

July 14, 1989

Docket No. 50-277/278

Mr. George A. Hunger, Jr.
Director-Licensing, MC 5-2A-5
Philadelphia Electric Company
Correspondence Control Desk
955 Chesterbrook Boulevard
Wayne, Pennsylvania 19087-5691

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Dear Mr. Hunger:

SUBJECT: FEDERAL REGISTER NOTICE (TAC NOs. 73730/73731)

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 July 12, 1989 regarding modification of the Technical Specifications to reflect a change in the reactor vessel level (narrow range) and reactor pressure instrumentation calibration frequency from once per six months to once per operating cycle.

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

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

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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
Board of Supervisors
Peach Bottom Township
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Delta, Pennsylvania 17314

Resident Inspector
U.S. Nuclear Regulatory Commission
Peach Bottom Atomic Power Station
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Delta, Pennsylvania 17314

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Department of Environment
201 West Preston Street
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 certain narrow range reactor water level instrumentation and reactor pressure instrumentation from once per six months to once per operating cycle in accordance with the licensee's application for amendment dated July 12, 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.

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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 (Table 4.2.F) for Peach Bottom contain the requirement that the reactor water level (narrow range) and the reactor pressure instrumentation associated with the Feedwater Control System be calibrated at a frequency of once per six months. This instrumentation is not safety related and is not part of the post accident monitoring instrumentation. The current TS also require that certain reactor pressure recorders associated with NUREG-0737 accident monitoring requirements be calibrated at six month intervals.

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

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

The proposed frequency of once/operating cycle is consistent with the industry standards and NRC guidelines, and ensures an acceptable level of reliability for the instrumentation. Based on a review of historical calibration data, feedwater level control and accident monitoring will not be adversely affected.

The feedwater instruments share manifolds with other instruments which generate scram and/or primary containment isolation signals. If the calibration is done at power, valving the narrow range level and pressure instruments back into service following calibration may cause a pressure transient which could result in a reactor scram or isolation. The proposed frequency would eliminate the need to perform the calibration at power or to shut the plant down

for the purpose of calibration. Because the proposed change does not alter the function of the instrumentation, the change does not increase the probability of occurrence or the consequences of an accident or malfunction previously evaluated.

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

The proposed change does not involve any hardware changes to the instruments or changes to their ranges. The proposed change effects only the frequency of calibration, and does not involve any new testing or calibration methods or configurations. Additionally, the proposed change does not effect the redundancy, electrical separation or equipment qualification of the instruments. Therefore, the proposed change does not create the possibility for an accident or malfunction of a different type than any previously evaluated.

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

The feedwater reactor water level and feedwater reactor pressure indicators which are the subject of the proposed Technical Specification change do not initiate or control safety-related systems, and are not part of accident monitoring. Their function is to provide indication as part of the feedwater level control loops. Feedwater level control is discussed in Section 7.10 of the UFSAR. The accident monitoring instruments involved are similar to numerous other instruments which serve more significant safety functions and are calibrated once/operating cycle. Thus, accident monitoring capability will not be degraded such that any margin of safety could be decreased. Accident monitoring is discussed in Section 7.20 of the UFSAR. Surveillance intervals for the instrumentation involved are not discussed in the UFSAR or Technical Specification BASES. The proposed change does not affect the function or operability of the indicators or their associated transmitters and therefore, does not reduce any safety margins.

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 the 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 August 17, 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. Requests 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 pre-hearing 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 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, 2120 L 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 1 (800) 325-6000 (in Missouri 1 (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Walter R. Butler: 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, 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 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 July 12, 1989, which is available for public inspection at the Commission's Public Document Room, 2120 L Street, N.W., 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 14th day of July 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