

April 20, 1993

Docket No. 50-412

Mr. J. D. Sieber, Senior Vice President
and Chief Nuclear Officer
Nuclear Power Division
Duquesne Light Company
Post Office Box 4
Shippingport, Pennsylvania 15077-0004

Dear Mr. Sieber:

SUBJECT: BEAVER VALLEY POWER STATION, UNIT 2 - FEDERAL REGISTER NOTICE
RELATED TO TECHNICAL SPECIFICATION CHANGE REQUEST NO. 75
(TAC NO. M86129)

The Commission has forwarded the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing" to the Office of the Federal Register for publication.

The notice relates to your April 14, 1993, application to amend the Technical Specifications to revise TS Table 4.3-1 related to surveillance testing of the manual reactor trip function for Unit 2.

Sincerely,

/S/
Gordon E. Edison, Senior Project Manager
Project Directorate I-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc w/enclosure:
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OFFICE OF NUCLEAR REACTOR REGULATION



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

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Sincerely,

A handwritten signature in cursive script that reads "Gordon E. Edison".

Gordon E. Edison, Senior Project Manager
Project Directorate I-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc w/enclosure:
See next page

Mr. J. D. Sieber
Duquesne Light Company

Beaver Valley Power Station
Units 1 & 2

cc:

Jay E. Silberg, Esquire
Shaw, Pittman, Potts & Trowbridge
2300 N Street, NW.
Washington, DC 20037

Nelson Tonet, Manager
Nuclear Safety
Duquesne Light Company
Post Office Box 4
Shippingport, Pennsylvania 15077

Commissioner Roy M. Smith
West Virginia Department of Labor
Building 3, Room 319
Capitol Complex
Charleston, West Virginia 25305

John D. Borrows
Director, Utilities Department
Public Utilities Commission
180 East Broad Street
Columbus, Ohio 43266-0573

Director, Pennsylvania Emergency
Management Agency
Post Office Box 3321
Harrisburg, Pennsylvania 17105-3321

Ohio EPA-DERR
ATTN: Zack A. Clayton
Post Office Box 1049
Columbus, Ohio 43266-0149

Bureau of Radiation Protection
Pennsylvania Department of
Environmental Resources
ATTN: R. Barkanic
Post Office Box 2063
Harrisburg, Pennsylvania 17120

Mayor of the Borough of
Shippingport
Post Office Box 3
Shippingport, Pennsylvania 15077

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, Pennsylvania 19406

Resident Inspector
U.S. Nuclear Regulatory Commission
Post Office Box 181
Shippingport, Pennsylvania 15077

UNITED STATES NUCLEAR REGULATORY COMMISSIONDUQUESNE LIGHT COMPANYDOCKET NO. 50-412NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-73, issued to Duquesne Light Company (DLC, the licensee), for operation of the Beaver Valley Power Station, Unit 2 located in Shippingport, Pennsylvania.

The proposed amendment would modify Table 4.3-1 of the Technical Specifications (TS) to add a footnote which states: "Complete verification of OPERABILITY of the manual reactor trip switch circuitry shall be performed prior to startup from the first shutdown to MODE 3 occurring after April 6, 1993."

On April 5, 1993, DLC discovered a testing inadequacy for the manual reactor trip function in TS 4.3.1.1.1. The testing inadequacy was discovered as a result of DLC's review of NRC Information Notice 93-15 which alerted licensees to the potential testing inadequacy. Although there was strong evidence indicating that the manual trip system was fully functional, the TS action required by TS 3.0.3 and 4.0.3 would require plant shutdown until the test inadequacy was corrected. The licensee requested the NRC to exercise discretionary enforcement to permit continued operation until the next

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scheduled or unscheduled shutdown into MODE 3 operation, at which time the manual trip functional test would be performed using a corrected procedure. The NRC determined that this course of action involved minimum or no safety impact. On April 6, 1993, the NRC verbally granted discretionary enforcement, which was documented in a letter to DLC on April 9, 1993.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. 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 change involve a significant increase in the probability or consequences of an accident previously evaluated?

The probability or consequences of an accident previously evaluated is not significantly increased. The reactor trip breaker shunt and undervoltage trip actuation circuitry is redundant and reliable. Should the manual actuation of the shunt trip fail to operate, the diversity and redundancy of the reactor protection system would enable it to perform its design function. If a manual reactor trip signal did not reach the shunt trip coil, the de-energization of the

undervoltage relay would cause the reactor trip breakers to open. Additionally, when the undervoltage relay is de-energized, the auto shunt trip relay (STA) also is de-energized. This action closes a contact which will energize the shunt trip coil and open the reactor trip breakers.

An additional back-up to the manual reactor trip function is contained in the Emergency Operating Procedures. These procedures direct the plant operators to perform the following actions in the event that the reactor trip breakers do not open when required:

1. Manually inserting control rods, and
2. Initiation of an emergency boration, and
3. Local opening of the reactor trip breakers and de-energization of the motor generator sets.

Therefore, since the response of the plant to an accident is unchanged, there is no significant increase in either the probability or consequences of an accident previously evaluated as a result of this proposed change.

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed change does not affect the operation or response of any plant equipment or introduce any new failure mechanisms. The current accident analyses are unchanged and bound all expected plant transients.

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

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

The ability of the Solid State Protection System (SSPS) to initiate a reactor trip via the undervoltage coil and indirectly energize the shunt trip coil has been verified. Should a reactor trip be required, this is the portion of the reactor trip system which would likely function to open the reactor trip breakers. It is unlikely that a manual reactor trip would be required. In the unlikely event that the operator was required to initiate a manual reactor trip and the signal did not reach the shunt trip coil, the de-energization of the undervoltage coil would cause the reactor trip breakers to open. Additionally, when the undervoltage coil is de-energized, the auto shunt trip relay (STA) is also de-energized. This action closes a

contact which will energize the shunt trip coil and open the reactor trip breakers.

The reactor trip system will continue to function as designed with no adverse impact as a result of the delay in performing the Operating Surveillance Test (OST) on the reactor trip breakers. Since the response of the plant is unchanged, there is no significant safety impact resulting from the delay in performing the surveillance testing.

The reactor trip breakers and reactor trip bypass breakers are fully functional and capable of opening in response to a Main Control Board manual trip actuation. Therefore, the proposed license amendment does not impact accident analyses or the associated radiological consequences nor does it impact systems associated with the control of radiological or non-radiological effluents.

Therefore, this 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.

The Commission is seeking public comments on this proposed determination. Any comments received within 15 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 15-day notice period. However, should circumstances change during the notice period, such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 15-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final

determination will consider all public and State comments received. Should the Commission take this action, it will publish in the FEDERAL REGISTER a notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room P-223, Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By May 27, 1993 , the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's

Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555 and at the local public document room located at B. F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, Pennsylvania 15001. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, the final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555, by the above date. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to Dr. Walter R. Butler: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number

of this FEDERAL REGISTER notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Gerald Charnoff, Esquire, Jay E. Silberg, Esquire, Shaw, Pittman Potts & Trowbridge, 2300 N Street, NW., Washington, DC 20037, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated April 14, 1993, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555, and at the local public document room, located at the B. F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, Pennsylvania 15001.

Dated at Rockville, Maryland, this 20th day of April 1993.

FOR THE NUCLEAR REGULATORY COMMISSION



Gordon E. Edison, Senior Project Manager
Project Directorate I-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation