of TSTF-374-A also includes an alternative to the "clear and bright" test currently required for new fuel oil acceptability. The revised TSs would allow either the "clear and bright" test or a test confirming that the fuel oil has "water and sediment content within limits." This alternative test is better suited for darker colored fuels and is recognized in the ASTM standards that have been referenced in NRC-approved amendments. The NRC staff finds that the alternative for testing the water and sediment content will maintain or improve the inspection of new fuel oil and, therefore, finds the change acceptable.

The licensee included in its application the proposed revisions to the TS Bases to reflect the changes to TS 5.5.13 and to incorporate the references to the applicable ASTM standards. The changes are consistent with TSTF-374-A and will be incorporated into the TS Bases in accordance with TS 5.5.14.

Based on the discussions above, the NRC staff finds that the licensee's proposed changes continue to provide for adequate testing and verification of fuel oil quality to ensure the availability of onsite emergency power sources when needed. Therefore, the proposed changes are acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Texas State official was notified of the proposed issuance of the amendments. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendments change a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendments involve 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 amendments involve no significant hazards consideration, and there has been no public comment on such finding published November 8, 2005 (70 FR 67754). Accordingly, the amendments meet 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 amendments.

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 amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: P. Hearn

Date: July 28, 2006

Comanche Peak Steam Electric Station

cc:

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