

June 27, 1996

Mr. D. N. Morey
Vice President - Farley Project
Southern Nuclear Operating Company
Post Office Box 1295
Birmingham, Alabama 35201-1295

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS - JOSEPH M. FARLEY NUCLEAR PLANT, UNITS 1 AND 2 (TAC NOS. M95763 AND M95764)

Dear Mr. Morey:

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 dated June 24, 1996, which would delete the Technical Specification requirement for surveillance of the manual safety injection to the reactor trip circuitry until the next unit shutdown, following which, this testing will be performed prior to Mode 2 entry. This change is requested during Unit 1 cycle 14 and Unit 2 cycle 11 only.

Sincerely,

ORIGINAL SIGNED BY:

Byron L. Siegel, Senior Project Manager
Project Directorate II-2
Division of Reactor Projects I/II
Office of Nuclear Reactor Regulation

Docket Nos. 50-348 and
50-364

Enclosure: Notice

cc w/encl: See next page

Distribution:

Docket File ACRS
PUBLIC PSkinner, RII
PD II-2 Rdg. EMerschoff, RII
SVarga
JZwolinski
HBerkow
LBerry
BSiegel
OGC

030033

DFOI 1/1

9607030313 960627
PDR ADDCK 05000348
P PDR

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

| | | | | | | | | |
|--------|--------------|---|--------------|-------------|------|------|------|------|
| OFFICE | LA:PD22:DRPE | E | PM:PD22:DRPE | D:PD22:DRPE | | | | |
| NAME | LBerry | | BSiegel | HBerkow | | | | |
| DATE | 6/27/96 | | 6/27/96 | 6/27/96 | 1/96 | 1/96 | 1/96 | 1/96 |

Document Name: G:\FARLEY\MIS.EXN OFFICIAL RECORD COPY

NRC FILE CENTER COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

June 27, 1996

Mr. D. N. Morey
Vice President - Farley Project
Southern Nuclear Operating Company
Post Office Box 1295
Birmingham, Alabama 35201-1295

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS - JOSEPH M.
FARLEY NUCLEAR PLANT, UNITS 1 AND 2 (TAC NOS. M95763 AND M95764)

Dear Mr. Morey:

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 dated June 24, 1996, which would delete the Technical Specification requirement for surveillance of the manual safety injection to the reactor trip circuitry until the next unit shutdown, following which, this testing will be performed prior to Mode 2 entry. This change is requested during Unit 1 cycle 14 and Unit 2 cycle 11 only.

Sincerely,

Byron L. Siegel, Senior Project Manager
Project Directorate II-2
Division of Reactor Projects I/II
Office of Nuclear Reactor Regulation

Docket Nos. 50-348 and
50-364

Enclosure: Notice

cc w/encl: See next page

Mr. D. N. Morey
Southern Nuclear Operating
Company, Inc.

Joseph M. Farley Nuclear Plant

cc:

Mr. R. D. Hill, Jr.
General Manager -
Southern Nuclear Operating Company
Post Office Box 470
Ashford, Alabama 36312

Mr. Mark Ajluni, Licensing Manager
Southern Nuclear Operating Company
Post Office Box 1295
Birmingham, Alabama 35201-1295

Mr. M. Stanford Blanton
Balch and Bingham Law Firm
Post Office Box 306
1710 Sixth Avenue North
Birmingham, Alabama 35201

Mr. J. D. Woodard
Executive Vice President
Southern Nuclear Operating Company
Post Office Box 1295
Birmingham, Alabama 35201

State Health Officer
Alabama Department of Public Health
434 Monroe Street
Montgomery, Alabama 36130-1701

Chairman
Houston County Commission
Post Office Box 6406
Dothan, Alabama 36302

Regional Administrator, Region II
U.S. Nuclear Regulatory Commission
101 Marietta Street, NW., Suite 2900
Atlanta, Georgia 30323

Resident Inspector
U.S. Nuclear Regulatory Commission
7388 N. State Highway 95
Columbia, Alabama 36319

UNITED STATES NUCLEAR REGULATORY COMMISSIONSOUTHERN NUCLEAR OPERATING COMPANY, INC.DOCKET NOS. 50-348 AND 50-364NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSES, PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. NPF-2 and NPF-8, issued to Southern Nuclear Operating Company, Inc. (the licensee), for operation of the Joseph M. Farley Nuclear Plant, Units 1 and 2 located in Houston County, Alabama.

The proposed amendments would revise Technical Specification (TS) Table 4.3-1 to delete the requirement for surveillance of the manual safety injection to the reactor trip circuitry until the next unit shutdown, following which, this testing will be performed prior to Mode 2 entry. This change is applicable only during Unit 1, cycle 14 and Unit 2, cycle 11.

This requested TS change is a followup to a Notice of Enforcement Discretion (NOED) granted to the licensee that is in effect from the time of issuance on June 21, 1996, until approval of this exigent TS. NRC Inspection Manual, Part 9900, "Operations - Notice of Enforcement Discretion," requires that a followup TS amendment be issued within 4 weeks from the issuance of the NOED.

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:

1. Operation of the Farley Nuclear Plant Units 1 and 2 in accordance with the proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

Since the SI [safety injection] manual actuation handswitch is not taken credit for in any transient or accident analyses, including LOCA [loss-of-coolant accident], non-LOCA, and steam generator tube rupture for either safety injection and/or reactor trip, failure to test the reactor trip function of the manually initiated SI signal for the remainder of operating cycle or following each units shutdown, prior to Mode 2 entry, would not increase the probability or consequences of an accident previously evaluated. In addition, operator action required by procedures will ensure that a reactor trip is verified to have occurred anytime SI is automatically actuated and prior to manual SI actuation.

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

Implementation of the proposed amendment does not introduce any change to the plant design basis. Any hypothetical failure of the handswitch contacts to cause a failure to manually trip the reactor is compensated for by the redundant trip features associated with the reactor trip system. Examples are the reactor manual trip handswitch, reactor trip setpoints set to actuate prior to reaching SI setpoints, and the redundant train manual SI handswitch. Therefore, SNC [Southern Nuclear Operating Company] concludes that the proposed license amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. The proposed license amendment does not involve a significant reduction in a margin of safety.

Changing the surveillance frequency to allow for continued operation with the SI manual input to reactor trip system not tested does not involve a reduction in the margin of safety because of the redundant features associated with the reactor trip system and because of operator actions required by emergency response procedures (ERPs). In addition, for power levels above 35% RTP [rated thermal power], the SI handswitch has been shown to result in the intended function by tripping the reactor through the turbine trip logic. Therefore, SNC concludes based on the above, that the proposed change does not result in a significant reduction of margin with respect to plant safety as defined in the Final Safety Analysis Report or the bases of the FNP [Farley Nuclear Plant] technical specifications.

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 15 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 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 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 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 August 2, 1996, 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 Houston-Love Memorial Library, 212 W. Burdeshaw Street, P.O. Box 1369, Dothan, Alabama. 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: 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 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 20555-0001, and to M. Stanford Blanton, Esq., Balch and Bingham, P.O. Box 306, 1710 Sixth Avenue, Birmingham, Alabama, attorney for the licensee.

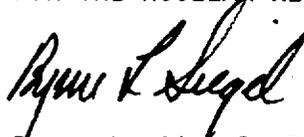
Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or

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 June 24, 1996, 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 Houston-Love Memorial Library, 212 W. Burdeshaw Street, P.O. Box 1369, Dothan, Alabama.

Dated at Rockville, Maryland, this 27th day of June 1996.

FOR THE NUCLEAR REGULATORY COMMISSION



Byron L. Siegel, Project Manager
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation