

March 6, 1991

Docket No. 50-320

DISTRIBUTION:

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Director, Corporate Services/
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Dear Dr. Lung:

SUBJECT: THREE MILE ISLAND NUCLEAR STATION UNIT NO. 2 - ISSUANCE OF AMENDMENT 40 (TAC NO. 37781)

The Commission has issued the enclosed Amendment No. 40 to Facility Operating License No. DPR-73 for the Three Mile Island Nuclear Station, Unit 2, in response to your letter dated June 15, 1989 and revised by letter dated October 19, 1990 (Technical Specification Change Request No. 63).

The amendment modifies Appendix B Technical Specifications by deleting the remaining requirements for nonradiological environmental monitoring studies and reporting requirements.

A copy of the related Safety Evaluation is enclosed. Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

original signed by

Seymour H. Weiss, Director
Non-Power Reactors, Decommissioning and
Environmental Project Directorate
Division of Advanced Reactors
Office of Nuclear Reactor Regulation

Enclosures:

1. Amendment No. 40 to DPR-73
2. Safety Evaluation

cc w/enclosures:
See next page

[MM AMENDMENT 40]

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

March 6, 1991

Docket No. 50-320

Dr. Robert L. Long
Director, Corporate Services/
Director, TMI-2
GPU Nuclear Corporation
Post Office Box 480
Middletown, Pennsylvania 17057

Dear Dr. Long:

SUBJECT: THREE MILE ISLAND NUCLEAR STATION UNIT NO. 2 - ISSUANCE OF
AMENDMENT 40 (TAC NO. 37781)

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A copy of the related Safety Evaluation is enclosed. Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

A handwritten signature in cursive script that reads "Michael T. Masnik".

Michael T. Masnik, Senior Project Manager
Non-Power Reactors, Decommissioning and
Environmental Project Directorate
Division of Advanced Reactors
Office of Nuclear Reactor Regulation

Enclosures:

1. Amendment No. 40 to DPR-73
2. Safety Evaluation

cc w/enclosures:
See next page

Dr. R. L. Long
GPU Nuclear Corporation Unit No. 2

Three Mile Island Nuclear Station

cc:

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

GPU NUCLEAR CORPORATION

DOCKET NO. 50-320

THREE MILE ISLAND NUCLEAR STATION, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 40
License No. DPR-73

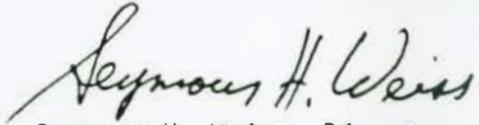
1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment filed by GPU Nuclear Corporation, (the licensee) dated June 15, 1989 and revised on October 19, 1990 complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-73 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 40, are hereby incorporated in the license. GPU Nuclear Corporation shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance, to be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Seymour H. Weiss, Director
Non-Power Reactors, Decommissioning and
Environmental Project Directorate
Division of Advanced Reactors
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: March 6, 1991

ATTACHMENT TO LICENSE AMENDMENT NO. 40

FACILITY OPERATING LICENSE NO. DPR-73

DOCKET NO. 50-320

Replace the following pages of the Appendix B Technical Specifications with the attached pages. The revised pages are identified by amendment number and contain vertical lines indicating the area of change.

<u>Remove</u>	<u>Insert</u>
1	1
11	11
111	
3-1	3-1
3-2	—
3-3	—
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5-3	5-3
5-4	5-4
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3.0 ENVIRONMENTAL MONITORING

3.1 NONRADIOLOGICAL MONITORING

Deleted

5.3.2 AUDIT RESPONSIBILITY

Deleted

5.4 STATE AND FEDERAL PERMITS AND CERTIFICATES

Section 401 of PL-92-500, the Federal Water Pollution Control Act Amendment of 1972 requires any applicant for a Federal license or permit to conduct any activity which may result in any discharge into navigable waters to provide the licensing agency a certification from the State having jurisdiction that the discharge will comply with applicable provisions of Sections 301, 302, 306, and 307 of the FWPCA. Section 401 of PL 92-500 further requires that any certification provided under this section shall set forth any effluent limitations and other limitations, and monitoring requirements necessary to assure that any applicant for a Federal license or permit will comply with the applicable limitations. Certifications provided in accordance with Section 401 set forth conditions on the Federal license or permit for which the certification is provided. Accordingly, the licensee shall comply with the requirements, with respect to Sections 2, if applicable, and 3 of these ETS, set forth in the 401 certification dated November 9, 1977 or its currently applicable revision, issued to the licensee by the Pennsylvania Department of Environmental Resources, which requires, among other things, that the licensee comply with effluent limitations stipulated in NPDES permit PA-0009920, effective January 30, 1975. Subsequent revisions to the permits and/or certifications will be accommodated in accordance with provisions of Subsection 5.7.2.

5.5 PROCEDURES

Detailed written procedures, including applicable checklists and instructions, shall be prepared and followed to implement the environmental technical specifications. Radiological procedures shall include sampling, data recording and storage, instrument calibration, measurements and analyses, and actions to be taken when limits are exceeded. Testing frequency of any alarms shall be included. These frequencies shall be determined from experience with similar instruments in similar environments and from manufacturers, technical manuals.

Station standard operating procedures shall include provisions, in addition to the procedures specified above, to ensure that all station systems and components are operated in compliance with the appropriate limiting conditions for operations established as part of the environmental technical specifications.

5.5.1 ENVIRONMENTAL PROGRAM DESCRIPTION DOCUMENT

Deleted

5.5.2 QUALITY ASSURANCE OF PROGRAM RESULTS

Radiological procedures shall be established which will assure the quality of ETS program results, including analytical measurements. These radiological procedures shall document the program in policy directives, designate responsible organizations or individuals, describe purchased services (e.g., contractual laboratory or other contract services), and provide for audits of results and procedures by licensee personnel. In addition, these quality assurance procedures shall provide for systems to identify and correct deficiencies in technical monitoring programs or related administrative activities, to investigate anomalous or suspect results, and to review and evaluate program results.

5.5.3 COMPLIANCE WITH PROCEDURES

In addition to the radiological procedures specified in Subsection 5.5, the station standard operating procedures shall include provisions to ensure that each unit and all its systems and components are operated in compliance with the conditions established in these ETS.

5.5.4 CHANGES IN PROCEDURES, STATION DESIGN OR OPERATION

Changes in radiological procedures, station design or operation as described in Appendix B Technical Specifications Sections 2 and 5 may be made subject to conditions described below, provided such changes are independently reviewed and approved by the appropriate management level and groups (as defined in Appendix A Tech Spec Section 6.0) prior to implementation. Changes to monitoring programs described in Appendix B Technical Specifications Section 3 may be made subject to the conditions described below, and must be reviewed and approved by the Environmental Controls Section prior to implementation.

- A. The licensee may make changes in the station design and operation without prior Commission approval, unless the proposed change, test or experiment involves a change in the objectives of the ETS or an unreviewed environmental question.
- B. A proposed change, test or experiment shall be deemed to involve an unreviewed environmental question if it concerns (1) a matter which may result in a significant increase in any adverse environmental impact previously evaluated in the final environmental impact statements as modified by staff's testimony to the Atomic Safety and Licensing Board, supplements thereto, environmental impact appraisals, or in initial or final adjudicatory decisions; or (2) a significant change in effluents or power level as specified in § 51.5(b)(2); or (3) a matter not previously reviewed and evaluated in the documents specified in (1) of this section which may have a significant adverse environmental impact.
- C. Deleted

D. Deleted

5.5.5 CONSISTENCY WITH INITIALLY APPROVED PROGRAMS

Deleted

5.5.6 NRC AUTHORITY TO REQUIRE REVISIONS

Deleted

5.6 STATION REPORTING REQUIREMENTS

5.6.1 ROUTINE REPORTS

A.(1) ANNUAL ENVIRONMENTAL OPERATING REPORT PART A NONRADIOLOGICAL

Deleted

A.(2) ANNUAL ENVIRONMENTAL OPERATING REPORT PART B RADIOLOGICAL*

Routine Radiological Environmental Operating Reports covering the operation of the unit during the previous calendar year shall be submitted to the Commission prior to May 1 of each year.

The Annual Radiological Environmental Operating Reports shall include summaries, interpretations, and an analysis of trends of the results of the radiological environmental surveillance activities for the report period, including a comparison with preoperational studies, with operational controls as appropriate, and with previous environmental surveillance reports, and an assessment of the observed impacts of the plant operation on the environment. The reports shall also include the results of land use censuses required by Specification 3.2.2.

The Annual Radiological Environmental Operating Reports shall include the summarized (tabulated) results of analysis of all radiological environmental samples and environmental radiation measurements required by Table 3.2-1 taken during the period pursuant to the locations specified in the Table and Figures in the ODCM in a format similar to the table in the Radiological Assessment Branch Technical Position, Revision 1, November 1979. In the event that some individual results are not available for inclusion with the report, the report shall be submitted noting and explaining the reasons for the missing results. The missing data shall be submitted as soon as possible in a supplementary report.

The reports shall also include the following: a summary description of the radiological environmental monitoring program; a map(s) of all sampling locations keyed to a table giving distances and directions from a point that is midway between the Reactor Buildings of TMI-1 and TMI-2; the results of licensee participation in the Interlaboratory Comparison Program, required by Specification 3.2.3; discussion of all deviations from the sampling schedule of Table 3.2-1; discussion of all the required analyses in which the LLD required by Table 3.2-2 was not achievable.

B. DATA REPORTING FORMATS

Deleted

*A single submittal may be made for a multiple unit station.

C. QUARTERLY RADIOLOGICAL RELEASES AND ESTIMATED DOSE REPORT

The following information shall be submitted to the Regional Administrator. This information shall be submitted on a calendar quarter basis (January-March, April-June, July-September, and October-December) and shall be submitted no later than 60 days following the end of each calendar quarter.

- (1) Estimates of the amounts and types of radioactivity that were released to the environment during the quarter and during the calendar year. This shall include estimates of the total activity of each nuclide and time rate of release of each nuclide.
- (2) Estimates of population and maximum individual doses which occurred during the calendar quarters and during the calendar year shall be provided. The estimates shall be based on actual hydrological and meteorological conditions which occurred during the releases. Calculational methods shall be those of U.S. NRC Regulatory Guides 1.109 (Revision 1, October 1977), 1.111 (Revision 1, July 1977), 1.112 (Revision 0-R, April 1976) and 1.113 (Revision 1, April 1977). These calculations shall be based on estimates of actual population distributions during the releases and shall take into consideration factors such as boating or fishing recreation.

5.6.2 NONROUTINE REPORTS

A report shall be submitted in the event that a Technical Specification Limiting Condition for Operation (Section 2), if applicable, is exceeded or if an Exceptional Occurrence as specified in Section 4.6 occurs. Report shall be submitted under one of the report schedules described below.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 40 TO FACILITY OPERATING LICENSE NO. DPR-73

GPU NUCLEAR CORPORATION

THREE MILE ISLAND NUCLEAR STATION, UNIT NO. 2

DOCKET NO. 50-320

1.0 INTRODUCTION

By letter dated June 15, 1989 and revised by letter dated October 19, 1990, GPU Nuclear Corporation (GPUN or the licensee) requested the approval of changes to the Appendix B Technical Specifications of Facility Operating License No. DPR-73 for Three Mile Island Nuclear Station, Unit No. 2. The proposed amendment would revise the Technical Specifications by deleting the remaining requirements for nonradiological environmental monitoring studies and reporting requirements.

The licensee proposes to eliminate the requirement for water quality measurements during the time of aquatic biotic sampling, periodic sampling of benthic macroinvertebrates, ichthyoplankton and adult and juvenile fishes. The licensee proposes elimination of the requirement to prepare an environmental program description document and the requirement to prepare an annual nonradiological environmental operating report. The licensee also proposes to eliminate section headings of sections that have been previously deleted and other minor administrative changes that improve the clarity or consistency of the Technical Specifications.

The licensee proposes to delete the section headings for the following special studies that have been completed. The actual study requirements for each of the following section headings have been deleted by previous license amendments. The section heading and associated subheadings to be deleted are; 3.1.1.a(1) Thermal Characteristics of Cooling Water Discharge; 3.1.1.a(2) pH; 3.1.1.a(3) Biocide; 3.1.1.a(5) Chemical Release Inventory; 3.1.2.a(2) Impingement of Organisms; 3.1.2.a(3) Entrainment of Ichthyoplankton; 3.1.2.b(1) Aerial Remote Sensing; 4.1 Residual Chlorine Study Program; 4.2 Thermal Plume Mapping; 4.3 Hydraulic Effects; 4.4 Erosion Control Inspection, and 4.5 Herbicide Applications. The licensee states that removal of the section headings represent an administrative change to the Technical Specifications since the studies have all been long completed and the current Technical Specifications contain no requirements but simply state that the sections have been deleted. The staff finds that the proposed change removes unnecessary section headings from the Technical Specifications and therefore is approved. The corresponding section headings in the Table of Contents have also been removed.

Section 3.1 Nonradiological Monitoring, provides general guidelines and cases for nonradiological environmental sampling around the TMI site. The licensee proposes deleting this section since no continued nonradiological environmental sampling around TMI-2 is planned. The staff concurs with the licensee's proposal.

Section 3.1.1.a(4) Water Quality Analysis, requires that physical and chemical characteristics of the Susquehanna River be measured at the times and locations that biological monitoring for benthic macroinvertebrates, ichthyoplankton, and fish is conducted. The basis for these measurements of water quality is to evaluate trends and unusual occurrences, should they occur, in the biological sampling. The licensee proposes to delete the requirement to measure any physical or chemical characteristic of the Susquehanna River since the licensee proposes to delete the requirements for sampling benthic macroinvertebrates, ichthyoplankton and fish. The licensee states that since they no longer will be performing the biological monitoring, and the purpose of the water quality monitoring is to understand trends in the biological monitoring data, the elimination of the requirement for biological monitoring also eliminates the requirement for water quality monitoring. The staff concurs with the licensee's conclusion and finds that deletion of this section acceptable.

Section 3.1.2.a(1)(a) Benthic Macroinvertebrates, requires the licensee to sample for benthic macroinvertebrates. The licensee proposes deleting the requirement for sampling benthic macroinvertebrates. The licensee states that the results of sampling have failed to show evidence of significant, adverse impacts from the TMI site on the benthic community. High variability in benthic populations could not be correlated with TMI-1 operations or the TMI-2 cleanup and appear to be based on natural fluctuations due to riverwide phenomena. The staff agrees with the licensee that observed variation in the benthic community is not the result of TMI site operations and concurs that this study should be terminated.

Section 3.1.2.a(1)(b) Ichthyoplankton, requires periodic ichthyoplankton sampling to detect and assess the significance of changes in species composition, relative abundance, density, and seasonal and spatial distribution as related to TMI. The licensee proposes deleting the requirement for sampling ichthyoplankton. The licensee states that the past results of the sampling program demonstrate the absence of adverse impacts associated with TMI. Data correlate variability of ichthyoplankton densities to natural spatial and temporal distributions of reported species rather than to TMI-1 operation or TMI-2 cleanup. The staff agrees with the licensee that the observed variation in ichthyoplankton is not the result of TMI site operations and concurs that this study should be terminated.

Section 3.1.2.a(1)(c) Fish, requires the licensee to conduct a monitoring program that detects and assesses the effects of TMI on the ichthyofauna of the Susquehanna River. The monitoring program is designed to detect and assess the significance of changes in species composition, relative abundance, and seasonal and spatial distribution of ichthyofauna in the vicinity of TMI. The licensee proposes to delete the requirement for periodic fish sampling. The licensee states that neither operation of TMI-1 or the cleanup at TMI-2

has had an adverse impact on adult or juvenile fishes in York Haven Reservoir. The data show that fish abundance is affected by seasonal changes in river flow, water temperature, habitat difference and the natural variations inherent in fish populations. Furthermore, creel surveys, conducted since 1975, indicate a healthy sport fishery in the vicinity of TMI. The licensee has concluded that there is little evidence that the operation of TMI-1 or the cleanup at TMI-2 has had a significant, adverse impact to fish populations in the Susquehanna River. The staff agrees with the licensee that the observed variation in fish populations in York Haven Reservoir is not the result of TMI site operations and concurs that this study should be terminated.

Section 5.4 State and Federal Permits and Certificates, requires the licensee to comply with the effluent limitations stipulated in the NPDES permit. The current Technical Specification identifies the specific NPDES permit, issued by the Commonwealth of Pennsylvania and gives an effective date of September 16, 1986. This date is followed by the statement that subsequent revisions to the certifications will be accommodated in accordance with provisions of Subsection 5.7.2. The NPDES permit effective when this section of the Environmental Technical Specifications was last revised, was dated September 16, 1986. To avoid having to amend the Technical Specifications each time the permit is renewed, the licensee proposes to change this date to January 30, 1975, the effective date of the original NPDES permit. Subsection 5.7.2 requires that the licensee notify the HRC of changes in permits or certifications for the protection of the environment. The proposed change is administrative and results in no change in requirements. The staff finds the proposed change acceptable.

Section 5.5 Procedures, requires the licensee to prepare and follow detailed written procedures to implement the environmental Technical Specifications. Procedures have to be prepared for both radiological and nonradiological Technical Specifications. The section currently refers to "procedures" not specifying either nonradiological or radiological procedures. The licensee proposes inserting the word "radiological" before the word "procedures." The licensee, in this amendment request, is proposing to delete all nonradiological monitoring, therefore, there would no longer be any nonradiological monitoring procedures. The staff concurs in this proposed change since this is an administrative change that improves the clarity of the Technical Specifications.

Section 5.5.1 Environmental Program Description Document, requires the licensee to prepare and follow an environmental program description document necessary to implement the nonradiological monitoring and special programs requests of Sections 3.1 and 4 of the Appendix B Technical Specifications. Sections 3.1 and 4 with the exception of subsection 4.6 Exceptional Occurrences, is being deleted from the Technical Specifications. Therefore, the licensee requests that Section 5.5.1 also be deleted. Section 5.5.1 requires descriptions of sampling equipment, locations for sampling, frequency and replication of samples, sample analyses and data recording, and as such is not applicable to Section 4.6. Section 4.6 requires only that the licensee make a prompt report to the HRC. No sampling is required. Since no sections would remain in the Technical Specification that would require an environmental program description document, this specification is no longer needed. The staff concurs with the licensee's proposal.

Section 5.5.2 Quality Assurance of Program Results; Section 5.5.3 Compliance with Procedures; and Section 5.5.4 Changes in Procedures, Station Design or Operation, all make reference to procedures. The procedures include both radiological and nonradiological procedures. Similar to the proposed change to Section 5.5 Procedures, described above, the licensee requests that the term "radiological" precede the first mention of "procedures" in each of these sections. The licensee, in this amendment request, is proposing to delete all nonradiological monitoring, therefore, there would no longer be any nonradiological monitoring procedures. The staff concurs with the licensee's proposal.

Section 5.5.4 Changes in Procedures, Station Design or Operation, also has a number of other proposed changes. The licensee proposes to insert the term "Appendix B" before the term "Technical Specifications." Section 5.5.4 also references procedure requirements for Sections 5.5.1 and 5.5.5. The licensee proposes deleting Section 5.5.1 (see above) and Section 5.5.5 (see below). Therefore, the licensee proposes eliminating the requirements in Section 5.5.4 that pertain to the two sections that have been proposed for deletion. The staff has determined that the proposed changes are administrative, improving the clarity or consistency of the Technical Specifications. The staff finds the proposed changes acceptable.

Section 5.5.5 Consistency with Initially Approved Programs and Section 5.5.6 NRC Authority to Require Revisions, impose requirements on the licensee that pertain exclusively to Section 5.5.1 Environment Program Description Document. The licensee proposes deleting Sections 5.5.5 and 5.5.6 since they also propose deleting Section 5.5.1. If Section 5.5.1 is deleted then Sections 5.5.5 and 5.5.6 are not required. The proposed change is administrative and improves the consistency of the Technical Specifications. The staff finds the proposed changes acceptable.

Section 5.6.A.(1) Annual Environmental Operating Report Part A Nonradiological, requires the licensee to submit, by May 1 of each year, a report on all the environmental monitoring programs for the previous calendar year. The licensee proposes deleting this section. Since all environmental monitoring programs for TMI have been deleted and the remaining subsections have specific reporting requirements, no annual environmental monitoring report is required. Section 4.6 Exceptional Occurrences, requires a nonroutine report submitted in accordance with Section 5.6.2. Subsection 5.7.2 Changes in Permits and Certifications, will be reported to the NRC within 30 days, in accordance with Section 5.7.2. The proposed change is administrative and improves the consistency of the Technical Specifications. The staff finds the proposed change acceptable.

Section 5.6.1.8 Data Reporting Formats, specifies the format for presentation of nonradiological environmental data in the Annual Environmental Operating Report Part A Nonradiological. The licensee proposes deleting this section. Deletion of Section 5.6.1.A.(1) (above) eliminates the requirement for submission of an annual nonradiological report therefore, the data reporting formats specified in Section 5.6.1.8 can also be deleted. The proposed change is administrative and improves the consistency of the Technical Specifications. The staff concurs in the licensee's proposed change.

Section 5.8.2 Nonroutine Reports, requires a nonroutine report if a Limiting Condition for Operation is exceeded or an exceptional occurrence occurs. The licensee proposes changing this specification by inserting, before the term "Limiting Condition for Operation" the term "Technical Specification." The proposed change is administrative and improves the clarity of the Technical Specifications. The staff finds the proposed change acceptable.

2.0 ENVIRONMENTAL CONSIDERATION

This amendment relates to changes to administrative procedures and requirements and changes to surveillance requirements. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9) and 10 CFR 51.22(c)(10). The amendment involves no significant hazards consideration, does not result in a significant increase in the amounts of any effluents that may be released offsite, and does not increase individual or cumulative occupational radiation exposure. Additionally, the amendment changes recordkeeping, reporting, or administrative procedures or requirements. Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need to be prepared in connection with the issuance of this amendment.

3.0 CONCLUSION

We have concluded, based on the considerations discussed above, that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (2) such activities will be conducted in compliance with the Commission's regulations and (3) the issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public.

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Dated: March 6, 1991