

Is the Table of Contents Part of the Technical Specifications?

Modified on 2015/07/17 10:56 by Brian Mann — Categorized as: Technical Specifications

Is the Table of Contents Part of the Technical Specifications?

It depends.

The Technical Specifications (TS) table of contents (TOC) does not meet a criteria for incorporation into the TS under 10 CFR 50.36. However, the NRC position is the TOC is part of the TS if it was issued with a TS amendment and there are amendment numbers on the pages. If not, it's licensee controlled.

Many Improved Technical Specifications conversions were issued with the TOC as part of the TS (with amendment numbers) until licensees started asking that the NRC not issue the TOC with the LAR.

Many plants have submitted license amendment requests to remove the TOC from the TS. See NRC ADAMS documents ML072960159, ML090510210, ML091470216, and ML111740873.

In 2009, the TSTF created a model application for plants requesting removal of the TOC from the TS. A copy is attached.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 11, 2011

Mr. Larry Meyer
Site Vice President
NextEra Energy Point Beach, LLC
Point Beach Nuclear Plant
6610 Nuclear Road
Two Rivers, WI 54241

SUBJECT: POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2 - ISSUANCE OF
AMENDMENT RE: REQUEST TO REMOVE THE TABLE OF CONTENTS
FROM THE TECHNICAL SPECIFICATIONS (TAC NOS. ME6580 AND ME6581)

Dear Mr. Meyer:

The U.S. Nuclear Regulatory Commission (NRC) has issued the enclosed Amendment Nos. 245 and 249 to Renewed Facility Operating License Nos. DPR-24 and DPR-27 for the Point Beach Nuclear Plant, Units 1 and 2, respectively. The amendments consist of changes to the Technical Specifications in response to your application dated June 23, 2011.

The amendments removed the Table of Contents from the Technical Specifications. The Table of Contents will now be under licensee control, such that maintenance and issuance of the Table of Contents is transferred from the NRC to NextEra Energy Point Beach, LLC.

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

Sincerely,

A handwritten signature in black ink, which appears to read "Terry A. Beltz", is written over a horizontal line.

Terry A. Beltz, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-266 and 50-301

Enclosures:

1. Amendment No. 245 to DPR-24
2. Amendment No. 249 to DPR-27
3. Safety Evaluation

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

NEXTERA ENERGY POINT BEACH, LLC

DOCKET NO. 50-266

POINT BEACH NUCLEAR PLANT, UNIT 1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 245
License No. DPR-24

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by NextEra Energy Point Beach, LLC (the licensee) dated June 23, 2011, 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 4.B of the Renewed Facility Operating License No. DPR-24 is hereby amended to read as follows:

B. Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 245, are hereby incorporated in the renewed operating license. NextEra Energy Point Beach shall operate the facility in accordance with Technical Specifications.

3. This license amendment is effective as of the date of issuance and shall be implemented within 90 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert J. Pascarelli, Chief
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications
and the Renewed Facility Operating License

Date of issuance: October 11, 2011



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

NEXTERA ENERGY POINT BEACH, LLC

DOCKET NO. 50-301

POINT BEACH NUCLEAR PLANT, UNIT 2

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 249
License No. DPR-27

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by NextEra Energy Point Beach, LLC (the licensee) dated June 23, 2011, 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 4.B of the Renewed Facility Operating License No. DPR-27 is hereby amended to read as follows:

B. Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 249, are hereby incorporated in the renewed operating license. NextEra Energy Point Beach shall operate the facility in accordance with Technical Specifications.

3. This license amendment is effective as of the date of issuance and shall be implemented within 90 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert J. Pascarelli, Chief
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications
and the Renewed Facility Operating License

Date of issuance: October 11, 2011

ATTACHMENT TO LICENSE AMENDMENT NO. 245
TO RENEWED FACILITY OPERATING LICENSE NO. DPR-24
AND LICENSE AMENDMENT NO. 249
TO RENEWED FACILITY OPERATING LICENSE NO. DPR-27
DOCKET NOS. 50-266 AND 50-301

Replace the following pages of the Renewed Facility Operating License Nos. DPR-24 and DPR-27, and Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Renewed Facility Operating License

REMOVE

3

INSERT

3

Technical Specifications

REMOVE

i

ii

iii

INSERT

- D. Pursuant to the Act and 10 CFR Parts 30, 40 and 70, NextEra Energy Point Beach to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
 - E. Pursuant to the Act and 10 CFR Parts 30 and 70, NextEra Energy Point Beach to possess such byproduct and special nuclear materials as may be produced by the operation of the facility, but not to separate such materials retained within the fuel cladding.
4. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations: 10 CFR Part 20, Section 30.34 of 10 CFR Part 30, Section 40.41 of 10 CFR Part 40, Sections 50.54 and 50.59 of 10 CFR Part 50, and Section 70.32 of 10 CFR Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:
- A. Maximum Power Levels

NextEra Energy Point Beach is authorized to operate the facility at reactor core power levels not in excess of 1800 megawatts thermal.
 - B. Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 245, are hereby incorporated in the renewed operating license. NextEra Energy Point Beach shall operate the facility in accordance with Technical Specifications.
 - C. Spent Fuel Pool Modification

The licensee is authorized to modify the spent fuel storage pool to increase its storage capacity from 351 to 1502 assemblies as described in licensee's application dated March 21, 1978, as supplemented and amended. In the event that the on-site verification check for poison material in the poison assemblies discloses any missing boron plates, the NRC shall be notified and an on-site test on every poison assembly shall be performed.

- C. Pursuant to the Act and 10 CFR Parts 30, 40 and 70, NextEra Energy Point Beach to receive, possess and use at any time any byproduct, source, and special nuclear material as sealed neutron sources for reactor startup, sealed source for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
 - D. Pursuant to the Act and 10 CFR Parts 30, 40 and 70, NextEra Energy Point Beach to receive, possess and use in amounts as required any byproduct, source of special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
 - E. Pursuant to the Act and 10 CFR Parts 30 and 70, NextEra Energy Point Beach to possess such byproduct and special nuclear materials as may be produced by the operation of the facility, but not to separate such materials retained within the fuel cladding.
4. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations: 10 CFR Part 20, Section 30.34 of 10 CFR Part 30, Section 40.41 of 10 CFR Part 40, Sections 50.54 and 50.59 of 10 CFR Part 50, and Section 70.32 of 10 CFR Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:
- A. Maximum Power Levels

NextEra Energy Point Beach is authorized to operate the facility at reactor core power levels not in excess of 1800 megawatts thermal.
 - B. Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 249, are hereby incorporated in the renewed operating license. NextEra Energy Point Beach shall operate the facility in accordance with Technical Specifications.
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE
OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 245 TO
RENEWED FACILITY OPERATING LICENSE NO. DPR-24
AND AMENDMENT NO. 249 TO
RENEWED FACILITY OPERATING LICENSE NO. DPR-27
NEXTERA ENERGY POINT BEACH, LLC
POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2
DOCKET NOS. 50-266 AND 50-301

1.0 INTRODUCTION

By letter dated June 23, 2011 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML111740873), NextEra Energy Point Beach, LLC, (NextEra, the licensee) submitted an application for a license amendment regarding the Point Beach Nuclear Plant, Units 1 and 2, Technical Specification Table of Contents. The proposed amendment would remove the Table of Contents from the Technical Specifications and relocate it to a licensee-controlled document. The U.S. Nuclear Regulatory Commission (NRC) staff's review of the licensee's application is set forth below.

2.0 REGULATORY EVALUATION

The NRC's regulatory requirements related to the content of the Technical Specifications are contained in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50.36. The regulations in 10 CFR 50.36 require that the technical specifications include items in the following categories: (1) safety limits, limiting safety systems settings, and limiting control settings; (2) limiting conditions for operation; (3) surveillance requirements; (4) design features; and (5) administrative controls. Administrative controls are the provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner. The Technical Specification Table of Contents is not relied upon to assure safe operation of the facility. The Table of Contents, which contains only administrative information, is not required to be in the Technical Specifications per the requirements of 10 CFR 50.36.

Enclosure

3.0 TECHNICAL EVALUATION

The Table of Contents is a list which provides information as to where (i.e., page number) specific Technical Specification sections can be found. The Table of Contents does not contain any technical information required by 10 CFR 50.36. On such basis, inclusion of a Table of Contents as part of the Technical Specifications is optional, and is not required by the regulation cited above. Therefore, removal of the Table of Contents from the Technical Specifications constitutes a purely administrative change, and is acceptable to the NRC staff.

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes requirements with respect to recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). 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 amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: M. Singletary, NRR

Date: October 11, 2011

Mr. Larry Meyer
Site Vice President
NextEra Energy Point Beach, LLC
Point Beach Nuclear Plant
6610 Nuclear Road
Two Rivers, WI 54241

October 11, 2011

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

Sincerely,

/RA/

Terry A. Beltz, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-266 and 50-301

Enclosures:

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3. Safety Evaluation

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Accession Number: **ML112640016**

*Safety evaluation transmitted by memo of September 8, 2011

OFFICE	NRR/DORL/PM	NRR/DORL/LA	NRR/DIRS/ITSB/BC	OGC /NLO	NRR/DORL/BC	NRR/DORL/PM
NAME	TBeltz	BTully	RElliott *	LSubin	RPascarelli	TBeltz
DATE	09/30/2011	09/30/2011	09/08/2011	10/04/2011	10/11/2011	10/11/2011

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