

2. Would not create the possibility of a new or different kind of accident from any other accident previously evaluated.

The proposed performance based requirements are an improvement over the requirements imposed by the existing TS. Implementation of the proposed SG Program will not introduce any adverse changes to the plant design basis or postulated accidents resulting from potential tube degradation. The result of the implementation of the SG Program will be an enhancement of SG tube performance. Primary to secondary leakage that may be experienced during all plant conditions will be monitored to ensure it remains within current accident analysis assumptions.

The proposed amendments do not affect the design of the SGs, their method of operation, or primary or secondary coolant chemistry controls. In addition, the proposed changes do not impact any other plant system or component. The changes enhance SG inspection requirements. Therefore, the proposed changes do not create the possibility of a new or different type of accident from any accident previously evaluated.

3. Would not involve a significant reduction in a margin of safety.

The SG tubes in pressurized water reactors are an integral part of the RCPB and, as such, are relied upon to maintain the primary system's pressure and inventory. As part of the RCPB, the SG tubes are unique in that they are also relied upon as a heat transfer surface between the primary and secondary systems such that residual heat can be removed from the primary system. In addition, the SG tubes also isolate the radioactive fission products in the primary coolant from the secondary system. In summary, the safety function of a SG is maintained by ensuring the integrity of its tubes.

SG tube integrity is a function of the design, environment, and physical condition of the tube. The proposed license amendments do not affect tube design or operating environment. The proposed changes are expected to result in an improvement in the tube integrity by implementing the SG Program to manage SG tube inspection, assessment, repair, and plugging. The requirements established by the SG Program are consistent with those in the applicable design codes and standards and are an improvement over the requirements in the existing TS.

For the above reasons, the margin of safety is not changed and overall plant safety will be enhanced by the proposed revisions to the TS.

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.

Attorney for licensee: Ms. Lisa F. Vaughn, Legal Department (PB05E), Duke Energy Corporation, 422 South

Church Street, Charlotte, North Carolina 28201-1006.

NRC Section Chief: John A. Nakoski.

Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc., Docket No. 50-271, Vermont Yankee Nuclear Power Station, Vernon, Vermont

Date of amendment request: May 21, 2003.

Description of amendment request: Change the technical specifications by extending the functional test frequency of the reactor protection system (RPS) intermediate range monitor (IRM) functions from weekly to 31 days, and to add more restrictive requirements for the RPS IRM—High Flux function.

Basis for proposed no significant hazards consideration determination: As required by Title 10 of the Code of Federal Regulations (10 CFR) Section 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration. The NRC staff has reviewed the licensee's analysis against the standards of 10 CFR 50.92(c). The staff's review is presented below:

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

The proposed changes do not physically impact the plant, nor do they impact any design or functional requirements of the associated systems. The change does not degrade the performance of, or increase the challenges to, any safety systems assumed to function in the safety analysis. The changes do not impact the way in which surveillances are performed or introduce any accident initiators. The availability of equipment and systems required to prevent or mitigate the radiological consequences of an accident are not significantly affected because of other, more frequent testing that is performed, the availability of redundant systems and equipment, or the high reliability of the equipment. More stringent requirements that ensure operability of equipment do not affect the initiation of any event, nor do they negatively impact the mitigation of any event.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

The proposed changes do not introduce any failure mechanisms of a different type than previously evaluated, since no physical changes to

the plant are being made. No new failure modes are introduced as no new or different equipment is being installed, and no installed equipment is being operated or surveillance tested in a different manner.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

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

Although the proposed changes would result in changes to the interval between certain surveillance tests, the impact, if any, on system availability is minimal, based upon other more frequent testing that is performed, the existence of redundant systems and equipment, or overall system reliability. The changes do not significantly impact the condition or performance of structures, systems, and components relied upon for accident mitigation. The imposition of more stringent requirements has no negative impact on margins of safety.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

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.

Attorney for licensee: Mr. David R. Lewis, Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037-1128.

NRC Section Chief: James W. Clifford.

Nuclear Management Company, LLC, Docket No. 50-331, Duane Arnold Energy Center, Linn County, Iowa

Date of amendment request: May 30, 2003.

Description of amendment request: The proposed amendment deletes requirements from the Technical Specifications (TS) and other elements of the licensing bases to maintain a Post Accident Sampling System (PASS). Licensees were generally required to implement PASS upgrades as described in NUREG-0737, "Clarification of TMI [Three Mile Island] Action Plan Requirements," and Regulatory Guide 1.97, "Instrumentation for Light-Water-Cooled Nuclear Power Plants to Assess Plant and Environs Conditions During and Following an Accident." Implementation of these upgrades was an outcome of the lessons learned from the accident that occurred at TMI Unit 2. Requirements related to PASS were imposed by Order for many facilities and were added to or included in the TS