

August 16, 1994

Mr. C. K. McCoy  
Vice President - Nuclear  
Vogtle Project  
Georgia Power Company  
P.O. Box 1295  
Birmingham, Alabama 35201

Dear Mr. McCoy:

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS - VOGTLE ELECTRIC  
GENERATING PLANT, UNITS 1 AND 2 (TAC NOS. M90119 AND M90120)

The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for Hearing." This notice relates to your application for amendments dated June 24, 1994, which would revise the values of Z and S in Technical Specification 2.2-1 for the Pressurizer Pressure-Low and -High trip setpoints (Table 2.2-1, Functional Units 9 and 10) to allow the use of Tobar, Veritrak, or Rosemount pressure transmitters.

Sincerely,

ORIGINAL SIGNED BY:

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

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Enclosure:  
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cc w/enclosure:  
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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

August 16, 1994

Docket Nos. 50-424  
and 50-425

Mr. C. K. McCoy  
Vice President - Nuclear  
Vogtle Project  
Georgia Power Company  
P.O. Box 1295  
Birmingham, Alabama 35201

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Sincerely,

A handwritten signature in cursive script, appearing to read "Louis Wheeler".

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

Enclosure:  
Notice

cc w/enclosure:  
See next page

Mr. C. K. McCoy  
Georgia Power Company

Vogtle Electric Generating Plant

cc:

Mr. J. A. Bailey  
Manager - Licensing  
Georgia Power Company  
P. O. Box 1295  
Birmingham, Alabama 35201

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Project Branch #3  
U. S. Nuclear Regulatory Commission  
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Burke County Commission  
Waynesboro, Georgia 30830

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Resident Inspector  
U. S. Nuclear Regulatory Commission  
P. O. Box 572  
Waynesboro, Georgia 30830

UNITED STATES NUCLEAR REGULATORY COMMISSIONGEORGIA POWER COMPANY, ET. ALDOCKET NOS. 50-424 AND 50-425NOTICE 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 Nos. NPF-68 and NPF-81 issued to Georgia Power Company, Ogelthorpe Power Corporation Municipal Electric Authority of Georgia, City of Dalton, Georgia (the licensee) for operation of the Vogtle Electric Generating Plant, Units 1 and 2, located in Burke County, Georgia.

The proposed amendment would revise the values of Z and S for the Pressurizer Pressure-Low and -High reactor trip setpoints (Technical Specification Table 2.2-1, Functional Units 9 and 10, respectively) to allow the use of alternate types of pressure transmitters.

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. Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

The proposed change revises the allowances Z and S in Technical Specification Table 2.2-1 for the Pressurizer Pressure-Low and -High trip setpoints (Table 2.2-1, Functional Units 9 and 10) to allow the use of Tobar, Veritrak, or Rosemount pressure transmitters. Also, the corresponding values of Z and S for the Pressurizer Pressure-Low setpoint for safety injection actuation (Table 3.3-3, Functional Unit 1d) are bounding for these pressure transmitters. The allowances for Z and S are not assumed in any of the initiating events for the accident analyses. Therefore, the probability of any accident previously evaluated will not be affected by the proposed changes. Furthermore, the setpoints, allowable values, and total allowances are not affected. Since the total allowances are not affected, it is ensured that the safety analysis limits for the trips are not affected. Therefore, the proposed change does not involve a significant increase in the consequences of any accident previously evaluated.

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

The safety function provided by the reactor trips and safety injection actuation and the manner in which the plant is operated are not affected. The setpoints, allowable values, and total allowances are not affected. Since the total allowances are not affected, it is ensured that the safety analysis limits for the trips are not affected. Thus, this change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does this change involve a significant reduction in a margin of safety?

For both the reactor trips and safety injection actuation, there are no changes to the setpoints. The total allowance for each setpoint is the difference between the safety analysis limit and the setpoint. Since the total allowances are not affected, there are no changes to the safety analysis limits. Therefore the proposed change will not involve a reduction in 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 a 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 Rules Review and Directives 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 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 20555.

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

By September 2, 1994, 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 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 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, 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 20555, 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 Herbert N. Berkow:  
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 Arther H.  
Domby, Troutman Sanders, NationsBank Plaza, 600 Peachtree Street, NE.,  
Atlanta, Georgia 30308, 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  
amendments dated June 24, 1994, 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 located at  
the Burke County Public Library, 412 Fourth Street Waynesboro, Georgia 30830.

Dated at Rockville, Maryland, this 16th day of August, 1994.

FOR THE NUCLEAR REGULATORY COMMISSION

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