

hearing (67 FR 68739) for the October 7, 2002, application.

As a result of the NRC staff comments, the licensee supplemented the application by a letter dated March 24, 2003. The supplement adds new requirements related to the use and application of the surveillance requirements (SRs) currently included in the TSs.

These new explicit SR applicability requirements would supersede the more general current requirements. The proposed new requirements reflect the current practices at NMP1, and as such, do not change any existing method of plant operation.

*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 for the March 24, 2003, supplement, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

*Response:* No.

Adoption of new administrative requirements related to the proper use of the surveillance requirements currently included in the NMP1 TSs do not affect any accident initiator, and as such, will have no effect on the probability of an accident. The proposed changes do not involve physical changes to the plant or introduce any new modes of operation. Accordingly, continued assurance is provided that the process variables, structures, systems, and components are maintained such that there will be no degradation of any fission product barrier which could increase the radiological consequences of an accident. Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

*Response:* No.

Adoption of new administrative requirements related to the proper use of the surveillance requirements currently included in the NMP1 TSs will have no adverse effect on the design or assumed accident performance of any structure, system, or component, or introduce any new modes of system operation or failure modes. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

*Response:* No.

The proposed changes add new administrative requirements related to the proper use of the surveillance requirements currently included in the NMP1 TSs. The addition of requirements will make application of the surveillance requirements more restrictive than currently required by the TSs. Accordingly, the proposed changes do 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 supplement of March 24, 2003, involves no significant hazards consideration.

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Nuclear Management Company, LLC, Docket Nos. 50-266 and 50-301, Point Beach Nuclear Plant, Units 1 and 2, Town of Two Creeks, Manitowoc County, Wisconsin

*Date of amendment request:* March 27, 2003.

*Description of amendment request:* The proposed amendment would revise Technical Specification Surveillance Requirement 3.1.4.1, "Rod Group Alignment Limits, to change the allowable alignment limits of individual rods in Mode 1 when greater than 85-percent power.

*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. Operation of the Point Beach Nuclear Plant in accordance with the proposed amendments does not result in a significant increase in the probability or consequences of any accident previously evaluated.

This proposed change does not cause an increase in the probabilities of any accidents previously evaluated because the change will not cause an increase in the probability of any initiating events for accidents previously evaluated.

The consequences of the accidents previously evaluated in the PBNP [Point Beach Nuclear Plant] Final Safety Analysis Report (FSAR) are determined by the results of analyses that are based on initial conditions of the plant, the type of accident, transient response of

the plant, and the operation and failure of equipment and systems.

Based on the analyses documented in WCAP-15432, Revision 2 ["Conditional Extension of the Rod Misalignment Technical Specification for Point Beach Units 1 and 2, (proprietary)" dated April 2001], all pertinent licensing-basis acceptance criteria have been met and the margin of safety, as defined in the Technical Specification Bases, is not significantly reduced in any of the Point Beach licensing basis accident analyses due to the subject change. Therefore, the probability of an accident previously evaluated has not significantly increased. Because design limitations continue to be met and the integrity of the reactor coolant system pressure boundary is not challenged, the assumptions employed in the calculation of the offsite radiological doses remain valid. Neither rod position indication nor the limits on allowed rod position deviation is an accident initiator or precursor. Therefore, the consequences of an accident previously evaluated will not be significantly increased.

2. Operation of the Point Beach Nuclear Plant in accordance with the proposed amendments does not result in a new or different kind of accident from any accident previously evaluated.

The changes described in the proposed amendment are supported by the analyses provided in the submittal [the March 27, 2003, application]. The evaluation of the effects of the proposed changes indicates that all design standards and applicable safety criteria limits are met. These changes therefore do not cause the initiation of any new or different accident nor create any new failure mechanisms.

Equipment important to safety will continue to operate as designed. The proposed change does not result in any event previously deemed incredible being made credible. The change does not result in more adverse conditions or result in any increase in the challenges to safety systems. Therefore, operation of the Point Beach Nuclear Plant in accordance with the proposed amendment will not create the possibility of a new or different type of accident from any accident previously evaluated.

3. Operation of the Point Beach Nuclear Plant in accordance with the proposed amendments does not result in a significant reduction in a margin of safety.

Based on the analyses documented in WCAP-15432, Revision 2, all pertinent licensing-basis acceptance criteria have been met and the margin of safety, as defined in the Technical Specification