

March 15, 1989

Docket Nos. 50-277/278

Mr. George A. Hunger, Jr.
Director-Licensing
Philadelphia Electric Company
Correspondence Control Desk
P. O. Box 7520
Philadelphia, Pennsylvania 19101

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MO'Brien (2) GPA/PA

Dear Mr. Hunger:

SUBJECT: FEDERAL REGISTER NOTICE (TAC NOS. 72638 AND 72639)

RE: PEACH BOTTOM ATOMIC POWER STATION, UNIT NOS. 2 AND 3

Enclosed is an Individual Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing. This amendment was requested by your letter dated March 10, 1989 regarding modification of the Technical Specifications to reflect removal of the requirement for calibration of the Source Range Monitor (SRM) and Intermediate Range Monitor (IRM) Detectors Not In Startup position within 24 hours before each startup or controlled shutdown on the basis that the currently existing functional test and preventive maintenance program calibration test is adequate for this instrumentation.

Sincerely,

/s/

Robert E. Martin, Project Manager
Project Directorate I-2
Division of Reactor Projects I/II
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc w/enclosure:
See next page

[HUNGER LETTER]

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

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Robert E. Martin
Robert E. Martin, Project Manager
Project Directorate I-2
Division of Reactor Projects I/II
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc w/enclosure:
See next page

Mr. George A. Hunger, Jr.
Philadelphia Electric Company

Peach Bottom Atomic Power Station,
Units 2 and 3

cc:

Troy B. Conner, Jr., Esq.
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Harrisburg, Pennsylvania 17108-1880

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Atlantic Electric
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Mr. Albert R. Steel, Chairman
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Wilmington, DE 19899

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Manager - External Affairs
Public Service Electric & Gas Company
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Hancocks Bridge, New Jersey 08038

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Annapolis, Maryland 21401

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Department of Environment
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Baltimore, Maryland 21201

UNITED STATES NUCLEAR REGULATORY COMMISSION

PHILADELPHIA ELECTRIC COMPANY

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

DELMARVA POWER AND LIGHT COMPANY

ATLANTIC CITY ELECTRIC COMPANY

DOCKET NOS. 50-277 AND 50-278

NOTICE 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 amendments to Facility Operating License Nos. DPR-44 and DPR-56, issued to Philadelphia Electric Company, Public Service Electric and Gas Company, Delmarva Power and Light Company, and Atlantic City Electric Company for operation of the Peach Bottom Atomic Power Station, Unit Nos. 2 and 3, located in York County, Pennsylvania.

The proposed amendments would revise the calibration frequencies for the Source Range Monitor (SRM) and Intermediate Range Monitor (IRM) Detectors Not in Startup Position for control rod block actuation in accordance with the licensee's application for amendment dated March 10, 1989.

Before issuance of the proposed license amendments, 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.

The current Technical Specifications for Peach Bottom contain the requirement that the SRM and IRM-Detector Not in Startup Position channels be functionally tested before each startup and that they be calibrated within 24 hours before each startup or controlled shutdown. The licensee states that the current calibration specification requires that personnel enter the containment drywell at a time that it is undesirable or impractical to do so due to the environmental conditions of temperature, inerted atmosphere and radiation in the drywell. This instrumentation is calibrated by the licensee as part of its preventive maintenance program during each refueling outage. The licensee's position is that the existing functional testing requirement and the preventive maintenance calibration are adequate for this instrumentation and that, accordingly, the additionally required calibration within 24 hours of startup or shutdown may be deleted from the Peach Bottom Technical Specifications.

The licensee has provided the following analysis to support a no significant hazards consideration determination for this change:

- i) The proposed changes do not involve a significant increase in the probability or consequences of any accident previously evaluated.

The SRM and IRM-Detector Not in Startup Position instrument channels function to initiate a control rod block to assure that no control rod is withdrawn unless the appropriate detectors are properly inserted when they must be relied upon to provide the operator with neutron flux information. The proposed changes to delete the requirement to calibrate these instrument channels will not affect their ability to perform this function. The performance of functional tests on the instrument channels at the existing Technical Specification frequency adequately assures the operability of the channels. The preventive maintenance re-alignment (calibration) performed each refueling outage in accordance with vendor recommendations provides adequate assurance of correct instrument calibration. Past surveillance data indicates that the instrumentation is highly reliable. The proposed changes do not affect the analyses of the abnormal operational transients and the design basis accidents as presented in Section 14 of the PBAPS Updated Final Safety Analysis Report. The proposed changes do not change the design or operation of the detector systems; therefore, they do not increase the probability or consequences of any accident previously evaluated.

- ii) The proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

The proposed changes to delete the calibration requirement for the SRM and IRM-Detector Not in Startup Position instrument channel do not change the design or operation of the detector systems, and, therefore, do not create the possibility of a new or different kind of accident from any previously evaluated.

- iii) The proposed revisions do not involve a significant reduction in a margin of safety.

The instrument calibration frequency required by the existing Technical Specification is not necessary as discussed in the Safety Discussion section of this application. Performance of the calibration is also prohibited during power operation due to conditions inside containment. Preventive maintenance realignments (calibrations) which are performed each refueling outage in accordance with vendor recommendations, adequately ensure proper calibration of the instrument channels; therefore, the proposed changes do not involve a significant reduction in a margin of safety.

Based on the above reasoning, the licensee has determined that the proposed changes involve no significant hazards consideration. The NRC staff has reviewed the licensee's no significant hazards consideration determination and agrees with the licensee's analyses. Accordingly, the Commission proposes to determine that the requested amendment 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.

Written comments may be addressed to the Regulatory Publications Branch, Division of Freedom of Information and Publications Services, Office of Administration and Resources Management, 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-216, 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, 2120 L Street, NW, Washington, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By April 20, 1989 , 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 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, 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.

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

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.

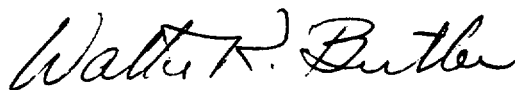
A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Att: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 2120 L Street, NW Washington, D.C., 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 Walter R. Butler, Director, Project Directorate I-2, Division of Reactor Projects I/II: 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 General Counsel, U. S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Conner and Wetterhahn, 1747 Pennsylvania Avenue, N.W., Washington, D.C. 20006, 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 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 March 10, 1989, which is available for public inspection at the Commission's Public Document Room, 2120 L Street, NW, Washington, D.C. 20555, and at the Government Publications Section, State Library of Pennsylvania, Education Building, Walnut Street and Commonwealth Avenue, Box 1601, Harrisburg, Pennsylvania 17105.

Dated at Rockville, Maryland, this 15th day of March 1989.

FOR THE NUCLEAR REGULATORY COMMISSION



Walter R. Butler, Director
Project Directorate I-2
Division of Reactor Projects I/II
Office of Nuclear Reactor Regulation