September 13, 1995

Dr. Robert C. Mecredy
Vice President, Nuclear Operations
Rochester Gas and Electric Corporation
89 East Avenue
Rochester, NY 14649

SUBJECT: CONVERSION TO THE IMPROVED STANDARD TECHNICAL SPECIFICATIONS - R. E. GINNA NUCLEAR POWER PLANT (TAC NO. M89516)

Dear Dr. Mecredy:

The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for Hearing." This notice relates to your application for amendment dated May 26, 1995, which would revise the Technical Specifications to be consistent with the provisions of NUREG-1431, "Standard Technical Specifications Westinghouse Plants."

Sincerely,

Original signed by:

Allen Johnson, Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-244

Enclosure: As stated

cc w/encl: See next page

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

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Project Directorate I-1
Division of Reactor Projects - I/II
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UNITED STATES NUCLEAR REGULATORY COMMISSION

ROCHESTER GAS AND ELECTRIC CORPORATION

DOCKET NO. 50-244

R. E. GINNA NUCLEAR POWER PLANT

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO

FACILITY OPERATING LICENSE AND OPPORTUNITY FOR A 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 (the licensee), for operation of the R. E. Ginna Nuclear Power Plant, located at the licensee's site in Wayne County, New York.

The proposed amendment would represent a full conversion from the current Technical Specifications (TSs) to a set of TS based on NUREG-1431, "Standard Technical Specifications, Westinghouse Plants," Revision 0, dated September 1993, together with approved travellers used in the issuance of Revision 1, dated April 1995. NUREG-1431 was developed through working groups composed of NRC staff members and industry representatives and has been endorsed by the staff as part of an industry-wide initiative to standardize and improve the TSs. As part of this submittal, the licensee has applied the criteria contained in the Commission's Final Policy Statement on Technical Specification Improvements for Nuclear Power Reactors of July 22, 1993, to the current Ginna TSs, and, using NUREG-1431 as a basis, developed a proposed set of improved TSs for Ginna.

Enclosure

The licensee has categorized the proposed changes to the current TSs into ten general groupings. These groupings can be characterized as administrative changes, relocated changes, more restrictive changes, and less restrictive changes.

Non-technical administrative changes were intended to incorporate human-factors principles into the form and structure of the improved plant TSs so that they would be easier to use for plant operations personnel. Administrative changes are editorial in nature or involve the reorganization or reformatting of requirements without affecting technical content or operational requirements. The proposed changes include: (a) providing the appropriate numbers, etc., for NUREG-1431 bracketed information (information which must be supplied on a plant-specific basis, and which may change from plant to plant), (b) identifying plant-specific wording for system names, etc., and (c) changing NUREG-1431 section wording to conform to existing licensee practices.

Relocated changes, those current TS requirements which do not satisfy or fall within any of the four criteria specified in the Commission's policy statement, may be relocated to appropriate licensee-controlled documents. In the licensee's application, Attachment A as part of their May 26, 1995 letter, the licensee states that such requirements are generally relocated to the Updated Final Safety Analysis Report (UFSAR) and TS Bases. The relocated limiting conditions for operation (LCO) portion of the current TS, which includes the system description, design limits, functional capabilities, and performance levels, will be relocated to the UFSAR. Changes made to these documents will be made pursuant to 10 CFR 50.59 or other appropriate control

mechanisms. These changes reduce the number of current TS requirements but the actual commitment to continue to perform the requirement will be unchanged upon implementation of improved TSs.

The licensee's proposed improved TSs include certain more restrictive requirements that are contained in the current TSs, which are either more conservative than corresponding requirements in the current TSs, or are additional restrictions which are contained in NUREG-1431 but are not contained in the current TSs. Examples of more restrictive requirements include: placing an LCO on plant equipment which is not required by the present TS to be operable; more restrictive requirements to restore inoperable equipment; and more restrictive SRs.

Less restrictive changes are those where current requirements are relaxed or eliminated, or new flexibility is provided. The more significant "less restrictive" requirements are justified on a case-by-case basis. When requirements have been shown to provide little or no safety benefit, their removal from the TSs may be appropriate. In most cases, relaxations previously granted to individual plants on a plant-specific basis were the result of (a) generic NRC actions, (b) new NRC staff positions that have evolved from technological advancements and operating experience, or (c) resolution of the Owners Groups' comments on the improved STSs. Generic relaxations contained in NUREG-1431 were reviewed by the staff and found to be acceptable because they are consistent with current licensing practices and NRC regulations. The licensee's design was reviewed to determine if the

specific design basis and licensing basis are consistent with the technical basis for the model requirements in NUREG-1431 and thus provides a basis for these revised TS.

These administrative, relocated, more restrictive and less restrictive changes to the requirements of the current TSs do not result in operations that will alter assumptions relative to mitigation of an analyzed accident or transient event.

In addition to the changes described above, the licensee proposed certain changes to the current TSs that are both less restrictive and are not within the scope of application for conversion to the guidance of NUREG-1431. All of the differences will be reviewed by the NRC staff and a determination will be made regarding the approval or disapproval of each item as a part of this licensing action. Specifically, the licensee identified the following instances where their submittal varied from the provisions of NUREG-1431.

(1) All refueling interval surveillance were changed from 18 months to 24 months consistent with the guidance of Generic Letter 91-04, "Changes in Technical Specification Surveillance Intervals to Accommodate a 24-Month Fuel Cycle, dated April 2, 1991."

(2) Allow both post-accident charcoal filters to be removed from service at the same time, provided both containment spray trains are operable (proposed Limiting Condition for Operation (LCO) 3.6.6).

(3) Require only one component cooling water (CCW) heat exchanger to be operable when the system is required to be operable (proposed LCO 3.7.7).

(4) Allow both motor driven auxiliary feedwater (AFW) pumps to be removed from service for up to 72 hours (proposed LCO 3.7.5).

(5) Increase the allowed outage times for certain reactor trip system and engineered safety feature actuation system functions up to 72 hours (proposed LCO 3.3.1 and 3.3.2).

(6) Allow an additional 48 hours to restore an inoperable reactor trip breaker or automatic trip logic train in reactor operating modes 3, 4, and 5 (Hot Standby, Hot Shutdown, Cold Shutdown) after exiting mode 2 (Startup) with this condition (proposed LCO 3.3.1).

(7) Allow the use of a closed system to isolate a containment penetration with a failed containment isolation valve (proposed LCO 3.6.3).

(8) Require only one offsite power source to be operable during reactor operating mode changes (proposed LCO 3.8.1).

(9) Allow 72 hours to reduce the power range neutron flux trip function setpoint when the heat flux hot channel factor (Fq) or nuclear enthalpy rise hot channel factor (F delta h) is not within limits (proposed LCO 3.2.1 and 3.2.2).

(10) Remove the requirement to test certain reactor coolant system pressure isolation valves when the plant has been in reactor operating mode 5 (cold shutdown) for greater than 7 days (proposed surveillance requirement (SR) 3.4.14.1).

(11) Remove the requirement to test the motor driven AFW pump cross-over motor operated isolation valves (proposed LCO 3.7.5).

(12) Remove the requirement to verify that the AFW pumps and valves can actuate within 10 minutes (proposed 3.7.5).

(13) Increase the allowed tolerances for the pressurizer safety valves setpoint (proposed LCO 3.4.10).

(14) Increase the allowed fuel enrichment limit from 4.25 weight percent to 5.05 weight percent (proposed Specification 4.3.1.1.a).

(15) Relocate the following parameters and setpoints to the core operating limits report (COLR):

Overpower delta temperature and overtemperature delta temperature (proposed LCO 3.3.1).

Refueling water storage tank boron concentration (proposed LCO 3.5.4).

Accumulator boron concentration (proposed LCO 3.5.1).

Shutdown margin (proposed LCO 3.1.1).

(16) Relocate the containment integrity requirements during refueling reactor operating mode 6 (Refueling) from the TSs.

(17) Relocate the reactor coolant pump underfrequency trip function from the TSs.

(18) Relocate the AFW and standby AFW system manual initiation functions from the TSs.

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.

By October 26, 1995 , 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, and at the local public document room located at the Rochester Public Library, 115 South Avenue, Rochester, NY 14610. 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.

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, 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 Ledyard B. Marsh, Director, Project Directorate I-1: 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 Nicholas S. Reynolds, Winston & Strawn, 1400 L St. N.W., Washington, DC 20005, 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).

If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public

comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated May 26, 1995, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Rochester Public Library, 115 South Avenue, Rochester, NY 14610.

Dated at Rockville, Maryland, this 13th day of September.

FOR THE NUCLEAR REGULATORY COMMISSION

Ledyard B. Marsh, Director
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation