

November 9, 1990

Docket Nos. 50-259, 50-260
and 50-296

Mr. Oliver D. Kingsley, Jr.
Senior Vice President, Nuclear Power
Tennessee Valley Authority
6N 38A Lookout Place
1101 Market Street
Chattanooga, Tennessee 37402-2801

Dear Mr. Kingsley:

SUBJECT: BROWNS FERRY NUCLEAR PLANT, UNITS 1, 2 AND 3 - NOTICE OF
CONSIDERATION OF ISSUANCE OF AMENDMENT (TAC NOS. 76836, 76837 AND
76838)

The Commission has requested the Office of the Federal Register to publish
the enclosed "Notice of Consideration of Issuance of Amendment to Operating
License and Proposed No Significant Hazards Consideration Determination and
Opportunity for Hearing." This notice relates to your application for amendment
dated May 18, 1990 (TS 280) as superseded by your letter dated October 30, 1990.

Sincerely,

Original signed by

Thierry M. Ross, Project Manager
Project Directorate II-4
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosure:
Notice of Consideration

cc w/enclosure:
See next page

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

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Sincerely,

A handwritten signature in cursive script, appearing to read "Thierry M. Ross".

Thierry M. Ross, Project Manager
Project Directorate II-4
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosure:
Notice of Consideration

cc w/enclosure:
See next page

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UNITED STATES NUCLEAR REGULATORY COMMISSIONTENNESSEE VALLEY AUTHORITYDOCKET NOS. 50-259, 50-260, AND 50-296

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License Nos. DPR-33, DPR-52, and DPR-68 issued to the Tennessee Valley Authority (TVA) (the licensee) for operation of the Browns Ferry Nuclear Plant, Units 1, 2, and 3 located in Limestone County Alabama.

The proposed amendment would revise Technical Specifications (TS) as follows: (1) clarify equipment operability requirements for Table 3.2.B and Limiting Conditions for Operation (LCO) 3.5.B.11, 3.5.E.1, 3.5.F.1, 3.5.G.1, 3.6.D.1, and the Bases Section of 3.6.D/4.6.D, when the reactor is in the cold shutdown condition, (2) correct the maximum operating power level, allowed by Table 3.2.B for an inoperable Recirculation Pump Trip (RPT) system(s), from 85 percent to 30 percent power, and (3) correct two typographical errors in Table 3.2.B. This amendment was originally proposed by TVA in a letter dated May 18, 1990, which was published in the Federal Register (FR) on June 27, 1990 (55FR 26295) as a proposed no significant hazards consideration (NSHC). The licensee has since superseded, by letter dated October 30, 1990, their original amendment application. TVA's new amendment application only changes the revised LCO requirements of TS section 3.6.D as specified in TS

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revision (1), identified above. Consequently, the Commission is publishing another FR notice of proposed NSHC. Although, in this case, the Commission's prior proposed determination of NSHC has not changed, as documented below, the Commission is constrained by its rule to re-assess and renotice its prior determination of NSHC in the FR.

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 request for amendment 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 involve a significant increase in the probability or consequences of an accident previously evaluated; or create the possibility of a new or different kind of accident from any accident previously evaluated; or involve a significant reduction in a margin of safety.

In the October 30, 1990 letter, the licensee provided the following revised analysis of their modified TS changes, as required by 10 CFR 50.92:

1. The proposed [TS amendment does] not involve a significant increase in the probability or consequences of an accident previously evaluated. [TS revision (1), identified above,] clarifies equipment operability requirements with the reactor in the cold shutdown condition. With the reactor in the cold shutdown condition, primary system energy is minimal and the control rods are inserted. Reactor pressure is normally atmospheric except during performance of inservice hydrostatic tests, inservice leakage tests, and Integrated Leak Rate Tests (ILRT). This change would inhibit the drywell high pressure instruments which function to detect primary system leaks. With minimal system energy and no steam generation, this function is not required. The High Pressure Coolant Injection (HPCI) and Reactor Core Isolation Cooling (RCIC) systems are not required because there is no steam supply to operate them and Residual Heat Removal (RHR) and Core Spray (CS) are operable and capable of providing makeup in

case of leaks to protect the fuel from being uncovered. The Automatic Depressurization System (ADS) is not required for leaks considered possible during the inservice hydrostatic test. Reactor pressure would decrease fast enough to allow residual heat removal and core spray injection in time to preclude water level decreasing to an unsafe level. The relief valves are not required to be operable because alternate means of overpressurization protection are provided in the tests. During inservice hydrostatic testing, 11 of the 13 relief valves are disabled by removing the pilot cartridges and blanking the pilot ports. Overpressure protection is provided by the two remaining relief valves which have their setpoint established in accordance with ASME Section XI. The RHR cross-tie is not required because there is no high energy potential to breach the torus in the cold shutdown condition. The change is consistent with industry practice and the GE BWR Standard TSs (NUREG 0123).

[TS revision (2), identified above,] is a more conservative requirement. The RPT system provides an automatic trip of both recirculation pumps after a turbine trip or a generator load reject. This reduction in flow increases the core voids and provides immediate negative reactivity to reduce the severity of the transient. There are two RPT systems. If both RPT systems are inoperable or if one RPT system is inoperable for more than 72 hours, reactor power shall be less than 30 percent within four hours (vs. the current 85 percent). The proposed value of 30 percent power is consistent with the BFN RPT analysis and the BFN Updated Final Safety Analysis Report. Therefore, this change involves no significant increase in the probability or consequences of an accident previously analyzed.

[TS revision (3), identified above] is an administrative change that corrects typographical errors.

2. The proposed [TS amendment] does not create the possibility of a new or different kind of accident from an accident previously evaluated. [TS revision (1), identified above,] does not involve changes in plant hardware or method of operation from that currently practiced. The changes are clarifications to TSs to facilitate performance of required TS testing with the reactor in the cold shutdown condition. The methods of performance are consistent with industry practice.

[TS revision (2), identified above,] will ensure that when both RPT systems are inoperable or when one RPT system is inoperable more than 72 hours, reactor power is dropped to a level consistent with the analysis performed for the RPT installation.

[TS revision (3), identified above,] corrects two typographical errors so the TSs will be more consistent.

3. The proposed [TS amendment] does not involve a significant reduction in the margin of safety. [TS revision (1), identified above,] clarifies equipment operability requirements with the reactor in the cold shutdown condition. Sufficient safety equipment is still available

to ensure the fuel remains covered, even in the event of leaks. It does not reduce the equipment available to mitigate an accident and as such does not reduce the margin of safety.

[TS revision (2), identified above,] is more conservative than the current TS. When the RPT system is inoperable the maximum allowed reactor power will be reduced. This is consistent with the analysis performed for the RPT installation and the FSAR and does not reduce the margin of safety.

[TS revision (3), identified above,] is an administrative change which does not reduce the margin of safety.

The staff has reviewed the licensee's no significant hazards consideration determination and agrees with the licensee's analysis. Therefore, based on the above considerations, the staff has made a proposed determination 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. 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, D.C. 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, N.W., Washington, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By December 14, 1990, 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 petition for leave to intervene. Request 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, N.W., Washington, D.C. 20555 and at the Local Public Document Room located at the Athens Public Library, South Street, Athens, 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 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 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 request for amendment involves no significant hazards consideration, the Commission may issue the amendment and make it effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If a final determination is that the amendment involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

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 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.

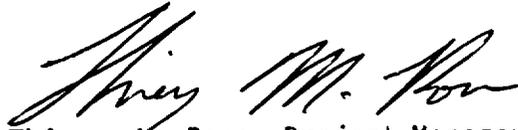
A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C., 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 Frederick J. Hebdon, (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, D.C. 20555, and to General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, E11 B33, Knoxville, Tennessee 37902, 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 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 applications for amendment dated March 18, 1990 as superseded by October 30, 1990, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555 and at the Local Public Document Room located at the Athens Public Library, South Street, Athens, Alabama.

Dated at Rockville, Maryland, this 9th day of November 1990

FOR THE NUCLEAR REGULATORY COMMISSION



Thierry M. Ross, Project Manager
Project Directorate II-4
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation