



**CENTERIOR
ENERGY**

Donald C. Shelton
Vice President - Nuclear
Davis-Besse

300 Madison Avenue
Toledo, OH 43652-0001
(419) 249-2300

Docket Number 50-346

License Number NPF-3

Serial Number 2120

February 17, 1993

United States Nuclear Regulatory Commission
Document Control Desk
Washington, DC 20555

Subject: Supplemental Information for License Amendment Application to
Revise Technical Specification 5.3.1, Design Features -
Reactor Core - Fuel Assemblies

Gentlemen:

By letter dated October 29, 1992 (Serial Number 2094), Toledo Edison (TE) submitted an application for an amendment to the Davis-Besse Nuclear Power Station (DBNPS) Unit Number 1 Operating License Number NPF-3, Appendix A, Technical Specifications (TS), proposing changes to TS 5.3.1, Design Features - Reactor Core - Fuel Assemblies. As stated in the application, the proposed TS changes were based on the supplement to Generic Letter (GL) 90-02, "Alternative Requirements for Fuel Assemblies in the Design Features Section of Technical Specifications", dated July 31, 1992, and NUREG-1430, Standard Technical Specifications for Babcock and Wilcox Type Plants, Revision 0 dated September 28, 1992.

With respect to the description of fuel rod cladding, the GL supplement recommends the following TS wording: "Each assembly shall consist of a matrix of zircaloy clad fuel rods..." However, the more recently issued NUREG-1430 states: "Each assembly shall consist of a matrix of zirconium alloy fuel rods..." Although DBNPS has no present plans to utilize fuel rod cladding other than zircaloy, TE chose to use the later guidance contained in NUREG-1430 in preparing the license amendment application, in order to avoid the need for future expenditure of TE and NRC resources in processing an additional license amendment application, should these plans change.

In subsequent discussions with the NRC staff in January and February, 1993, TE was advised that the NRC staff's position is that the proposed

9302260151 930217
PDR ADOCK 05000346
PDR
Operating Companies:
Cleveland Electric Illuminating
Toledo Edison

*Adol
1/10*

change regarding fuel rod cladding is unacceptable without processing in parallel an exemption request to 10 CFR 50.44 (Standards for Combustible Gas Control System in Light-Water-Cooled Power Reactors) and 10 CFR 50.46 (Acceptance Criteria for Emergency Core Cooling Systems for Light Water Nuclear Power Reactors), which specifically refer to zircaloy cladding. Toledo Edison has no specific plans to change fuel rod cladding material at this time. Therefore, the requirements for requesting an exemption under 10CFR50.12, Specific Exemptions, cannot be met. Toledo Edison proposed to the NRC Staff that a footnote be added to TS 5.3.1 acknowledging the need to submit an exemption request prior to changing the fuel rod cladding material. This approach was unacceptable to the NRC Staff. Accordingly, although TE disagrees with the appropriateness of the NRC's position, TE withdraws the proposed portion of the change regarding fuel rod cladding in order to obtain the requested amendment in a timely manner. The remaining proposed changes are unaffected. In addition, the conclusion that the license amendment application does not involve a significant hazards consideration remains unaffected.

Based on the modification above, the proposed TS 5.3.1 is as follows:

The reactor core shall contain 177 fuel assemblies. Each assembly shall consist of a matrix of zircaloy clad fuel rods with an initial composition of natural or slightly enriched uranium dioxide (UO_2) as fuel material. Limited substitutions of zirconium alloy or stainless steel filler rods for fuel rods, in accordance with NRC approved applications of fuel rod configurations, may be used. Fuel assemblies shall be limited to those fuel designs that have been analyzed with applicable NRC staff approved codes and methods and shown by tests or analyses to comply with all fuel safety design bases. A limited number of lead test assemblies that have not completed representative testing may be placed in non-limiting core regions.

These changes are required in support of the upcoming eighth refueling outage (8RFO). Therefore, TE requests that this amendment be issued by the NRC by March 1, 1993, the currently scheduled commencement date for 8RFO.

Should further information be required, please contact Mr. Robert W. Schrauder, Manager - Nuclear Licensing at (419) 249-2366.

Very truly yours,



MKL/dlc

cc: A. B. Davis, Regional Administrator, NRC Region III
J. B. Hopkins, NRC Senior Project Manager
S. Stasek, DB-1 NRC Senior Resident Inspector
J. R. Williams, Chief of Staff, Ohio Emergency Management Agency,
State of Ohio (NRC Liaison)
Utility Radiological Safety Board