

July 31, 1990

Docket No. 50-311

Mr. Steven E. Miltenberger  
Vice President and Chief Nuclear  
Officer  
Public Service Electric and Gas  
Company  
Post Office Box 236  
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Dear Mr. Miltenberger:

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY  
OPERATION LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION  
DETERMINATION AND OPPORTUNITY FOR HEARING, SALEM GENERATING STATION,  
UNIT NO. 2 (TAC NO. 69042)

The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating Licenses and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing." This notice relates to your application for amendment dated July 27, 1990, that requested a change to Table 4.8-1 of the Salem 2 Technical Specifications to incorporate the recommendations of Generic Letter 84-15. These recommendations allow diesel generator surveillance test frequencies to be based on the last 20 valid tests per diesel generator instead of the last 100 valid tests per nuclear unit.

Sincerely,

/s/

James C. Stone, Project Manager  
Project Directorate I-2  
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Office of Nuclear Reactor Regulation

Enclosure:  
As stated

cc w/enclosure:  
See next page

DOC NAME: TAC69042

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Mr. Steven E. Miltenberger  
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Salem Nuclear Generating Station

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UNITED STATES NUCLEAR REGULATORY COMMISSIONPUBLIC SERVICE ELECTRIC & GAS COMPANYPHILADELPHIA ELECTRIC COMPANYDELMARVA POWER AND LIGHT COMPANYATLANTIC CITY ELECTRIC COMPANYDOCKET NO. 50-311NOTICE 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. DPR-75 issued to Public Service Electric & Gas Company, Philadelphia Electric Company, Delmarva Power and Light Company and Atlantic City Electric Company (the licensees) for operation of the Salem Generating Station, Unit No. 2, located in Salem County, New Jersey.

The proposed amendment would change Table 4.8-1 in the Salem 2 Technical Specifications (TSs) to incorporate the changes recommended by Generic Letter 84-15. This would allow the surveillance testing of diesel generators to be based on the last 20 valid tests per diesel generator instead of the last 100 valid tests per nuclear unit.

Salem Unit 2 has had 4 failures in the last 100 tests and is now required by TSs to test the diesel generators every 3 days on a staggered test basis when in Modes 1, 2, 3 or 4. Salem Unit 2 has 3 diesel generators so one diesel

generator per day is tested when in Modes 1, 2, 3 or 4. Using the current TSs requirements, 30 consecutive successful starts would be necessary to reduce the test frequency to every 7 days; 34 consecutive successful starts to reduce it to every 14 days; and 35 consecutive successful starts to reduce it to 31 days. In order to prevent excessive diesel generator starts, exigent approval has been requested. The staff, in Generic Letter 84-15, has determined that diesel generator starts result in diesel generator wear. Excessive starts, as represented by these conditions, result in undue wear and stress on the diesel engines without resulting in an increase in safety. By adopting Generic Letter recommendations, the surveillance frequencies are to be reduced to every 31 days per diesel generator in the current situation. Therefore, in order to reduce the number of starts required, this notice is being issued under exigent circumstances.

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 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 licensee has evaluated the above three factors as part of their request:

The proposed change to Technical Specifications Table 4.8-1 for Salem Unit No. 2:

- (1) Does not involve a significant increase in the probability or consequences of an accident previously evaluated. Reducing the test frequency is intended to increase overall diesel reliability by minimizing severe test conditions which can lead to failures. The proposed change will continue to assure availability of the diesels and should serve to enhance the reliability and, consequently, the overall safe operation of the diesel generators.
- (2) Do not create the possibility of a new or different kind of accident from any accident previously evaluated. The proposed change affects only EDG testing frequency and has no impact on the accident analysis. No new operating modes or equipment are introduced which could initiate or affect the progression of an accident.
- (3) Involve a significant reduction in the margin of safety. The change in the testing frequency does not adversely affect the capability of the diesels to perform their required function. Rather, the purpose of the proposed change is to increase the overall reliability of the diesels consistent with the Generic Letter 84-15.

The staff has reviewed the licensee's analysis and agrees with the no significant hazards determination.

Accordingly, the Commission proposes to determine that this change does not involve a 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, 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-223, 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, the Gelman Building, 2120 L Street, NW, Washington, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By August 21, 1990 , 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. 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, N.W., Washington, D.C. 20555 and at the Local Public Document Room located at the Salem Free Public Library, 112 West Broadway, Salem, New Jersey, 08079.

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. 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 a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendments 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.

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 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 request involves 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 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 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. 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, the Gelman Building, 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 Bishop, Cook, Purcell & Reynolds, 1400 L Street, N.W., Washington, D.C. 20555-3052, 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 July 27, 1990, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555, and at the Local Public Document Room, Salem Free Public Library, 112 West Broadway, Salem, New Jersey, 08079.

Dated at Rockville, Maryland, this 31st day of July 1990.

FOR THE NUCLEAR REGULATORY COMMISSION



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