

Docket Nos.: 50-424
and 50-425

June 15, 1990

Mr. W. G. Hairston, III
Senior Vice President -
Nuclear Operations
Georgia Power Company
P.O. Box 1295
Birmingham, Alabama 35201

Dear Mr. Hairston:

SUBJECT: AMENDMENTS TO REVISE TS SURVEILLANCE REQUIREMENT 4.8.1.1.2h(6)(c)
(TACS 76847/76848)

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

The notice relates to your May 25, 1990 application to amend the Vogtle Electric Generating Plant, Units 1 and 2, Technical Specifications to add a note to TS 4.8.1.1.2h(6)(c) that allows the emergency diesel generator high jacket water temperature trip to be bypassed.

Sincerely,

TS/

Timothy A. Reed, Project Manager
Project Directorate II-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosure: As stated

cc w/encl.: See next page

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Mr. W. G. Hairston, III
Georgia Power Company

Vogtle Electric Generating Plant

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UNITED STATES NUCLEAR REGULATORY COMMISSIONGEORGIA POWER COMPANY, ET. ALDOCKET NOS. 50-424 AND 50-425NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO
FACILITY OPERATING LICENSES AND PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. NPF-68 and NPF-81, issued to Georgia Power Company, et. al (the licensee), for operation of the Vogtle Electric Generating Plant (VEGP), Units 1 and 2, located in Burke County, Georgia.

On May 23, 1990, the licensee entered the 72 hour action statement associated with Technical Specification (TS) 3.8.1 after the Unit 1 "B" emergency diesel generator (EDG) failed the applicable Surveillance Requirements (SRs). Troubleshooting and additional EDG testing indicated that the most likely cause for the failure was the high jacket water temperature (HJWT) switches. These switches were new and had been recently installed and calibrated per the revised calibration procedure (incorporating lessons learned from Wyle Lab tests). The licensee left the 72 hour action statement of Limited Condition for Operation 3.8.1 on May 25, 1990, after having reinstalled the original HJWT switches into the 1B EDG and successfully performing the required surveillance testing. However, given recent operating experience, particularly the March 20, 1990 event, and the difficulties experienced with HJWT trips, the licensee thought it prudent in terms of enhanced plant safety to bypass the HJWT trip for all emergency starts.

The licensee promptly notified the Commission of its intention to install a modification to manually bypass the HJWT trips and the need for a TS change to TS 4.8.1.1.2h(6)(c). The licensee then subsequently submitted a TS change request in an expeditious manner. The Commission's staff concurred with the licensee's assessment and provided a Temporary Waiver of Compliance on May 25, 1990, from TS 4.8.1.1.2h(6)(c) until such time that the TS amendments could be processed. Before issuance of the proposed license amendments, 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 May 25, 1990 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 amendments 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 determined that the TS change request involves no significant hazards consideration as defined in 10 CFR 50.92. In support of this conclusion the licensee provided the following:

In order to accommodate [sic] the current design, the Technical Specifications require verification that all automatic diesel generator trips are automatically bypassed upon loss of voltage on the emergency bus concurrent with a Safety Injection Actuation signal, except for engine overspeed, generator differential, low lube oil pressure and high jacket water temperature. The proposed Technical Specification change will note that the jacket water temperature trip may be bypassed. The high jacket water temperature trip is designed to protect the diesel generator from a loss of engine cooling. For such an event, the safety function would be provided by the diesel for the other train. During an accident, the advantage of the automatic trip is small relative to the increased reliability achieved by reducing the possibility of a spurious trip.

- [1.] This change will not increase the probability of an accident previously evaluated because it does not affect any of the design basis events that have been previously evaluated in the FSAR. The analyses of accident consequences do not take credit for the ability to restart a diesel following a diesel generator trip. Therefore, this change will not affect the previously evaluated consequences.
- [2.] The revision to the Technical Specification will not create the possibility of a new or different kind of accident from any accident previously evaluated. No new modes of operation are being imposed on the plant and the diesel generators will continue to perform their function as designed.
- [3.] The revision does not result in a significant reduction in the margin of safety provided for events involving a loss of electrical power. The proposed revision will allow the implementation of a modification which is intended to improve the reliability of the diesel generators by minimizing the possibility of spurious trips.

The Commission's staff has reviewed the licensee's no significant hazards consideration determination analysis and agrees with its conclusion. Therefore, the staff proposes to determine that the application for amendments does not involve a significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within fifteen (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, DC 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, DC. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By July 23, 1990, , the licensee may file a request for a hearing with respect to issuance of the amendments to the subject facility operating licenses 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 "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 20555 and at the Local Public Document Room located at the Burke County Library, 412 Fourth Street, Waynesboro, Georgia 30830. 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. 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 amendments are issued before the expiration of 30 days, 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 amendments and make them effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendments.

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.

Normally, the Commission will not issue the amendments 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 amendments before the expiration of the 15-day notice period, provided that its final determination is that the amendments involve 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.

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, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, DC, 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 David B. Matthews: 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, and to Mr. Arthur H. Dombey, Troutman, Sanders, Lockerman and Ashmore, Candler Building, Suit 1400, 127 Peachtree Street, N.E., Atlanta, Georgia 30303, attorney for the licensee.

Untimely 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 May 25, 1990, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555, and at the Local Public Document Room, the Burke County Library, 412 Fourth Street, Waynesboro, Georgia, 30043.

Dated at Rockville, Maryland, this 15th day of June, 1990.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, appearing to read "Timothy A. Reed", written in a cursive style.

Timothy A. Reed, Acting Director
Project Directorate II-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation