

Conclusion

Based on the above, Maine Yankee concludes that the proposed amendment presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of "no significant hazards consideration" is justified.

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 requested amendment involves no significant hazards consideration.

Attorney for licensee: Joe Fay, Esquire, Maine Yankee Atomic Power Company, 321 Old Ferry Road, Wiscasset, Maine 04578.

NRC Section Chief: Claudia M. Craig.

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

Date of amendment request: September 26, 2003.

Description of amendment request: The proposed amendments would modify TS 5.6.5.b to add a reference to a Nuclear Regulatory Commission (NRC) letter that would approve the use of a new master curve methodology for Unit 2. The NRC staff is currently reviewing an associated exemption request by NMC to use this new methodology. The requested exemption would allow the use of the master curve methodology described in Babcock & Wilcox Report BAW-2308, Revision 1, "Initial RT_{NDT} [reference nil-ductility temperature] of Linde 80 Weld Materials," for determining the adjusted RT_{NDT} of the Unit 2 reactor vessel limiting circumferential weld metal. This method is used for the pressurized thermal shock screening evaluation. The proposed amendments would also make editorial changes to TS 5.6.5.b.

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 PBNP in accordance with the proposed amendments does not result in a significant increase in the probability or consequences of any accident previously evaluated.

The proposed change references the NRC safety evaluation [currently under NRC staff review] accepting the new Master Curve Methodology used in the evaluation of the revised P/T [pressure/temperature] limits and LTOP [low-temperature overpressure protection] setpoints. Implementation of revisions to Topical Reports would still be

reviewed in accordance with 10 CFR 50.59 and, where required, receive NRC review and approval. The proposed change does not adversely affect accident initiators or precursors nor alter the design assumptions, conditions, or configuration of the facility or the manner in which the plant is operated and maintained. The proposed change does not alter or prevent the ability of structures, systems, and components (SSCs) from performing their intended function to mitigate the consequences of an initiating event within the assumed acceptance limits. The proposed change does not affect the source term, containment isolation, or radiological release assumptions used in evaluating the radiological consequences of an accident previously evaluated. Further, the proposed change does not increase the types or amounts of radioactive effluent that may be released offsite, nor significantly increase individual or cumulative occupational/public radiation exposures. The proposed change is consistent with safety analysis assumptions and resultant consequences. Therefore, it is concluded that this change does not increase the probability of occurrence of an accident previously evaluated.

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

The proposed change references the NRC safety evaluation [currently under NRC staff review] accepting the new Master Curve Methodology used in the evaluation of the revised P/T limits and LTOP setpoints. Implementation of revisions to Topical Reports would still be reviewed in accordance with 10 CFR 50.59 and, where required, receive NRC review and approval. The change does not involve a physical alteration of the plant (*i.e.*, no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. In addition, the changes do not impose any new or different requirements or eliminate any existing requirements. The changes do not alter assumptions made in the safety analysis. The proposed changes are consistent with the safety analysis assumptions and current plant operating practice. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Operation of PBNP in accordance with the proposed amendments does not result in a significant reduction in a margin of safety.

The proposed change references the NRC safety evaluation [currently under NRC staff review] accepting the new Master Curve Methodology used in the evaluation of the revised P/T limits and LTOP setpoints. Implementation of revisions to Topical Reports would still be reviewed in accordance with 10 CFR 50.59 and, where required, receive NRC review and approval. The proposed change does not alter the manner in which safety limits, limiting safety system settings or limiting conditions for operation are determined. The setpoints at which protective actions are initiated are not altered by the proposed changes. Sufficient equipment remains available to actuate upon

demand for the purpose of mitigating an analyzed event.

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: Jonathan Rogoff, Esquire, Vice President, Counsel & Secretary, Nuclear Management Company, LLC, 700 First Street, Hudson, WI 54016.

NRC Section Chief: L. Raghavan.

Pacific Gas and Electric Company, Docket Nos. 50-275 and 50-323, Diablo Canyon Nuclear Power Plant, Unit Nos. 1 and 2, San Luis Obispo County, California.

Date of amendment requests: September 12, 2003.

Description of amendment requests:

The proposed license amendments would revise Technical Specification (TS) 3.3.1, "Reactor Trip System (RTS) Instrumentation," and TS 3.3.2, "Engineered Safety Feature Actuation System (ESFAS) Instrumentation," to change the current steam generator (SG) narrow range (NR) water level-low low setpoints from greater than or equal to 7.0 percent allowable value and 7.2 percent nominal value, to greater than or equal to 14.8 percent allowable value and 15.0 percent nominal value.

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 protection system performance will remain within the bounds of the previously performed accident analyses since there are no hardware changes and the actuation logic changes are conservative. The design of the steam generator (SG) water level sensing equipment and the coincidence logic will be unaffected. The only physical change to the reactor trip system (RTS) and the engineered safety feature actuation system (ESFAS) instrumentation is the increased actuation setpoints. These changes have already been implemented in the plant through the design change process. These changes are in the conservative direction, *i.e.*, a trip actuation signal will be generated sooner for an event that challenges the ability of the SGs to provide a heat sink for the reactor. In all other regards, the design of the RTS and ESFAS instrumentation will be unaffected. These protection systems will continue to function in a manner consistent with the plant design basis.