

As required by 10 CFR 50.91(a), the licensees have provided their analysis of the issue of no significant hazards consideration, 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.

The proposed changes do not change any accident initiator, initiating condition, or assumption, and do not involve a significant change to plant design or operation. In addition, the proposed changes do not increase the likelihood of a malfunction of any plant structures, systems, or components, do not invalidate assumptions used in evaluating the radiological consequences of an accident, do not alter the source term or containment isolation, and do not provide a new radiation release path or alter radiological consequences. 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.

The proposed changes do not introduce a new or different accident initiator or introduce a new or different equipment failure mode or mechanism. 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 SFRCS instrumentation setpoint analyses will continue to adequately preserve the margin of safety. In addition, there are no new or significant changes to the initial conditions contributing to accident severity or consequences. 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.

Attorney for licensee: Mary E. O'Reilly, Attorney, FirstEnergy Corporation, 76 South Main Street, Akron, OH 44308.

NRC Section Chief: Anthony J. Mendiola.

Nebraska Public Power District, Docket No. 50–298, Cooper Nuclear Station, Nemaha County, Nebraska.

Date of amendment request: August 25, 2003.

Description of amendment request: The proposed amendment would revise the Technical Specifications (TS)

Surveillance Requirement (SR) 3.3.2.1.4 and TS Table 3.3.2.1–1 for mathematical symbols and use of Allowable Values in the place of Analytical Limits.

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. Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?

The proposed change to the Cooper Nuclear Station (CNS) Technical Specifications (TS) corrects the mathematical symbols for the RBM [Rod Block Monitor] LPSP [Low Power Setpoint], IPSP [Intermediate Power Setpoint], and the HPSP [High Power Setpoint] to clarify the power ranges at which the RBM upscale trips are in affect. In addition, the change incorporates the use of Allowable Values in the place of Analytical Limits.

Calculation NEC 98–024 Rev. 3, which documents the Analytical Limits and calculates the Allowable Values for the [RBM LPSP, IPSP, and HPSP] have not been altered. The calculation results implemented in procedures 6.1/2RBM.302 remain unchanged. The proposed TS change does not change or invalidate the Analytical Limits.

Based on the above, NPPD [Nebraska Public Power District] concludes that the proposed TS change to modify the mathematical symbols in TS SR 3.3.2.1.4 and TS Table 3.3.2.1–1 footnotes (a), (b), (c), and (e) does not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

The proposed change to the [CNS TS] corrects the mathematical symbols for the RBM LPSP, IPSP, and the HPSP to clarify the power ranges at which the RBM upscale trips are in affect. In addition, the change incorporates the use of Allowable Values in the place of Analytical Limits. The values for the RBM trip setpoints, Analytical Limits, and Allowable Values are not being altered in any way.

Based on the above, NPPD concludes that the proposed TS change to modify the mathematical symbols in TS SR 3.3.2.1.4 and TS Table 3.3.2.1–1 footnotes (a), (b), (c), and (e) does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Do the proposed changes involve a significant reduction in the margin of safety?

The proposed change to the [CNS TS] corrects the mathematical symbols for the RBM LPSP, IPSP, and the HPSP to clarify the power ranges at which the RBM upscale trips are in affect. In addition, the change incorporates the use of Allowable Values in the place of Analytical Limits. This TS change does not change any Analytical Limits or Allowable Value calculations. The

methodology by which the RBM Trip Setpoints, Analytical Limits, and Allowable Values are derived has not changed.

Based on the above, NPPD concludes that the proposed TS change to modify the mathematical symbols in TS SR 3.3.2.1.4 and TS Table 3.3.2.1–1 footnotes (a), (b), (c), and (e) does not involve a significant reduction in the 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.

Attorney for licensee: Mr. John R. McPhail, Nebraska Public Power District, Post Office Box 499, Columbus, NE 68602–0499.

NRC Section Chief: Robert A. Gramm.
Nine Mile Point Nuclear Station, LLC (NMPNS), Docket No. 50–410, Nine Mile Point Nuclear Station, Unit 2, Oswego County, New York.

Date of amendment request: August 22, 2003.

Description of amendment request: The licensee proposed to revise Section 3.7.1, "Service Water (SW) System and Ultimate Heat Sink (UHS)," of the Technical Specifications (TS) to allow continued operation with short-term elevated UHS temperatures. The proposed revision is based on an NRC-approved Technical Specification Task Force (TSTF) Standard Technical Specification change, identified as TSTF–330, "Allowed Outage Time—Ultimate Heat Sink," Revision 3, dated October 16, 2000. Adoption of TSTF–330 would allow continued plant operation with UHS temperatures that temporarily exceed the 82 °F limit.

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

Response: No.

The proposed change allows plant operation to continue if the temperature of the UHS exceeds the TS limit of 82 °F provided that (1) the water temperature, averaged over the previous 24 hour period, is at or below 82 °F, and (2) the UHS temperature is less than or equal to 84 °F. This increase in UHS temperature will not affect the normal operation of the plant to the extent that it would make any accident more likely to occur. The UHS is not an accident initiator. In addition, the proposed change assures adequate margin in the safety systems