

transition) was calculated using the respective reactor vessel beltline copper and nickel contents and the neutron fluence applicable to normal plant performance through the remainder of the operating license, using the most up-to-date cross sections methodologies, as documented in the recent Appendix K power uprate report.

Therefore, the proposed change does 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.

The proposed changes to the P/T and the LTOP limits will not create a new accident scenario. The requirements to have P/T and LTOP protection are part of the licensing basis of Indian Point 3. The proposed changes reflect the change in vessel material properties acknowledged and managed by regulation and the best data available in response to NRC Generic Letter 92-01, Revision 1. The approach used meets NRC and ASME regulations and guidelines. The Westinghouse/Combustion Engineering methodology has been approved for use at Indian Point 3 by the NRC. Code Case N-640 has been found acceptable by the NRC to be used at other nuclear plants. By separate letter ENO [Entergy Nuclear Operations, Inc.] is requesting an exemption to use Code Case N-640 because the Code Case has not been incorporated in Regulatory Guide 1.147, Rev. 12, at this time. The adjusted reference temperatures for fracture toughness are consistent with that previously provided to the NRC [* * *] The data analysis for the vessel specimen removed to date, confirm that the vessel materials are responding as predicted.

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

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

Response: No.

The existing P/T curves and LTOP limits in the technical specifications are reaching their expiration period for the number of years at effective full power operation. The revision of the P/T limits and curves will ensure that Indian Point 3 continues to operate within margins allowed by 10 CFR 50.60 and the ASME Code. The material properties used in the analysis are based on results established through Westinghouse/Combustion Engineering material reports for copper and nickel content. The material properties were evaluated in parallel using statistical methodology. The results are consistent and for conservative purposes, the more restrictive result is used. The application of Code Case N-640 presents alternative procedures for calculating P/T and LTOP temperatures and pressures in lieu of that established for ASME Section XI, Appendix G-2215. This Code alternative allows certain assumptions to be conservatively reduced. However, the procedures allowed by Code Case N-640 still provide significant conservatism and ensure

an adequate margin of safety in the development of P/T operating and pressure test limits to prevent non-ductile fractures.

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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Entergy Nuclear Operations, Inc., Docket No. 50-293, Pilgrim Nuclear Power Station, Plymouth County, Massachusetts

Date of amendment request: August 16, 2002, as supplemented June 6, 2003.

Description of amendment request: The proposed amendment would add a new Technical Specification (TS) requirement to the Pilgrim Nuclear Power Station (Pilgrim) TSs consistent with Technical Specification Task Force (TSTF)-358, Revision 5. TSTF-358 addresses modifications to requirements for missed surveillances consistent with NUREG 1433, Revision 2, "Standard Technical Specification, General Electric Plants, BWR/4" (STS) surveillance requirement (SR) 3.0.3. The proposed amendment to the Pilgrim TSs would be added as TS 4.0.3.

The U.S. Nuclear Regulatory Commission (NRC) staff issued a notice of opportunity for comment in the **Federal Register** on June 14, 2001 (66 FR 32400), on possible amendments concerning missed surveillances, including a model safety evaluation and model no significant hazards consideration (NSHC) determination, using the consolidated line item improvement process (CLIP). The NRC staff subsequently issued a notice of availability of the models for referencing in license amendment applications in the **Federal Register** on September 28, 2001 (66 FR 49714). The licensee affirmed the applicability of the model NSHC determination in its application dated August 16, 2002, as supplemented on June 6, 2003.

In addition, the following statement would be added to the TS definition of Limiting Condition for Operation (LCO): "Failure to meet a Surveillance, whether such failure is experienced during the performance of the Surveillance or between performances of the Surveillance, shall be failure to meet the

LCO." The proposed amendment would also make administrative changes to add new TS Sections 3.0, "Limiting Condition for Operation (LCO) Applicability," and 4.0, "Surveillance Requirement (SR) Applicability," into the Pilgrim TSs. New TSs 3.0, 4.0.1, and 4.0.2 would be identified as "Not Used." These changes are proposed to rectify the differences in the format and terminology of the current Pilgrim TSs to the STS. The associated Bases would also be implemented.

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), an analysis of the issue of no significant hazards consideration is presented below:

Criterion 1—The Proposed Change Does Not Involve a Significant Increase in the Probability or Consequences of an Accident Previously Evaluated.

[CLIP Changes]

The proposed change relaxes the time allowed to perform a missed surveillance. The time between surveillances is not an initiator of any accident previously evaluated. Consequently, the probability of an accident previously evaluated is not significantly increased. The equipment being tested is still required to be operable and capable of performing the accident mitigation functions assumed in the accident analysis. As a result, the consequences of any accident previously evaluated are not significantly affected. Any reduction in confidence that a standby system might fail to perform its safety function due to a missed surveillance is small and would not, in the absence of other unrelated failures, lead to an increase in consequences beyond those estimated by existing analyses. The addition of a requirement to assess and manage the risk introduced by the missed surveillance will further minimize possible concerns. Therefore, this change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

[Additional Changes]

The proposed change involves an addition to clarify the required action when an SR is not met and new TS sections for consistency with the STS. These additions do not involve technical changes to the existing TSs. As such, these changes provide clarity and are administrative in nature and do not affect initiators of analyzed events or assumed mitigation of accident or transient events. Therefore, these changes will not increase the probability or consequences of an accident previously evaluated.

Criterion 2—The Proposed Change Does Not Create the Possibility of a New or Different Kind of Accident From Any Previously Evaluated.

[CLIP Changes]

The proposed change does not involve a physical alteration of the plant (no new or