

December 29, 1989

Docket No. 50-317

Distribution:
Docket File
NRC/Local PDR
PDI-1 Rdg
SAVarga
BABoger
CVogan
OGC
DHagan
ACRS (10)
SMcNeil
GPA/PA

Mr. G. C. Creel
Vice President-Nuclear Energy
Baltimore Gas and Electric Company
Calvert Cliffs Nuclear Power Plant
MD Rts 2 & 4
P. O. Box 1535
Lusby, Maryland 20657

Dear Mr. Creel:

SUBJECT: CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT NO. 1 -
NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT

Enclosed is a copy of a "Notice of Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing" for your information. This notice relates to your December 20, 1989 application to ensure the adequacy of low temperature overpressure protection. This notice was published as an "Individual Notice" rather than a "Bi-weekly Notice" to support your startup schedule and to ensure a full 30-day notice period before issuance of any amendments.

Scott Alexander McNeil, Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosure: As stated

cc: See next page

Sam
PDI-1 for
CVogan
12/29/89

Sam
PDI-1
SMcNeil:rsc
12/29/89

Sam
PDI-1
RACapra for
12/29/89

9001080085 891229
PDR ADOCK 05000317
P PDC

RF01
'11



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555
December 29, 1989

Docket No. 50-317

Mr. G. C. Creel
Vice President-Nuclear Energy
Baltimore Gas and Electric Company
Calvert Cliffs Nuclear Power Plant
MD Rts 2 & 4
P. O. Box 1535
Lusby, Maryland 20657

Dear Mr. Creel:

SUBJECT: CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT NO. 1 -
NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT

Enclosed is a copy of a "Notice of Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing" for your information. This notice relates to your December 20, 1989 application to ensure the adequacy of low temperature overpressure protection. This notice was published as an "Individual Notice" rather than a "Bi-weekly Notice" to support your startup schedule and to ensure a full 30-day notice period before issuance of any amendments.

A handwritten signature in cursive script that reads "Scott Alexander McNeil".

Scott Alexander McNeil, Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosure: As stated

cc: See next page

Mr. G. C. Creel
Baltimore Gas & Electric Company

Calvert Cliffs Nuclear Power Plant

cc:

Mr. William T. Bowen, President
Calvert County Board of
Commissioners
Prince Frederick, Maryland 20678

Mr. Joseph H. Walter
Engineering Division
Public Service Commission of Maryland
American Building
231 E. Baltimore Street
Baltimore, Maryland 21202-3486

D. A. Brune, Esq.
General Counsel
Baltimore Gas and Electric Company
P. O. Box 1475
Baltimore, Maryland 21203

Ms. Kirsten A. Burger, Esq.
Maryland People's Counsel
American Building, 9th Floor
231 E. Baltimore Street
Baltimore, Maryland 21202

Mr. Jay E. Silberg, Esq.
Shaw, Pittman, Potts and Trowbridge
2300 N Street, NW
Washington, DC 20037

Ms. Patricia Birnie
Co-Director
Maryland Safe Energy Coalition
P. O. Box 902
Columbia, Maryland 21044

Mr. W. J. Lippold, General Supervisor
Technical Services Engineering
Calvert Cliffs Nuclear Power Plant
MD Rts 2 & 4, P. O. Box 1535
Lusby, Maryland 20657

Resident Inspector
c/o U.S. Nuclear Regulatory Commission
P. O. Box 437
Lusby, Maryland 20657

Mr. Thomas Magette
Administrator - Nuclear Evaluations
Department of Natural Resources
580 Taylor Avenue
Tawes State Office Building
PPER R3
Annapolis, Maryland 21401

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

UNITED STATES NUCLEAR REGULATORY COMMISSIONBALTIMORE GAS AND ELECTRIC COMPANYDOCKET NO. 50-317NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-53 issued to the Baltimore Gas and Electric Company (the licensee) for operation of the Calvert Cliffs Nuclear Power Plant, Unit No. 1, located in Calvert County, Maryland.

The proposed amendment would make the following changes in accordance with the licensee's application for amendment dated December 20, 1989 to ensure the adequacy of low temperature overpressure protection (LTOP) at Calvert Cliffs Unit 1.

1. Modify Table 3.3.3 of Technical Specification (TS) 3/4.3.2, "Engineered Safety Feature Actuation System Instrumentation," to modify the operability requirement for the safety injection functional unit by placing the operable high pressure safety injection (HPSI) pump in the "pull-to-lock" position, when the average reactor coolant system (RCS) temperature is less than or equal to 350 degrees F, so that it will not start automatically on a safety injection actuation system (SIAS) signal.

2. Expand the applicability of TS 3/4.5.1 "Safety Injection Tanks," to require the safety injection tanks (SITS) to remain operable throughout mode 3 (hot standby) instead of the current requirement that SITS must be operable when in mode 3 and RCS pressure is above 1750 psia.

9001080086 891229
PDR ADOCK 05000317
P FDC

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.

The Commission has made a proposed determination that the request for amendment 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.

The licensee evaluated the proposed changes against the standards in 10 CFR 50.92 and has determined that the amendment would not:

- (i) involve a significant increase in the probability or consequences of an accident previously evaluated...

"Administrative controls are being revised to prevent the occurrence of events in which automatic protection is not sufficient to prevent exceeding the LTOP limits. The evaluation performed shows that, by utilizing SIT availability in lieu of automatic HPSI pump starting, adequate protection against the effect of a LOCA is still provided until operator action can manually initiate HPSI flow. Therefore, the proposed change does not significantly increase the probability of an accident previously evaluated. Furthermore, this change will not result in a significant change to the configuration or operation of the plant, and therefore, would not significantly increase the consequences of an accident previously analyzed."

(ii) create the possibility of a new or different type of accident from any accident previously evaluated ...

"This proposal would disable the automatic HPSI pump start capability at and below 350 degrees F, but an adequate substitute (SITs) as demonstrated by the evaluation, will be provided. No significant plant configuration or operation changes are required. Specifically, no new hardware is being added to the plant, no existing equipment is being modified, nor are any new or different types of operations being introduced. Therefore, the possibility of a new or different type of accident from any accident previously evaluated would not be created."

(iii) involve a significant reduction in a margin of safety.

Administrative controls have been added to reduce the likelihood of inadvertent mass addition accidents. The reactor vessel integrity limits will not be challenged when the described administrative controls are applied. The proposed Technical Specification change substitutes the SITs for automatic HPSI pump start in the event of a LOCA at 350 degrees F and below. The evaluation performed shows that adequate flow would still be available with the conservative assumptions listed in the discussion. Adequate protection against the effect of a LOCA is still provided until operator action can manually initiate HPSI flow, if the SITs are used as described in this submittal. Therefore, the proposed changes would not significantly reduce the margin of safety.

Therefore, based on the above considerations, the NRC staff has made a proposed determination that the changes requested, to provide Unit 1 LTOP, involve no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Regulatory Publications Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 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. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By _____, 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 petition for leave to intervene. Request for a hearing and petitions 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, N.W., Washington, D.C. 20555 and at the Local Public Document Room located at the Calvert County Library, Prince Frederick, Maryland. 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 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 fifteen (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 fifteen (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 amendments 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 a hearing is requested, the Commission will make a final determination on the issue of no significant hazards considerations. The final determination will serve to decide when the hearing is held.

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

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

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, D.C. 20555, and to D. A. Brune, Jr., General Counsel, Baltimore Gas & Electric Company, P. O. Box 1475, Baltimore, Maryland 21203, 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 Atomic Safety and Licensing Board designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be 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 December 20, 1989, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555 and at the Local Public Document Room located at the Calvert County Library, Prince Frederick, Maryland.

Dated at Rockville, Maryland, this 29th day of December 1989.

FOR THE NUCLEAR REGULATORY COMMISSION



Scott Alexander McNeil, Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation