

# IES UTILITIES INC.

John F. Franz, Jr.  
Vice President, Nuclear

July 29, 1994  
NG-94-2256

Mr. William T. Russell, Director  
Office of Nuclear Reactor Regulation  
U. S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Mail Station P1-137  
Washington, DC 20555

Subject: Duane Arnold Energy Center  
Docket No: 50-331  
Op. License No: DPR-49  
Request for Technical Specification  
Change (RTS-270): Revision of ISI/IST  
Program Requirements

References: 1) NUREG-1482 (DRAFT), "Guidelines  
for Inservice Testing at Nuclear Power  
Plants"  
2) NUREG-1433, "Standard  
Technical Specifications, General  
Electric Plants, BWR/4"

File: A-117, A-286e

Dear Mr. Russell:

In accordance with the Code of Federal Regulations, Title 10, Sections 50.59 and 50.90, IES Utilities Inc. (IES) hereby requests revision of the Technical Specifications (TS) for the Duane Arnold Energy Center (DAEC).

Reference 1 recommended that licensees revise their TS to incorporate the revised Standard Technical Specifications for inservice testing (IST) programs. This would permit a licensee to process and implement a request for relief from the ASME Code under 10 CFR 50.59 without prior NRC approval, provided that the relief request had been reviewed and approved by the plant staff and plant safety committee. The relief request would still be submitted to the NRC within a reasonable time frame for review and final approval.

The changes reflected in this submittal incorporate the changes discussed above for the DAEC IST program. We also propose to adopt the same wording utilized for the inservice inspection (ISI) program, as provided in Reference 2.

Since the third 120-month IST interval for the DAEC starts on February 1, 1995, IES asks that this TS revision be approved prior to that date so that the new program may incorporate these changes.

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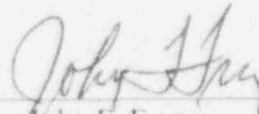
This application has been reviewed by the DAEC Operations Committee and DAEC Safety Committee. Pursuant to the requirements of 10 CFR 50.91, a copy of this submittal, including the analysis which concludes that there are no significant hazards considerations, is being forwarded to our appointed state official.

Should you have any questions regarding this matter please contact this office.

This letter is true and accurate to the best of my knowledge and belief.

IES UTILITIES INC.

By

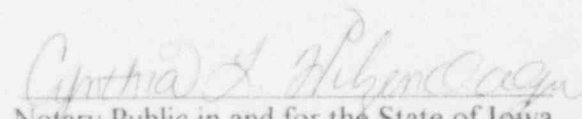
  
John F. Franz

Vice President, Nuclear

State of Iowa  
(County) of Linn

Signed and sworn to before me on this 29<sup>th</sup> day of JULY, 1994,

by JOHN F. FRANZ

  
Notary Public in and for the State of Iowa

MARCH 29, 1996

Commission Expires

JFF/TWP/pjv~

- Attachments:
- 1) Evaluation of Change With Respect to 10 CFR 50.92
  - 2) Proposed Change RTS-270 to the Duane Arnold Energy Center Technical Specifications
  - 3) Safety Assessment
  - 4) Environmental Consideration

cc: T. Page  
L. Liu  
L. Root  
R. Pulsifer (NRC-NRR)  
J. Martin (Region III)  
S. Brown (State of Iowa)  
NRC Resident Office  
DCRC

Evaluation of Change With Respect to 10 CFR 50.92Background

Draft NUREG-1482, "Guidelines for Inservice Testing at Nuclear Power Plants," recommends that licensees revise their Technical Specifications (TS) to incorporate the revised Standard Technical Specifications (STS) wording for inservice testing (IST) programs. Under that language, upon determining that an ASME Code requirement is impractical because of prohibitive dose rates or limitations in the design, construction, or system configuration, the licensee can implement a Code relief without prior NRC approval, provided that the relief request had been reviewed and approved by the plant staff in accordance with IST program administrative procedures, reviewed by the plant safety committee (DAEC Operations Committee), and processed under 10 CFR 50.59. The relief request would still be submitted to the NRC within a reasonable time frame for review and final approval.

Upon determining that a requirement is impractical, the licensee may follow the requirements of 10 CFR 50.55a(f)(5)(iii) and submit information to support the Code relief. However, the recommended TS change will enable licensees to avoid situations where compliance with the TS cannot be achieved for the period between the time of preparation and submittal of a relief request and NRC granting of the relief.

The current Duane Arnold Energy Center (DAEC) TS require that specific written relief be granted by the NRC. Draft NUREG-1482 discusses the concern that situations could arise which would put a licensee in a condition that is not in strict compliance with the TS requirement, and could lead to a plant shutdown to perform testing. The component might be considered inoperable (until the NRC grants relief) if it does not meet ASME Code requirements, even when it could meet its functional requirements. This concern is the basis for the change in the revised Standard Technical Specifications (NUREG-1433).

IES Utilities Inc., Docket No. 50-331,  
Duane Arnold Energy Center, Linn County, Iowa  
Date of Amendment Request: July 29, 1994

Description of Amendment Request:

NUREG-1433 reflects the position that the licensee must establish and implement the inservice inspection (ISI) and IST programs in accordance with 10 CFR 50.55a, but does not require that relief requests be granted by the NRC before they are implemented. Rather, 10 CFR 50.55a(f)(5)(iv) and 10 CFR 50.55a(g)(5)(iv) allow a licensee up to a full year after the beginning of the updated interval to inform the NRC of any new ASME Code requirements which cannot be met and to request relief. The regulations require the licensee to submit relief requests within 12 months of the interval start date, or during the interval if the licensee finds specific need for relief.

The proposed license amendment revises the DAEC TS to incorporate the recommendations of draft NUREG-1482 and to reflect the intent of the STS (NUREG-1433) for the ISI and IST programs. Specifically, the changes to TS 4.6.G and the Bases include:

- deleting the reference to written relief being granted by the NRC, which requires prior NRC approval.
- adding language to make clear that surveillance frequency maximum time intervals are applicable to ISI and IST activities.
- adding a statement to the Bases that the ASME Code requirements do not supersede the TS.

The proposed amendment differs slightly from the references because of the DAEC custom TS format. The surveillance frequencies were not restated because the applicable frequencies are already defined in TS Definition 1.27 [Frequency Notation]. Reference to Surveillance Requirement (SR) 3.0.3 of the STS was omitted because the DAEC TS do not contain a provision analogous to the STS requirement. The intent of SR 3.0.2 of the STS is already incorporated in DAEC TS Definition 1.26.

Basis for proposed no significant hazards consideration:

The Commission has provided standards (10 CFR 50.92(c)) for determining whether a significant hazards consideration exists. A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

After reviewing this proposed request for Technical Specification change, we have concluded:

- 1) Operation of the facility in accordance with the proposed amendment would not involve any increase in the probability of occurrence or consequences of an accident previously evaluated. The Inservice Inspection and Testing Programs, pursuant to 10 CFR 50.55a, are described in the Technical Specifications. The proposed amendment, in accordance with NUREG-1433 and draft NUREG-1482, permits relief from an ASME Code requirement in the interim between the time of submittal of a relief request and NRC approval of the relief. The changes being proposed do not affect assumptions contained in plant safety analyses or change the physical design and/or operation of the plant, nor do they affect Technical Specifications that preserve safety analysis assumptions. Any relief from the approved ASME Section XI Code requirements that is implemented prior to NRC review and approval will require evaluation under the 10 CFR 50.59 process to determine that no TS changes or unreviewed safety questions exist. This evaluation

process will ensure that the impact of any Code relief is thoroughly evaluated and that the structures, systems and components remain in conformance with assumptions made in the safety analysis. Therefore, operation of the facility in accordance with the proposed amendment would not affect the probability or consequences of an accident previously evaluated.

- 2) Operation of the facility in accordance with the proposed amendment would not create the possibility of a new or different kind of accident from any accident previously evaluated. The Inservice Inspection and Testing Programs, pursuant to 10 CFR 50.55a, are described in the Technical Specifications. The proposed amendment, in accordance with NUREG-1433 and draft NUREG-1482, permits relief from an ASME Code requirement in the interim between the time of submittal of a relief request and NRC approval of the relief. The changes being proposed will not change the physical plant or the modes of operation defined in the Facility License. The changes do not involve the addition or modification of equipment nor do they alter the design or operation of plant systems. Any relief from the approved ASME Section XI Code requirements that is implemented prior to NRC review and approval will require evaluation under the 10 CFR 50.59 process to determine that no TS changes or unreviewed safety questions exist. This evaluation process will ensure that the impact of any Code relief is thoroughly evaluated and that the structures, systems and components remain in conformance with assumptions made in the safety analysis. Therefore, operation of the facility in accordance with the proposed amendment would not create the possibility of a new or different kind of accident from any accident previously evaluated.
- 3) Operation of the facility in accordance with the proposed amendment would not involve any reduction in a margin of safety. The Inservice Inspection and Testing Programs, pursuant to 10 CFR 50.55a, are described in the Technical Specifications. The proposed amendment, in accordance with NUREG-1433 and draft NUREG-1482, permits relief from an ASME Code requirement in the interim between the time of submittal of a relief request and NRC approval of the relief. The changes being proposed do not alter the bases for assurance that safety-related activities are performed correctly or the basis for any TS that is related to the establishment of or maintenance of a safety margin. Any relief from the approved ASME Section XI Code requirements that is implemented prior to NRC review and approval will require evaluation under the 10 CFR 50.59 process to determine that no TS changes or unreviewed safety questions exist. This evaluation process will ensure that any Code relief does not affect the ability of structures, systems or components to perform their design function, affect compliance with any TS requirements or reduce the margin of safety. Therefore, operation of the facility in accordance with the proposed amendment would not involve a reduction in a margin of safety.

The proposed Amendment will not increase the probability or consequences of any previously analyzed accident, introduce the possibility of any new or different kind of accident, or reduce any existing margin of safety.

Based upon the above, we have determined that the proposed Amendment will not involve a significant hazards consideration.

Local Public Document Room Location: Cedar Rapids Public Library, 500 First Street SE, Cedar Rapids, Iowa 52401

Attorney for Licensee: Jack Newman, Kathleen H. Shea, Newman, Bouknight and Edgar, 1615 L Street NW, Washington, D. C. 20036