

September 11, 19

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: USE OF GENERIC DESCRIPTIONS OF FUEL AND CONTROL ROD ASSEMBLIES IN
THE TECHNICAL SPECIFICATIONS (TAC NO. 74495)

Re: HOPE CREEK GENERATING STATION

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

This notice relates to your August 21, 1989 application as supplemented on September 11, 1989 to use generic descriptions of fuel and control rod assemblies in the Technical Specifications.

Sincerely,

/s/

Clyde Shiraki, 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

DISTRIBUTION:

Docket File	CShiraki/SBrown	NRC PDR/LPDR	PDI-2 Rdnng
SVarga/BBoger	OGC	MO'Brien	DHagan
ACRS (10)	GPA/PA		

[HC ISSUANCE]

Previously concurred*

CV for			
PDI-2/LA*	<i>cl</i> PDI-2/PM	<i>PDI-2/PA</i>	<i>DFOI</i>
MO'Brien	CShiraki:tr	<i>Butler</i>	<i> </i>
09/06/89	9/11/89	9/11/89	

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555
September 11, 1989

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Sincerely,

A handwritten signature in dark ink, appearing to read "Clyde Shiraki".

Clyde Shiraki, 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. Steven E. Miltenberger
Public Service Electric & Gas Co.

Hope Creek Generating Station

cc:

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Trenton, New Jersey 08625

UNITED STATES NUCLEAR REGULATORY COMMISSIONPUBLIC SERVICE ELECTRIC AND GAS 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 and Gas Company (the licensee), for operation of the Hope Creek Generating Station located in Salem County, New Jersey.

In an amendment request dated August 21, 1989, and supplemented on September 11, 1989 the licensee requested that the wording for 5.3.1 and 5.3.2 of the Technical Specifications be changed. This change will make possible the use of fuel and control rod assembly designs that have been reviewed and approved by the NRC without the need for Technical Specification amendments when design improvements in those areas are made in accordance with NRC approved methodologies.

NRC has reviewed the circumstances resulting in the submittal of the proposed TS changes. It is desirable to promptly act on this change to allow refueling and restart to proceed on schedule at the Hope Creek Generating Station. 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.

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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.

In accordance with 10 CFR 50.92 the licensee has reviewed the proposed changes and has concluded as follows that they do not involve a significant hazards consideration:

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 revision to section 5.3.1 will enable HCGS to change fuel assemblies without a license amendment. The core operating limits will still be based on the NRC approved methodology of GESTAR II. Since NRC approval of GESTAR II is predicated on review of specific fuel assembly designs, HCGS will still be using NRC approved fuel designs.

The proposed revision to Section 5.3.2 will allow HCGS to use ABB-ATOM hafnium tipped control blades as replacements for the existing General Electric control blades. These control blades have been previously approved by the NRC on a generic basis. The 10 CFR 50.59 evaluation that will be performed prior to control blade replacement will address any plant specific concerns and will assure that the probability or consequences of an accident will not be increased. The requirements of specification 3/4.1.3 will continue to assure that the control rods are OPERABLE, with acceptable scram times. The NRC approved methodology of ABB-ATOM will be applied specifically to HCGS.

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

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

NRC approved methodologies and fuel/control rod designs will be required for use in HCGS and plant specific evaluations pursuant to 10 CFR 50.59 will be performed for each fuel cycle. The fuel bundles, control rod assemblies and related operating limits used at HCGS will remain bounded by the current UFSAR accident analyses.

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 a significant reduction in a margin of safety.

The core operating limits which are affected by the fuel and control rod assemblies will continue to 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. The removal of specific design information from sections 5.3.1 and 5.3.2 of the Technical Specifications does not result in a reduction in the margin of safety since NRC approved methodologies are still applied to reactor core design. Design changes are still subject to the provisions of 10 CFR 50.59.

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

The staff reviewed the licensee's determination that the proposed license amendment involves no significant hazards consideration and agrees with the licensee's analysis. Accordingly, the Commission proposes to determine that the proposed license amendment 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 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 **OCT 2 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 Troy B Conner, Jr., Esquire, Conner and Wetterhahn, 1747 Pennsylvania Avenue, N.W., Washington, D.C. 20006.

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 August 21, 1989, and supplemented on September 11, 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, Pennsville Public Library, 190 S. Broadway, Pennsville, New Jersey 08070.

Dated at Rockville, Maryland, this 11th day of September 1989.

FOR THE NUCLEAR REGULATORY COMMISSION

Robert E. Martin
Robert E. Martin, Acting Director
Project Directorate I-2
Division of Reactor Projects I/II
Office of Nuclear Reactor Regulation