

January 31, 1985

Docket No. 50-244
LS05-85-01-029

Mr. Roger W. Kober, Vice President
Electric and Steam Production
Rochester Gas & Electric Corporation
89 East Avenue
Rochester, New York 14649

Dear Mr. Kober:

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO LICENSE AND
PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION AND OPPORTUNITY
FOR HEARING

Re: R. E. Ginna Nuclear Power Plant

Enclosed is a "Notice of Consideration of Issuance of Amendment to License
and Proposed No Significant Hazards Consideration and Opportunity for
Hearing" which is being forwarded to the Office of the Federal Register
for publication. This notice relates to your request for amendment dated
January 25, 1985 to allow use of a temporary closure plate in place of the
equipment door (hatch).

Sincerely,

Original signed by

John A. Zwolinski, Chief
Operating Reactors Branch #5
Division of Licensing

Enclosure:
As stated

cc w/enclosure:
See next page

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Mr. Roger W. Kober

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January 31, 1985

cc
Harry H. Voigt, Esquire
LeBoeuf, Lamb, Leiby and MacRae
1333 New Hampshire Avenue, N.W.
Suite 1100
Washington, D.C. 20036

Ezra Bialik
Assistant Attorney General
Environmental Protection Bureau
New York State Department of Law
2 World Trade Center
New York, New York 10047

Resident Inspector
R.E. Ginna Plant
c/o U.S. NRC
1503 Lake Road
Ontario, New York 14519

Stanley B. Klimberg, Esquire
General Counsel
New York State Energy Office
Agency Building 2
Empire State Plaza
Albany, New York 12223

Dr. Thomas E. Murley
Regional Administrator
Nuclear Regulatory Commission
Region I Office
631 Park Avenue
King of Prussia, Pennsylvania 19406

Supervisor of the Town of Ontario
1850 Ridge Road
Ontario, New York 14519

Jay Dunkleberger
Division of Policy Analysis & Planning
New York State Energy Office
Agency Building 2
Empire State Plaza
Albany, New York 12223

U. S. Environmental Protection Agency
Region II Office
ATTN: Regional Radiation Representative
26 Federal Plaza
New York, New York 10007

UNITED STATES NUCLEAR REGULATORY COMMISSIONROCHESTER GAS AND ELECTRIC CORPORATIONDOCKET NO. 50-244NOTICE 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-18, issued to Rochester Gas and Electric Corporation, for operation of the R. E. Ginna Nuclear Power Plant (Ginna).

The amendment would improve the efficiency of refueling outage work and improve personnel safety. The change would allow use of a temporary closure plate in place of the equipment hatch or equipment door during refueling. At the time the plant was constructed, the magnitude and types of outage maintenance activities inside containment were not anticipated. As a result, a need exists during outages for many temporary services inside containment to support plant modifications, inservice inspections, equipment maintenance and overhauls and significant steam generator work. The services required include electrical cables for communication, closed circuit TV, steam generator tube eddy current testing, steam generator sleeving and power for additional welding machines. Fluid lines are required for high pressure water lancing of the steam generators and for air supplies.

Current practice has been to run the temporary services through an open personnel door within the equipment door or to attach a special closure to the personnel door with appropriately sealed penetrations. The first option dictates that refueling and some maintenance work not be performed concurrently which lengthens the outage and increases the cost to the company.

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The second option reduces the containment egress paths to one, an undesirable situation for personnel safety. The preferred method for decreasing outage time and increasing personnel safety is to use a specially fabricated closure plate in place of the equipment door. The closure plate would have sealed penetrations for the temporary services and a personnel door that would provide emergency egress.

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 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.

Based on the above information, we conclude that the safety function of the component being replaced during refueling operations would be fulfilled by the proposed temporary closure plate. The design of the temporary closure plate assures that releases of radioactive material within the containment will be restricted from leaking to the environment. Therefore, the proposed change 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. Accordingly, the staff proposes to determine that the proposed change does not involve a 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.

Comments should be addressed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attn: Docketing and Service Branch.

By March 7, 1985 , 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. 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 aspects(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, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. 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.

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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 consideration. 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 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 involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

Normally, the Commission will not issue the amendment until the expiration of the 30-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 30-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 a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

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, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W. Washington, D.C., by the above date. Where petitions are filed during the last ten (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 (800) 325-6000 (in Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to John A. Zwolinski: 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 Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Harry H. Voight, Esquire, LeBoeuf, Lamb, Leiby and MacRae, 1333 New Hampshire Avenue, N.W., Suite 1100, Washington, D.C. 20036, attorney for the licensee.

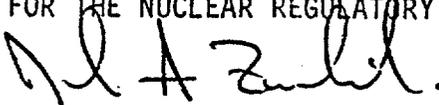
Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board designated to rule on the petition and/or request, 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).

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For further details with respect to this action, see the application for amendment which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Rochester Public Library, 115 South Avenue, Rochester, N.Y. 14604.

Dated at Bethesda, Maryland, this 31 day of January 1985.

FOR THE NUCLEAR REGULATORY COMMISSION



John A. Zwolinski, Chief
Operating Reactors Branch #5
Division of Licensing