

April 22, 1998

Mr. Leon J. Olivier
Vice President - Nuclear/Station Director
Boston Edison Company
Pilgrim Nuclear Power Station
RFD #1 Rocky Hill Road
Plymouth, MA 02360

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY
OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION AND OPPORTUNITY FOR A HEARING,
PILGRIM NUCLEAR POWER STATION (TAC NO. MA1307)

Dear Mr. Olivier:

Enclosed is a copy of the subject notice for your information. This notice relates to your application dated March 25, 1998, which would amend the Pilgrim Nuclear Power Station license with respect to monitoring the vessel flange and adjacent shell differential temperature during heatup and cooldown, and would remove the 145° Fahrenheit differential temperature limit.

This notice will be forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by

Alan Wang, Project Manager
Project Directorate I-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-293

Enclosure: As stated

cc: w/encl: See next page

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Mr. Leon J. Olivier
Boston Edison Company

cc:

Mr. Ron Ledgett
Executive Vice President
800 Boylston Street
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Chairman, Duxbury Board of Selectmen
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Duxbury, MA 02332

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Massachusetts Department of
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One Winter Street
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Office of the Attorney General
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Pilgrim Nuclear Power Station

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Ms. Kathleen M. O'Toole
Secretary of Public Safety
Executive Office of Public Safety
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Boston, MA 02108

Mr. Peter LaPorte, Director
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Massachusetts Emergency Management
Agency
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Framingham, MA 01701-0317

Chairman, Citizens Urging
Responsible Energy
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Duxbury, MA 02331

Citizens at Risk
P.O. Box 3803
Plymouth, MA 02361

W.S. Stowe, Esquire
Boston Edison Company
800 Boylston St., 36th Floor
Boston, MA 02199

Chairman
Nuclear Matters Committee
Town Hall
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Nuclear Engineer
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Electric Company
P.O. Box 426
Ludlow, MA 01056-0426

UNITED STATES NUCLEAR REGULATORY COMMISSIONBOSTON EDISON COMPANYDOCKET NO. 50-293NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-35, issued to Boston Edison Company (BECo/the licensee), for operation of the Pilgrim Nuclear Power Station located in Plymouth, Massachusetts.

The proposed amendment would modify Technical Specification (TS) Section 3.6.A.1 to remove the requirement that the reactor vessel flange and adjacent shell differential temperature be monitored during heatup and cooldown events and also removes the 145 degrees Fahrenheit differential temperature limit.

By letter dated April 8, 1998, the licensee requested that the proposed TS change be reviewed under exigent circumstances. A normal plant cooldown under current TS requirements would require monitoring reactor vessel shell flange temperature to maintain the vessel flange to adjacent vessel shell differential temperature at less than 145 degrees Fahrenheit. However, the current condition of the vessel shell flange thermocouples prohibits accurate monitoring of the metal surface temperature to meet this TS requirement. The thermocouples are considered inoperable due to inconsistencies in their readouts. Because the need for plant shutdown and cooldown cannot be forecasted in advance, BECo has requested review of the submitted change under exigent circumstances to avoid a future short-notice request and possible violation of

current TS requirements. BECo has made a good faith effort to prepare the proposed license amendment for NRC approval as expeditiously as practicable.

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.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine 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. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

- a. The proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The recent analysis, Ref.[10], [see application dated March 25, 1998] has shown design and licensing bases for reactor vessel integrity will be maintained, and results supporting the T. S. change show the conclusions reached remain unchanged from previous conclusions reached in Ref.[3] [see application dated March 25, 1998] and as described in the [final safety analysis report] FSAR, Ref.[1] [see application dated March 25, 1998]. Structural integrity for design basis loading conditions is assured, based on the results of Ref.[10] [see application dated March 25, 1998]. The ability to control plant heatup and cooldown rates has been shown by analysis to be unaffected by the removal of this T. S. requirement. This has been confirmed by initial startup testing results and the past 25 years of service.

- b. The proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

T/C's [thermocouples] used to monitor reactor vessel flange to adjacent shell DT [differential temperature] are used only during normal startup and shutdown conditions, and removal of the T. S. requirement to monitor this differential temperature will have no affect on the design basis accident conditions. Moderator

temperature and pressure are monitored and, in the event fluid ramp rates exceed design basis requirements, an evaluation must be performed to determine the effect on structural integrity of the reactor vessel and components. ASME Code Section XI, Appendix E, Ref. [11] [see application dated March 25, 1998], provides a method for evaluating an operating event that causes excursion outside these limits.

- c. The proposed amendment does not involve a significant reduction in the margin of safety.

Stress and fracture toughness calculations, Ref.[10] [see application dated March 25, 1998], have shown removal of the T. S. DT requirement will not increase levels above the conservative design basis limits previously established in the analysis of record, Ref.[3] [see application dated March 25, 1998], or those stated in the FSAR, Ref.[1] [see application dated March 25, 1998]. The loadings used to determine stresses are the same provided by the original equipment designer and manufacturer. The calculated stress levels and fatigue damage assessment for the existing condition are essentially unchanged from the values reported in the reactor vessel analysis of record, Ref.[3] [see application dated March 25, 1998]. The results of the recent analysis, Ref.[10] [see application dated March 25, 1998], show that the margins of safety, as defined in the bases for the Pilgrim T. S. and the FSAR, are not reduced and vessel integrity will be maintained during all normal and transient conditions previously analyzed and reported in the FSAR.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 14 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 14-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 14-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 in the FEDERAL REGISTER a notice of

issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room 6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By May 28, 1998, 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 a petition 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 Plymouth Public Library, 11 North Street, Plymouth, Massachusetts 02360. 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 a 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.

If the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. 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 immediately 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 a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

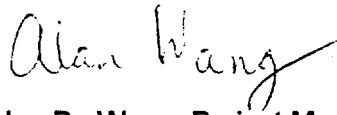
A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to W.S. Stowe, Esquire, Boston Edison Company, 800 Boylston Street, Boston, Massachusetts 02199, 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 25, 1998, 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 Plymouth Public Library, 11 North Street, Plymouth, Massachusetts 02360.

Dated at Rockville, Maryland, this 22nd day of April 1998.

FOR THE NUCLEAR REGULATORY COMMISSION



Alan B. Wang, Project Manager
Project Directorate I-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation