

December 7, 1994

Mr. George A. Hunger, Jr.  
Director-Licensing, MC 52A-5  
PECO Energy Company  
Nuclear Group Headquarters  
Correspondence Control Desk  
P. O. Box No. 195  
Wayne, PA 19087-0195

Dear Mr. Hunger:

SUBJECT: FEDERAL REGISTER NOTICE FOR CONVERSION TO THE IMPROVED STANDARD  
TECHNICAL SPECIFICATIONS - PEACH BOTTOM ATOMIC POWER STATION, UNITS  
2 AND 3 (TAC NOS. M90746 AND M90747)

Enclosed is a copy of a "Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for Hearing" for your information. This notice relates to your application dated September 29, 1994, for amendment to the Peach Bottom Atomic Power Station, Units 2 and 3, Technical Specifications. In your application, you propose to implement the improved standard technical specifications contained in NUREG-1433, "Standard Technical Specifications, General Electric Plants, BWR/4," dated September 1992.

The original of this notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

/s/  
Joseph W. Shea, Project Manager  
Project Directorate I-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket Nos. 50-277 and 50-278

Enclosure: As stated

cc w/encl: See next page

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DATE	12/7/94	12/7/94	12/7/94		

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

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Sincerely,

A handwritten signature in black ink, appearing to read "Joseph W. Shea".

Joseph W. Shea, Project Manager  
Project Directorate I-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket Nos. 50-277 and 50-278

Enclosure: As stated

cc w/encl: See next page

Mr. George A. Hunger, Jr.  
PECO Energy Company

Peach Bottom Atomic Power Station,  
Units 2 and 3

cc:

J. W. Durham, Sr., Esquire  
Sr. V.P. & General Counsel  
PECO Energy Company  
2301 Market Street, S26-1  
Philadelphia, Pennsylvania 19101

Mr. Rich R. Janati, Chief  
Division of Nuclear Safety  
Pennsylvania Department of  
Environmental Resources  
P. O. Box 8469  
Harrisburg, Pennsylvania 17105-8469

PECO Energy Company  
ATTN: Mr. G. R. Rainey, Vice President  
Peach Bottom Atomic Power Station  
Route 1, Box 208  
Delta, Pennsylvania 17314

Board of Supervisors  
Peach Bottom Township  
R. D. #1  
Delta, Pennsylvania 17314

PECO Energy Company  
ATTN: Regulatory Engineer, A1-2S  
Peach Bottom Atomic Power Station  
Route 1, Box 208  
Delta, Pennsylvania 17314

Public Service Commission of Maryland  
Engineering Division  
Chief Engineer  
6 St. Paul Centre  
Baltimore, MD 21202-6806

Resident Inspector  
U.S. Nuclear Regulatory Commission  
Peach Bottom Atomic Power Station  
P.O. Box 399  
Delta, Pennsylvania 17314

Mr. Richard McLean  
Power Plant and Environmental  
Review Division  
Department of Natural Resources  
B-3, Tawes State Office Building  
Annapolis, Maryland 21401

Regional Administrator, Region I  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, Pennsylvania 19406

Mr. John Doering, Chairman  
Nuclear Review Board  
PECO Energy Company  
955 Chesterbrook Boulevard  
Mail Code 63C-5  
Wayne, Pennsylvania 19087

Mr. Roland Fletcher  
Department of Environment  
201 West Preston Street  
Baltimore, Maryland 21201

Dr. Judith Johnsrud  
National Energy Committee  
Sierra Club  
433 Orlando Avenue  
State College, PA 16803

Carl D. Schaefer  
External Operations - Nuclear  
Delmarva Power & Light Company  
P.O. Box 231  
Wilmington, DE 19899

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  
PEACH BOTTOM ATOMIC POWER STATION, UNITS 2 AND 3

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 Nos. DPR-44 and DPR-56, issued to the Philadelphia Electric Company (PECO, the licensee), for operation of the Peach Bottom Atomic Power Station, Units 2 and 3 (Peach Bottom, PBAPS), located in York County, Pennsylvania.

The proposed amendment, requested by the licensee in a letter dated September 29, 1994, would represent a full conversion from the current Technical Specifications (TS) to a set of TS based on NUREG-1433, "Standard Technical Specifications, General Electric Plants, BWR/4," Revision 0, September 1992. NUREG-1433 has been developed through working groups composed of both NRC staff members and the BWR/4 owners and has been endorsed by the staff as part of an industry-wide initiative to standardize and improve TS. As part of this submittal, the licensee has applied the criteria contained in the Final NRC Policy Statement on Technical Specification Improvements of July 22, 1993 to the current Peach Bottom Technical Specifications, and, using

NUREG-1433 as a basis, developed a proposed set of improved TS for PBAPS.

The licensee has categorized the proposed changes to the existing TS into four general groupings. These groupings are characterized as administrative changes, relocated changes, more restrictive changes, and less restrictive changes.

Administrative changes are those that involve restructuring, interpretation and complex rearranging of requirements and other changes not substantially revising an existing requirement. The reformatting, renumbering and rewording process reflects the attributes of NUREG-1433 and do not involve technical changes to the existing TS. Such changes are administrative in nature and do not impact initiators of analyzed events or assumed mitigation of accident or transient events.

Relocated changes are those involving relocation of requirements and surveillances for structures, systems, components or variables that do not meet the criteria of inclusion in TS. The licensee's application of the screening criteria is described in that portion of their September 29, 1994 application titled "Application of Selection Criteria to the Peach Bottom Atomic Power Station TS." The affected structures, systems, components or variables are not assumed to be initiators of analyzed events and are not assumed to mitigate accident or transient events. The requirements and surveillances for these affected structures, systems, components or variables will be relocated from the TS to administratively controlled documents. Changes made to these documents will be made pursuant to 10 CFR 50.59. In addition, the affected structures, systems, components or variables are addressed in existing surveillance procedures which are also subject to

10 CFR 50.59 and subject to the change control provision in the Administrative Controls section of the TS. These proposed changes will not impose or eliminate any requirements.

More restrictive changes are those involving more stringent requirements for operation of the facility. These more stringent requirements do not result in operation that will alter assumptions relative to mitigation of an accident or transient event. The more restrictive requirements will not alter the operation of process variables, structures, systems and components described in the safety analyses.

Less restrictive changes are those where existing requirements are relaxed or eliminated, or new flexibility is provided.

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 January 13, 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 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. 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 State Library of Pennsylvania, (REGIONAL DEPOSITORY) Government Publications Section, Education Building, Walnut Street and Commonwealth Avenue, Box 1601, Harrisburg, Pennsylvania 17105. 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 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 John F. Stolz, Director, Project Directorate I-2: 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 James W. Durham, Senior Vice President and General Counsel, PECO Energy Company, 2301 Market Street, Philadelphia, Pennsylvania, 19101, 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 considerations in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated September 29, 1994, 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 State Library of Pennsylvania, (REGIONAL DEPOSITORY) Government Publications Section, Education Building, Walnut Street and Commonwealth Avenue, Box 1601, Harrisburg, Pennsylvania 17105.

Dated at Rockville, Maryland, this 7th day of December 1994.

FOR THE NUCLEAR REGULATORY COMMISSION

  
David H. Moran, Acting Director  
Project Directorate 1-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation