

five percent. This has been verified by criticality analyses.

Credit for soluble boron in the SFP water is permitted under accident conditions. The proposed change that will allow insertion of Metamic® poison panels does not result in the potential of any new misplacement scenarios. Criticality analyses have been performed to determine the required boron concentration that would ensure that the maximum  $K_{eff}$  does not exceed 0.95. By increasing the minimum boron concentration to >2000 ppm, the margin of safety currently defined by taking credit for soluble boron will be maintained.

The structural analysis of the spent fuel racks along with the evaluation of the SFP structure showed that the integrity of these structures will be maintained with the addition of the poison inserts. All structural requirements were shown to be satisfied, so all the safety margins were maintained.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

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*NRC Section Chief:* Robert A. Gramm.

*Entergy Nuclear Operations, Inc., Docket No. 50-286, Indian Point Nuclear Generating Unit No. 3, Westchester County, New York*

*Date of amendment request:* December 17, 2002.

*Description of amendment request:* The proposed amendment would revise Technical Specification (TS) 5.5.10, "Ventilation Filter Testing Program," to adopt the requirements of the American Society for Testing and Materials Standard (ASTM) D3803-1989, "Standard Test Method for Nuclear-Grade Activated Carbon." The proposed TS revisions are in response to Nuclear Regulatory Commission (NRC) Generic Letter (GL) 99-02, "Laboratory Testing of Nuclear-Grade Activated Charcoal." The NRC had previously published a notice of consideration on December 12, 2001 (66 FR 64292) regarding a similar proposal from the licensee in response to GL 99-02. However, in response to a request for additional information from the NRC dated March 29, 2002, the licensee has now revised its proposed amendment. In addition to withdrawing the prior request to change the maximum control room ventilation system (CRVS) differential pressure in TS 5.5.10.d, the proposed amendment

would revise the TSs: (1) To provide a CRVS methyl iodide removal efficiency of greater than or equal to 95.5% and remove the notation that there is a 1-inch charcoal bed depth; (2) to allow for the continued use of the existing CRVS through Refueling Outage 13, in order to design, fabricate, and install a 2-inch charcoal filter bed; (3) to add a note in the TS requiring a demonstration of charcoal efficiency of 93% when changing the charcoal in the existing CRVS bed prior to any fuel movement in the upcoming Refueling Outage 12 and every 6 months thereafter until the new beds are installed. The proposed amendment also seeks an exception from the factor of safety of two for the Containment Fan Cooler Units due to the plant's design.

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

(1) Does the proposed license amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

*Response:* The proposed license amendment adopts the new test method and acceptance criteria of ASTM D3803-1989 for activated charcoal filters. The changes require laboratory performance testing of adsorber carbon that yields a more accurate result than the testing currently required by the TS. The proposed change to delete non-conservative TS requirements for testing of adsorber carbon is not a plant accident initiator as described in the Final Safety Analysis Report (FSAR). The proposed amendment does not change the function of any structure, system or component (SSC). The function of the ventilation systems is filtration of radiological releases during postulated accidents. The proposed changes will provide greater assurance that this function is provided. The revised TS requirements are for laboratory tests that are currently in place to address Generic Letter 99-02, with one exception to the safety factor of 2, and accommodate the change of the Control Room Ventilation System (CRVS) charcoal beds to two inches. The change only affects the TS testing requirements since the modification to the CRVS will be accomplished separately from the TS change. The TS changes will not result in any changes to the efficiency assumed in accident analysis. The changes do not alter, degrade or prevent actions described or assumed in an accident described in the FSAR. Therefore, the proposed amendment does not change the possibility of an accident previously evaluated or significantly increase the consequences of an accident previously evaluated.

(2) Does the proposed license amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

*Response:* The proposed license amendment adopts the new test method and acceptance criteria of ASTM D3803-1989 for activated charcoal filters. The change does not involve any modifications to the plant but will accommodate the planned modification of the CRVS to change the charcoal beds from 1 inch to 2 inches. The change will not require changes to how the plant is operated nor will it affect the operation of the plant. The changes require laboratory performance testing of adsorber carbon that yields a more accurate result than the testing currently required by the TS. The proposed changes to delete non-conservative TS requirements for testing of adsorber carbon is not a plant accident initiator as described in the Final Safety Analysis Report (FSAR). The proposed amendment does not change the function of any structure, system or component (SSC). The function of the ventilation systems is filtration of radiological releases during postulated accidents. The proposed changes will provide greater assurance that this function is provided. The revised TS requirements are for laboratory tests that are currently in place to address Generic Letter 99-02, with one exception to the safety factor of 2, and accommodate the change of the Control Room Ventilation System (CRVS) charcoal beds to two inches. The change only affects the TS testing requirements since the modification to the CRVS will be accomplished separately from the TS change. The TS changes will not result in any changes to the efficiency assumed in accident analysis. The changes do not alter, degrade or prevent actions described or assumed in an accident described in the FSAR. Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

(3) Does the proposed license amendment involve a significant reduction in a margin of safety?

*Response:* The proposed license amendment adopts the new test method and acceptance criteria of ASTM D3803-1989 for activated charcoal filters. The proposed license amendment does not reduce the margin of safety but enhances it by requiring more accurate testing. The proposed test change will require the use of a current and improved ASTM standard to ensure that the carbon ability to adsorb radioactive material will remain at or above the capability credited in our accident analysis.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

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