

March 24, 1989

Docket No. 50-352

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: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY
OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION
DETERMINATION AND OPPORTUNITY FOR HEARING (TAC NO. 72712)

RE: LIMERICK GENERATING STATION, UNIT 1

The Commission has forwarded the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing" to the Office of the Federal Register for publication.

This notice relates to your application dated March 23, 1989, which requests that the Limerick Generating Station, Unit 1 Technical Specifications be modified to conform to the staff's technical position PSB-1, "Adequacy of Station Electric Distribution System Voltages."

Sincerely,

Mohan C. Thadani, 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

[NOTICE1]

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

March 24, 1989

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Director-Licensing
Philadelphia Electric Company
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P. O. Box 7520
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Sincerely,

A handwritten signature in black ink, appearing to read "Richard J. Clark" or similar, written over a horizontal line.

Mohan C. Thadani, 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

Limerick Generating Station
Units 1 & 2

cc:

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Philadelphia, Pennsylvania 19101

UNITED STATES NUCLEAR REGULATORY COMMISSIONPHILADELPHIA ELECTRIC COMPANYDOCKET NO. 50-352NOTICE 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 an amendment to Facility Operating License No. NPF-39, issued to the Philadelphia Electric Company (the licensee), for operation of the Limerick Generating Station, Unit 1, located in Montgomery and Chester Counties, Pennsylvania. The proposed amendment is in response to the licensee's submittal dated March 23, 1989.

The amendment would revise the Technical Specification (TS) Table 3.3.3-2 to reflect conformance with the Commission's staff's position related to adequacy of station electric distribution system voltages.

Because the undervoltage relays' setpoints would be required by the present Technical Specification to be set at nonconservative values, a revision to the Technical Specifications is needed to reflect installation of new undervoltage relays necessary for conservative undervoltage protection in conformance with the staff's technical position. The licensee states that while compensatory measures are in effect to provide justification for continued operation, changes to the undervoltage relay setpoints are to be processed on an exigent basis in order to allow unit start-up with conservative undervoltage relay setpoints in conformance with the staff's Technical Position.

NRC has reviewed the circumstances resulting in the submittal of the proposed TS changes. It is desirable to promptly act on this change in order to assure operational and procedural continuity of the Limerick Generating Station, Unit 1. Accordingly, NRC staff has determined that sufficient justification exists for consideration of this amendment on an exigent basis.

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.

The Commission has made a proposed determination that the amendment request involves no significant hazards considerations. 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.

NRC staff has reviewed the licensee's proposed application and has determined that the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated, because the new setpoints will continue to ensure that adequate voltages are available to all Class 1E equipment in all modes of plant operation.

NRC staff has also determined that the proposed Technical Specification changes do not create the possibility of a new or different kind of accident from any previously analyzed because the function and operation of the undervoltage relays is unchanged. The new setpoints will be more conservative than the current setpoints.

The proposed Technical Specification changes do not involve a significant reduction in a margin of safety because the revised setpoints are more conservative than the existing setpoints.

The licensee has provided the following analysis in accordance with the three standards set forth in 10 CFR 50.92:

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

The proposed relay setpoints will ensure that adequate voltages are available to all Class 1E equipment in all modes of plant operation. The proposed changes will provide consistency to the design objectives approved by the NRC and committed to in the design bases. The current setpoints do not fully comply with those objectives. Therefore, the proposed changes will not result in a significant decrease in the probability or consequences of an accident previously evaluated.

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

The proposed changes do not involve any design changes to the undervoltage protection scheme. Since the proposed TS changes will result in system operation consistent with the design bases (which will remain the same), the current FSAR will remain complete and accurate in its discussion of the licensing basis events and in analyzing plant response and consequences. Therefore, no equipment is adversely affected, nor could the proposed changes involve any potential initiating events which would create any new or different kind of accident. As such, the plant initial conditions utilized for the design basis accident analyses are still valid. Thus, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

- C. The proposed changes do not involve a significant reduction in a margin of safety.

As discussed above, the proposed changes do not change the design bases but will result in full compliance with the FSAR commitment. As such, an incremental improvement in the margin of safety will result. Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

The staff has reviewed the licensee's no significant hazards consideration determination as discussed above and agrees with the licensee's conclusion that this action does not involve a significant hazards consideration. Therefore, the Commission proposes to determine that this change does not involve significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 15 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 submitted by mail 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 April 28, 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 request for 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 "Rule 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 that 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 the amendment is issued before the expiration of 30-days, the Commission will make a final determination on the issue of no significant hazards considerations. If a hearing is requested, 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 considerations, 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 request involves significant hazards considerations, 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 15-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 15-day notice period, provided that its final determination is that the amendment involves no significant hazards considerations. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish a notice of 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 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).

For further details with respect to this action, see the application for amendment dated March 23, 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 Local Public Document Room, Pottstown Public Library, 500 High Street, Pottstown, Pennsylvania 19464.

Dated at Rockville, Maryland, this 24th 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