

No. The proposed change is an administrative change to update the facility's Operating License and Defueled Technical Specifications to reflect the permanent removal of the spent fuel from the Spent Fuel Pool. Requirements for safe storage and handling of irradiated fuel, definitions, design features and administrative controls that were applicable to the facility when spent fuel was stored in the spent fuel pool are no longer valid and are being removed to provide clarity to the licensing basis of the facility in its current configuration. The accidents previously evaluated in the Updated Final Hazards Safety Analysis are based on spent nuclear fuel being stored in the spent fuel pool. Since the spent fuel has been permanently removed from the spent fuel pool, the accidents previously analyzed are no longer credible. The spent fuel has been loaded into an NRC approved and licensed Spent Fuel Dry Storage System and will be temporarily stored at this installation until such time that a permanent repository is available. The spent fuel is now controlled by a different set of approved technical specifications issued and approved pursuant to 10 CFR part 72. Therefore, the proposed administrative change does not affect the consequences of any accident described and evaluated in the Updated Final Hazards Summary Report, and the accidents and transients associated with spent fuel stored in the facility's spent fuel pool are no longer applicable.

Therefore, the proposed administrative change to the Operating License and Defueled Technical Specifications does not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

No. The spent fuel has been loaded into an NRC approved and licensed Spent Fuel Dry Storage System and will be temporarily stored at this installation until such time that a permanent repository is available. In accordance with 10 CFR part 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel and High-Level Radioactive Waste," credible accidents have been evaluated as part of the licensing and approval process for the Dry Fuel Storage System. The requirement to evaluate credible accidents has not changed.

Therefore this proposed administrative change does not create the possibility of a new or different kind of accident previously evaluated.

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

The proposed activity is an administrative change to the Operating License and Defueled Technical Specifications to reflect the permanent removal of the spent fuel from the spent fuel pool and does not involve any significant reduction in any margin of safety that is usually associated with the design and performance of systems, structures and components. Requirements for safe storage and handling of irradiated fuel, definitions, design features and administrative controls that were applicable to the facility when

spent fuel was stored in the spent fuel pool are no longer applicable and are being removed to provide clarity to the licensing basis of the facility in its current configuration.

Therefore, the proposed administrative 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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*Detroit Edison Company, Docket No. 50-341, Fermi 2, Monroe County, Michigan.*

*Date of amendment request:* October 10, 2003.

*Description of amendment request:* The proposed amendment would modify Technical Specification (TS) 3.7.3, "Control Room Emergency Filtration (CREF) System," Surveillance Requirement (SR) 3.7.3.6, to permit a one-time extension of SR 3.7.3.6 until startup from the next refueling outage (RF-10) to preclude a mid-cycle shutdown solely for the performance of this SR. SR 3.7.3.6 requires verifying that unfiltered inleakage from CREF system duct work outside the control room envelope that is at negative pressure during accident conditions is within limits. This SR is required to be performed every 36 months, and can be performed only when the CREF system is not required to be Operable (*i.e.*, in MODES 4 or 5, with no operations with a potential for draining the reactor vessel and with no fuel movement of recently irradiated fuel in progress).

*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. The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed change allows a one-time extension of SR 3.7.3.6 until startup from the next refueling outage (approximately 10 to 12 months beyond its critical completion date). The Control Room Emergency Filtration (CREF) system provides a configuration for mitigating radiological consequences of accidents; however, it is not considered an initiator of any previously analyzed accident. Therefore, the proposed change cannot

increase the probability of any previously evaluated accident.

The CREF system provides a radiologically controlled environment from which the plant can be safely operated following a radiological accident. The current TS surveillance (SR 3.7.3.6) measures inleakage from four sections of CREF system duct work outside the Control Room Envelope (CRE) that are at negative pressure during accident conditions. Based on the results of previous surveillance testing, and the continued performance of SR 3.7.3.3 and 3.7.3.5 on their normal schedule, the delay in performing SR 3.7.3.6 by approximately 10 to 12 months will provide essentially the same degree of assurance that CRE integrity is being maintained as before. It is expected that CRE integrity will remain essentially unchanged from what it is today. Therefore, the proposed change does not significantly increase the radiological consequences of any previously analyzed accident.

Based on the above, the proposed change does not significantly increase the probability or consequences of any accident previously evaluated.

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

The proposed change to allow a one-time extension of SR 3.7.3.6 until startup from the next refueling outage (approximately 10 to 12 months beyond its critical completion date) does not alter the design or function of the system involved, nor does it introduce any new modes of plant or CREF system operation. Therefore, the proposed change does not create the potential for a new or different kind of accident from any accident previously evaluated.

3. The proposed change does not involve a significant reduction in the margin of safety.

The proposed change to allow a one-time extension of SR 3.7.3.6 until startup from the next refueling outage (approximately 10 to 12 months beyond its critical completion date) will not affect the radiological release from a design basis accident. Based on the results of previous surveillance testing and the continued performance of SR 3.7.3.3 and 3.7.3.5 on their normal schedule, the delay in performing SR 3.7.3.6 by approximately 10 to 12 months will provide essentially the same degree of assurance that CRE integrity is being maintained as existed before; and, the postulated dose to the control room occupants as a result of an accident will remain approximately the same. Therefore, the proposed changes will not result in 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.

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