

September 24, 1987

Docket No. 50-458

Mr. James C. Deddens
Senior Vice President, (RBNG)
Gulf States Utilities
P. O. Box 220
St. Francisville, LA 70775
ATTN: Nuclear Licensing

Dear Mr. Deddens:

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

Enclosed is a copy of the "Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing." This notice relates to your application for amendment dated August 4, 1986 as amended August 15, 1986, supplemented September 26, 1986 and amended September 8, 1987 to revise the license condition (Attachment 3 to the River Bend license) regarding maintenance and surveillance for the TDI emergency diesel generators.

The notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

131
Jose A. Calvo, Director
Project Directorate - IV
Division of Reactor Projects - III,
IV, V and Special Projects
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc w/enclosure:
See next page

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LTR NAME: ISSUANCE OF AMENDMENTS RB

PD4/LA *PH*
PNoonan
9/24/87

PD4/PA *W*
WPaulson:sr
9/24/87

PD4/D *MC*
JCalvo
9/24/87

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PDR ADOCK 05000458
S PDR

Mr. James C. Deddens
Gulf States Utilities Company

River Bend Nuclear Plant

CC:

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UNITED STATES NUCLEAR REGULATORY COMMISSIONGULF STATES UTILITIES COMPANYDOCKET NO. 50-458NOTICE 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 No. NPF-47 issued to Gulf States Utilities Company, for operation of the River Bend Station, Unit 1, located in West Feliciana Parish, Louisiana.

The proposed amendment would revise Attachment 3, "TDI Diesel Engines Requirements," to the River Bend Station Operating License, NPF-47. This revision would modify the provisions on maintenance and surveillance for the TDI emergency diesel generators. The revision would incorporate the recommendations of Revision 2 to Appendix II of the TDI Diesel Generator Owners Group Design Review and Qualification Revalidation (DR/QR) report, submitted May 1, 1986, as reflected in the staff's generic Safety Evaluation Report (SER), NUREG-1216, "Safety Evaluation Report Related to the Operability on Reliability of Emergency Diesel Generators Manufactured by Transamerica Delaval, Inc.," August 1986. The NRC staff's evaluation of the River Bend Station DR/QR report is documented in Supplement 3 to the Safety Evaluation Report related to the operation of River Bend Station, NUREG-0989.

The proposed license condition change is in accordance with the licensee's application dated August 4, 1986 as amended August 15, 1986, supplemented September 26, 1986, and amended September 8, 1987.

A previous notice on this subject was published in the FEDERAL REGISTER on October 22, 1986 (51 FR 37512).

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.

Gulf States Utilities Company (GSU) addressed the above three standards in the amendment:

1. No significant increase in the probability or the consequences of an accident previously evaluated results from this change because:

The Transamerica Delaval Inc. (TDI) Owners Group DR/QR Report requires inspections that are more thorough than the inspections currently being performed in accordance with the manufacturers recommendations. Gulf States Utilities' (GSU's) commitment to the DR/QR Report is designed to increase the reliability of the Division I and II diesel generators. Implementing revision 2 of Appendix II of TDI DR/QR report will increase the reliability of the diesel generators at River Bend Station (RBS). Furthermore, this change is within the existing safety analysis provided in the RBS Final Safety Analysis Report (FSAR).

Thus, there is no increase in the probability or consequences of any accident previously evaluated.

2. This change would not create the possibility of a new or different kind of accident from any accident previously evaluated because:

The change clarifies the existing commitments presently being adhered to. The River Bend Station Unit 1 Facility Operating License (NPF-47) currently contains a condition that GSU shall implement the TDI requirements as incorporated within the license. By implementing the recommendations of Revision 2 of Appendix II of the TDI DR/QR Report, GSU will be implementing a program that has undergone extensive industry and regulatory review (reference NUREG-1216 dated July, 1986). Implementing revision 2 of Appendix II of the TDI DR/QR report will increase the reliability of the diesel generators at RBS. Thus no new or different kind of accident scenario is introduced for any accident previously evaluated.

3. This change would not involve a significant reduction in the margin of safety because:

The change makes the license condition consistent with the NRC Staff approved program (reference NUREG-1216) which ensures that the design adequacy and manufacturing of the TDI diesel generators for nuclear standby service is within the range normally assumed for diesel engines designed and manufactured in accordance with General Design Criterion (GDC) 17 and 10 CFR Part 50, Appendix B. Therefore, this change does not reduce any margin of safety as defined in the Technical Specifications Bases.

The staff has reviewed the licensee's no significant hazards consideration determination and agrees with the analysis.

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 Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should cite the publication

date and page number of the FEDERAL REGISTER notice. Written comments may also be delivered to Room 4000, Maryland National Bank Building, 7735 Old Georgetown Road, Bethesda, Maryland from 8:15 a.m. to 5:00 p.m. Copies of written comments received may be examined at the NRC Public Document Room, 1717 H Street, NW, Washington, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By October 30, 1987 , 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. 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, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. 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 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 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 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, Att: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, NW 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 (800) 325-6000 (in Missouri (800) 342-6700). The Western Union

operator should be given Datagram Identification Number 3737 and the following message addressed to Jose A. Calvo, Director, Project Directorate - IV, Division of Reactor Projects - III, IV, V and Special Projects: 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 Troy B. Conner, Jr., Esq., Conner and Wetterhahn, 1747 Pennsylvania Avenue, N.W., Washington, D.C. 20006, 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 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 August 4, 1986, as amended August 15, 1986, supplemented September 26, 1986 and amended September 8, 1987, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C. 20555, and at the Government Documents Department, Louisiana State University, Baton Route, Louisiana 70803.

Dated at Bethesda, Maryland, this 24th day of September, 1987.

FOR THE NUCLEAR REGULATORY COMMISSION

Walter A. Paulson
Walter A. Paulson, Project Manager
Project Directorate - IV
Division of Reactor Projects - III,
IV, V and Special Projects