

September 13, 1989

Docket No. 50-354

Mr. Steven E. Miltenberger  
Vice President and Chief Nuclear  
Officer  
Public Service Electric & Gas Company  
Post Office Box 236  
Hancocks Bridge, New Jersey 08038

Dear Mr. Miltenberger:

SUBJECT: PROPOSED CHANGE TO TECHNICAL SPECIFICATIONS (TS) REGARDING FUEL  
CYCLE OPERATING LIMITS (TAC NO. 73254)

Re: HOPE CREEK GENERATING STATION

The Commission has forwarded the enclosed "Notice of Consideration of Issuance of Amendments 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 August 21, 1989 (NLR-N89160) (LCR 89-12, Rev. 1) application to remove fuel cycle-specific operating limits from the Technical Specifications.

Sincerely,

W R Butler for

Clyde Shiraki, Project Manager  
Project Directorate I-2  
Division of Reactor Projects I/II  
Office of Nuclear Reactor Regulation

Enclosure:  
Notice

cc w/enclosure:  
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UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D. C. 20555

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Sincerely,

*(fw) W R Butcher*

Clyde Shiraki, Project Manager  
Project Directorate I-2  
Division of Reactor Projects I/II  
Office of Nuclear Reactor Regulation

Enclosure:  
Notice

cc w/enclosure:  
See next page

Mr. Steven E. Miltenberger  
Public Service Electric & Gas Co.

Hope Creek Generating Station

cc:

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General Manager - Hope Creek Operations  
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UNITED STATES NUCLEAR REGULATORY COMMISSIONPUBLIC SERVICE ELECTRIC & GAS COMPANYATLANTIC CITY ELECTRIC COMPANYDOCKET NO. 50-354NOTICE 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-57 issued to Public Service Electric & Gas Company and Atlantic City Electric Company (the licensees) for operation of the Hope Creek Generating Station, located in Salem County, New Jersey.

The proposed amendment would remove fuel cycle-specific operating limits from the Technical Specifications in accordance with the licensee's application for amendment dated May 18, 1989 and supplemented on August 21, 1989. This amendment was previously published in the Federal Register on June 28, 1989 (54 FR 27240) but the supplement dated August 21, 1989 (NLR-N89160) (LCR 89-12, Rev. 1) contained substantive changes to the original submittal, hence, publication is being repeated.

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's analysis contained in the August 21, 1989 (NLR-N89160) (LCR 89-12, Rev. 1) letter states the following in response to the three NRC criteria referenced above.

The proposed changes to the HCGS Technical Specifications:

1. Do not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed change will not affect the way that accidents will be evaluated. The accident analyses, and the associated core operating limits used as input to these analyses, will still be evaluated per General Electric Standard Application for Reactor Fuel (GESTAR II), which uses methods recognized and approved by NRC. Operation of the core will still be governed by the Limiting Conditions for Operation (LCOs), the requirements of which remain unchanged, but the limiting parameters for core operation in these LCOs will be reported in a separate document (CORE OPERATING LIMITS REPORT). Administratively controlling the limiting parameters in a separate document will not increase the probability of an accident occurring, nor increase the potential consequences of an accident, because the evaluation method is the same as that previously approved by the NRC.

Therefore, PSE&G has concluded that this amendment request does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Do not create the possibility of a new or different kind of accident from any accident previously evaluated.

Removing cycle-specific Technical Specifications in favor of placing them in the CORE OPERATING LIMITS REPORT and referencing them in the Technical Specifications does not involve any physical plant modifications per se, nor does it introduce any new operational

configurations. It does, however, offer the flexibility to refuel and restart and perform certain core design changes without cycle-specific Technical Specification amendments. These activities are still controlled by the Technical Specifications via reference to the CORE OPERATING LIMITS REPORT. NRC approved methodologies are still used to implement the changes, and plant specific evaluations pursuant to 10CFR50.59 will be performed as required.

Therefore, PSE&G has concluded that this amendment request does not introduce any new or different kind of accident from those previously evaluated.

3. Do not involve significant reduction in a margin of safety.

The development of core operating limits will still be done using the methods of GESTAR II, which have been previously approved by the NRC. These methods will set the limiting parameters for core operation such that the Safety Limits as defined by the Technical Specifications and UFSAR safety analyses are not challenged. This proposed amendment will change the mechanism which reports these core operating limits. The methodology for establishing the core operating limits has not been changed.

Therefore, this amendment request does not involve a significant reduction in a margin of safety as defined in the basis for any Technical Specification.

The staff has evaluated this proposed amendment and proposes to determine that it involves 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 should be addressed 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, 2120 L Street, NW, Washington, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By October 19, 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 May 18, 1989, as amended and supplemented on August 21, 1989, (NLR-N89160) (LCR 89-12, Rev. 1) which is available for public inspection at the Commission's Public Document Room, 2120 L Street, NW, Washington, D.C. 20555, and at the Pennsville Public Library, 190 S. Broadway, Pennsville, New Jersey 08070.

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

FOR THE NUCLEAR REGULATORY COMMISSION



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