

March 6, 1997

Mr. E. Thomas Boulette, Ph.D
Senior Vice President - Nuclear
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 HEARING, PILGRIM NUCLEAR POWER STATION (TAC NO. M97806)

Dear Mr. Boulette:

The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing." This notice relates to your application for amendment dated January 24, 1997, as supplemented February 13 and 27, 1997, which would revise the Updated Final Safety Analysis Report (UFSAR) to reflect a new amplified response spectra for the reactor building to resolve a discrepancy between the UFSAR design criteria and modifications made to the plant using a newer methodology.

Sincerely,
ORIGINAL SIGNED BY:

Patrick D. Milano, Acting Director
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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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

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Senior Vice President - Nuclear
Boston Edison Company
Pilgrim Nuclear Power Station
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Plymouth, MA 02360

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Sincerely,

A handwritten signature in black ink, appearing to read "Patrick D. Milano".

Patrick D. Milano, Acting Director
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

Pilgrim Nuclear Power Station

cc:

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Plymouth, MA 02360

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Massachusetts Department of
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Mr. David Rodham, Director
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Massachusetts Emergency Management
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Chairman, Citizens Urging
Responsible Energy
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Duxbury, MA 02331

Citizens at Risk
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Plymouth, MA 02361

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

cc: (cont.)

Chairman
Nuclear Matters Committee
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Plymouth, MA 02360

Mr. William D. Meinert
Nuclear Engineer
Massachusetts Municipal Wholesale
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P.O. Box 426
Ludlow, MA 01056-0426

UNITED STATES NUCLEAR REGULATORY COMMISSIONPILGRIM NUCLEAR POWER STATIONDOCKET 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 County, Massachusetts.

The proposed amendment would review and approve the engineering analysis used to evaluate the effects of damping values in the seismic analysis of various Pilgrim Station piping systems. Following NRC approval, BECo would revise the Pilgrim Updated Final Safety Analysis Report (UFSAR) to make the above engineering analysis the design basis of record for the affected piping systems provided in the licensee's January 24, 1997, letter, as supplemented on February 13 and 27, 1997.

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. 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:

- 1) Involve a significant increase in the probability or consequences of an accident previously evaluated.

The engineering evaluation referenced above compared newly generated in-structure response spectra for the reactor building using an enhanced reactor building model and included the effects of soil/structure interaction. The results show the new spectra are enveloped by a comparable UFSAR design basis spectra and that piping stresses are less than design basis allowables. The new spectra differ from the current UFSAR response spectra in that the generic Regulatory Guide 1.60 spectral shape is used to characterize the 0.15g Safe Shutdown Earthquake control motion using a soil/structure interaction analysis with an upgraded structural model to evaluate building response and ASME Code Case N411 damping values for piping analyses.

The new piping stresses computed, as described above, result in less than design basis allowables. Since the stresses are acceptable and the methods to compute them used applicable Standard Review Plan (SRP) guidance, the proposed UFSAR revision does not significantly increase the probability of loss-of-coolant accidents (i.e., piping failures) nor significantly reduce the reliability of piping needed to mitigate the consequences of accidents. Therefore, the proposed revision does not involve a significant increase in the probability or consequences of an accident previously evaluated.

- 2) Create the possibility of a new or different kind of accident from any accident previously evaluated.

The revision relates to the method used to compute the response of structures and piping to seismic excitation and does not introduce a new type of failure mode. Since no new accident initiators are created, no new types of accidents can occur. Therefore, the proposed revision does not create the possibility of a new or different kind of accident from any accident previously evaluated.

- 3) Involve a significant reduction in a margin of safety.

The margin of safety for affected piping systems is reduced because the new response spectra results in a reduction of the computed seismic stresses compared to those computed using current

UFSAR response spectra. However, this reduction in margin is not significant because the resulting piping stresses are less than design basis allowable values, and the methods used to compute response spectra associated with the 0.15 g Safe Shutdown Earthquake were determined using applicable NRC SRP guidance. Thus, although margin of safety for the affected piping is reduced, it is not a significant reduction in the margin of safety.

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 30 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 30-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 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 in the FEDERAL REGISTER 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.

Written comments may be submitted by mail to the Chief, Rules Review and Directives Branch, Division of Freedom of Information and Publications 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 6D22, 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 April 11, 1997 , 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, 132 South Street, Plymouth, Massachusetts. 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 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 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 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: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where

petitions are filed during the last 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) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to Patrick D. Milano: 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, DC 20555-0001, and to W.S. Stowe, Esquire, Boston Edison Company, 800 Boylston Street, 36th Floor, 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 January 24, 1997, as supplemented February 13 and 27, 1997, which are 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, 132 South Street, Plymouth, Massachusetts.

Dated at Rockville, Maryland, this 6th day of March 1997.

FOR THE NUCLEAR REGULATORY COMMISSION

Alan Wang

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