February 13, 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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Dear Mr. Hunger:

SUBJECT: FEDERAL REGISTER NOTICE

RE: PEACH BOTTOM ATOMIC POWER STATION, UNIT NOS. 2 AND 3
TAC NOS. 59125 AND 59126

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 June 12, 1987 as amended on February 7, 1989 regarding modification of the Technical Specifications to reflect the instrumentation required by the ATWS (10 CFR 50.62) Rule. This Notice was forwarded to the Office of Federal Register for publication.

Sincerely,
W. R. Butler for

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

[GEORGE HUNGER]

*Previously Concurred

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|---|---|---|
| MO'Brien | RMartin:tr | WButler |
| 2/13/89 | 02/12/89 | 2/13/89 |



C/P-1

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

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(for) WR Butler

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

cc:

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Pennsylvania Department of
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Board of Supervisors
Peach Bottom Township
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Delta, Pennsylvania 17314

Mr. Gary Mock
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Columbus, Ohio 43209

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c/o Jack Urban
General Manager, Fuel Supply
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Wilmington, DE 19899

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Power Plant Research Program
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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 reflect modifications made pursuant to the ATWS Rule (10 CFR 50.62) by incorporating the Alternate Rod Insertion (ARI) instrumentation into the Technical Specifications and by revising the current Recirculation Pump Trip (RPT) Technical Specifications in accordance with the licensee's application for amendment dated June 12, 1987 as amended on February 7, 1989.

The ATWS Rule (10 CFR 50.62, "Requirements for Reduction of Risk from Anticipated Transients Without Scram (ATWS) Events for Light Water Cooled Nuclear Power Plants") requires improvements in the design and operation of

commercial nuclear power facilities to reduce the likelihood of a failure to shutdown the reactor following anticipated transients, and to mitigate the consequences of an ATWS event. The requirements for a boiling water reactor are to install an alternate rod injection (ARI) system, a standby liquid control system (SLCS) and to trip the reactor coolant recirculating pumps (RPT) automatically under conditions of an ATWS. The licensee has provided information on the implementation of the ARI and RPT portions of the rule and the staff has concluded, in a safety evaluation report published on December 21, 1988, that the ARI and RPT designs are in compliance with the rule. The SLCS design was previously addressed by modifications to the Technical Specifications for Units 2 and 3 in amendments numbered 122 and 126, respectively, on June 2, 1987. This amendment would therefore, complement the staff's safety evaluation on ARI and RPT by establishing revised Technical Specification Limiting Conditions for Operation (LCO) and Surveillance Requirements (SR) for RPT and by establishing added LCO's and SR's for ARI.

The ARI system will (1) be independent from the existing Reactor Protection System (reactor trip system) from sensor output to final actuation device, (2) have redundant scram air header exhaust valves, and (3) perform its function in a reliable manner. The ARI logic will be one parameter-out-of-two-parameters-taken twice, energize to trip with redundant sensors. Since commercial operation began, Peach Bottom Atomic Power Station Units 2 and 3 have been equipped with a recirculating pump trip (RPT) feature. However, the RPT logic will be modified to ensure that RPT and ARI actuation occur simultaneously. This will be achieved by using the same sensors for ARI and RPT. Both RPT and the proposed ARI are

actuated on the parameters of reactor high pressure (1120 psig) or reactor low-low water level (minus 48 inches indicated level), which are conditions indicative of an ATWS. The ARI and RPT systems will also share pressure transmitters and level transmitters. Each transmitter will provide a signal to an electronic trip unit. When the signal from a transmitter reaches the trip setpoint (corresponding to 1120 psig or minus 48 inches) the electronic trip unit will actuate the logic. Presently, the RPT logic is actuated directly from pressure switches and level switches. The transmitter and electronic trip unit combination to be installed will serve the same function as the switch, and will simplify instrument functional tests.

The RPT logic will also be modified to minimize the potential for inadvertent actuations and to ensure that a single sensor failure cannot prevent a trip. The modified RPT logic will be a one parameter-out-of-two-parameters-taken twice, energize to trip logic with redundant sensors.

The ARI and RPT instrumentation will be addressed in LCO 3.2.G which refers to Table 3.2.G for the minimum number of operable instrument channels, trip level settings and the action that must be taken if the requirements of the table cannot be met. ARI and RPT will also be addressed in SR 4.2.G which refers to Table 4.2.G for the testing and calibration frequencies. ARI and RPT are also discussed in the BASES of section 3.2.

The logic to actuate RPT and, since its addition, ARI has been changed from a one-out-of-four logic (two levels and two pressures) to trip each recirculation pump to one-out-of-two-taken twice to trip both recirculation pumps and to actuate ARI.

The minimum number of operable instrument channels per reactor pump trip system and the required actions if these minimums cannot be met, as specified in Notes 1, 2 and 3 have been revised to reflect the revised trip logic. Since Table 3.2.G also has been revised to include ARI, these revisions also now apply to ARI. Table 4.2.G has been revised so that it now also includes ARI and specifies the functional test. By its submittal dated February 7, 1989 the licensee also revised the channel functional test frequency to once per month.

The specific changes to the TS consist of the following: (a) a revision of TS sections 3.2.G and 4.2.G and the BASES to add ARI, (b) revision of the ACTION statements in Table 3.2.G to reflect the revised logic for RPT and ARI, (c) additional limitations for the ACTIONS specified in the Notes of Table 3.2.G to be taken and on the frequency of the functional test in Table 4.2.G, and a requirement to place an inoperable trip system in the tripped condition, (d) administrative changes in the title of the "instrument functional check" to the "instrument functional test", changing the surveillance frequency terminology from "once/refueling cycle" to "once/operating cycle" and addition of the functional test definition in Table 4.2.G to achieve consistency within the TS.

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.

A discussion of the proposed changes as they relate to these standards is presented below:

A. Addition to Alternate Rod Injection (Insertion)

The licensee has provided a discussion of this proposed change as follows:

i) The proposed revisions do not involve a significant increase in the probability or consequences of an accident previously evaluated because the installation of the ARI system and establishment of Technical Specification controls decrease the probability of a reactor transient without a scram. The ARI system does not adversely affect any safety-related equipment.

ii) The proposed revisions do not create the possibility of a new or different kind of accident from any accident previously evaluated because the ARI system and associated Technical Specification requirements do not alter facility operations or adversely affect any accident analyses. The ARI trip systems do not affect the reactivity characteristics of a reactor scram and utilize the same parameter values as the normal scram initiation system. A trip of both recirculation pumps coincident with a scram during reactor operation is less severe than a trip of both pumps without a scram, which has been analyzed in the FSAR (14.5.5.3).

iii) The proposed revisions do not involve a significant reduction in a margin of safety because the ARI system decreases the probability of an ATWS event without adversely affecting any other safety margin. The ARI instrumentation will be properly isolated from safety-related circuits.

The staff has reviewed the licensee's no significant hazards consideration determination for the addition of ARI and agrees with the licensee's analysis. Accordingly, the Commission has proposed to determine that the above changes do not involve a significant hazards consideration.

B. Revised Logic for RPT and ARI

The proposed revision of Notes 1 and 2 into notes 1, 2 and 3 to reflect the revised logic to initiate RPT and ARI does not involve a significant increase in the probability or consequences of an accident previously evaluated because the change ensures that the ACTION statements retain their purpose.

The proposed revision does not create the probability of a new or different kind of accident from any accident previously evaluated because changing the operability requirement of the RPT system to reflect the modified logic cannot create the possibility of any accident. The modified logic is more reliable and less likely to spuriously actuate.

The proposed revision does not involve a significant reduction in a margin of safety because the purpose and effects of the notes are not being changed.

C. Additional Limitations on ACTION Statements

These changes involve specifying additional limiting periods for the ACTIONS in Notes 2 and 3 to be taken, specifying that the affected trip system will be placed in the trip condition in Note 2 and providing a more limiting frequency for the surveillance tests in Table 4.2.G. The Commission has provided guidance for the application of the criteria for no significant

hazards consideration determination by providing examples of amendments that are considered not likely to involve significant hazards considerations (51 FR 7751). These examples include: Example (ii) A change that constitutes an additional limitation, restriction, or control not presently included in the technical specifications: for example, a more stringent surveillance requirement. Since these proposed changes are encompassed by an example for which no significant hazard exists, the staff has made a proposed determination that it involves no significant hazards consideration.

D. Changes in Nomenclature

The licensee has proposed that administrative changes in the titles of "instrument functional check" in Table 4.2.G be changed to a term explicitly included in the Definitions section of the TS, "instrument functional test"; likewise that "once/refueling cycle" be changed to "once/operating cycle". The licensee also proposes to add a definition of the instrumentation functional test to Table 4.2.G as has previously been done elsewhere in the TS where these instruments are involved. The Commission has provided guidance for the application of the criteria for no significant hazards consideration determination by providing examples of amendments that are considered not likely to involve significant hazards considerations (51 FR 7751). These examples include: Example (i) a purely administrative change to technical specifications; for example, a change to achieve consistency throughout the technical specifications, corrections of an error, or a change in nomenclature. The proposed changes are examples of such changes since the meaning of these

terms remains the same and consistency with the rest of the TS is enhanced by the changes. Since these changes are encompassed by an example for which no significant hazard exists, the staff has made a proposed determination that they 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 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 March 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 June 12, 1987, as amended and supplemented February 7, 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, Commonwealth and Walnut Streets, Harrisburg, Pennsylvania 17126.

Dated at Rockville, Maryland, this 13th day of February 1989.

FOR THE NUCLEAR REGULATORY COMMISSION

Walter R. Butler

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