

### 3.7 PLANT SYSTEMS

#### 3.7.8 Ultimate Heat Sink (UHS)

LCO 3.7.8 The UHS shall be OPERABLE.

APPLICABILITY: MODES 1, 2, 3, and 4.

#### ACTIONS

CONDITION	REQUIRED ACTION	COMPLETION TIME
<del>A.</del> UHS inoperable. <div style="border: 1px solid black; padding: 2px; display: inline-block;">B.</div>	A.1 Be in MODE 3.	6 hours
	AND A.2 Be in MODE 5.	36 hours

INSERT A

B.1

B.2

#### SURVEILLANCE REQUIREMENTS

SURVEILLANCE	FREQUENCY
SR 3.7.8.1 Verify water level of UHS is $\geq$ 218 ft mean sea level.	24 hours
SR 3.7.8.2 Verify service water temperature is $\leq$ 95°F.	24 hours

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INSERT A:

CONDITION	REQUIRED ACTION	COMPLETION TIME
A. Service water temperature > 95°F.	A.1 Restore service water temperature to ≤ 95°F.	8 hours

BASES

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APPLICABLE  
SAFETY ANALYSES  
(continued)

The UHS satisfies Criterion 3 of the NRC Policy Statement.

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LCO

The UHS is required to be OPERABLE and is considered OPERABLE if it contains a sufficient volume of water at or below the maximum temperature that would allow the SWS to operate for at least 22 days following the design basis LOCA without the loss of NPSH, and without exceeding the maximum design temperature of the equipment served by the SWS. To meet this condition, the UHS temperature should not exceed 95°F and the level should not fall below 218 ft MSL during normal unit operation.

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APPLICABILITY

In MODES 1, 2, 3, and 4, the UHS is required to support the OPERABILITY of the equipment serviced by the UHS and required to be OPERABLE in these MODES.

In MODE 5 or 6, the OPERABILITY requirements of the UHS are determined by the systems it supports.

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ACTIONS

~~A.1 and A.2~~

← INSERT B

If the UHS is inoperable, the unit must be placed in a MODE in which the LCO does not apply. To achieve this status, the unit must be placed in at least MODE 3 within 6 hours and in MODE 5 within 36 hours.

The allowed Completion Times are reasonable, based on operating experience, to reach the required unit conditions from full power conditions in an orderly manner and without challenging unit systems.

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SURVEILLANCE  
REQUIREMENTS

SR 3.7.8.1

This SR verifies that adequate long term (22 day) cooling can be maintained. The specified level also ensures that sufficient NPSH is available to operate the SWS pumps. The

(continued)

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## INSERT B

### A.1

When service water temperature is greater than 95°F, it must be restored to  $\leq 95^{\circ}\text{F}$  within 8 hours. This Required Action is necessary to return operation to within the design basis of the Service Water System. The 8 hour Completion Time is acceptable considering the low probability of a Design Basis Accident occurring during this period and provides a reasonable likelihood for restoration of the LCO before requiring the plant to enter into a shutdown transient.

### B.1 and B.2

HBRSEP, Unit No. 2, implemented Improved Technical Specifications (ITS) on November 13, 1997. There are no TS line item improvements associated with this request, and NUREG-1431, "Standard Technical Specifications - Westinghouse Plants," and approved generic changes do not include a Required Action of this type. Therefore, this NOED request is not a result of failure to adopt ITS or approved line-item improvements to TS. Note, however, that prior to the implementation of the ITS, there were no UHS temperature limits in the superseded custom Technical Specifications. This NOED is requested based upon plant specific considerations and is not considered generic in nature.

The proposed NOED is requested to remain in place until a proposed exigent change to TS, submitted by letter dated June 26, 1998, can be issued by the NRC. This duration is justified since the UHS will not lose its function, and the requested Required Action time is consistent to Required Action times for other systems of similar safety significance.

Attachment I provides information in support of the request for NOED in accordance with NRC Administrative Letter (AL) 95-05, "Revisions to Staff Guidance for Implementing NRC Policy on Notices of Enforcement Discretion."

In accordance with Criterion E.9 of AL 95-05, the requested NOED is necessary to avoid the transient effects of a plant shutdown due to transitory temperature effects upon the UHS. As a compensatory action, CP&L has decided to shutdown HBRSEP, Unit 1 during the weekend of June 27 - 28, 1998, and reduce the power level of HBRSEP, Unit No. 2 to 75% during this period, as permitted by the demand for power, to reduce the heat input to Lake Robinson.

Attachment II provides a copy of the proposed changes to the TS submitted by letter dated June 26, 1998.

This request for NOED has been reviewed and approved by the Plant Nuclear Safety Committee.

The basis for CP&L's conclusion that the noncompliance will not be a detriment to the public health and safety is provided in the Determination of No Significant Hazards Considerations and Unreviewed Safety Question Determination provided in Attachment I. The basis for CP&L's conclusion that the noncompliance will not involve adverse consequences to the environment is provided in the Environmental Impact Consideration provided in Attachment I.

For a long term resolution of this condition, CP&L will perform an engineering analysis to justify an increase in the allowed temperature for the UHS, to be completed by mid-October 1998. A License Amendment request for an increase in the limits in TS 3.7.8 will be submitted to the NRC by mid-December 1998.

United States Nuclear Regulatory Commission

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Page 3 of 3

If you have any questions concerning this matter, please contact me or Mr. H. K. Chernoff.

Very truly yours,



T. M. Wilkerson

Manager - Regulatory Affairs

JSK/jsk

Attachments

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Mr. J. Shea, USNRC  
USNRC Resident Inspector, HBRSEP