

Docket Nos. 50-528
and 50-529

AUG 27 1986

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Mr. E. E. Van Brunt, Jr.
Executive Vice President
Arizona Nuclear Power Project
Post Office Box 52034
Phoenix, Arizona 85072-2034

Dear Mr. Van Brunt:

SUBJECT: ISSUANCE OF FEDERAL NOTICE - PALO VERDE
NUCLEAR GENERATING STATION, UNITS 1 and 2

Enclosed for your information is a copy of a "Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing." This notice relates to your July 23, 1986 application (as supplemented August 26, 1986) for amendments to the Technical Specifications to change the setpoints involved with the Low Reactor Coolant Flow reactor trip function. The notice, which affords an opportunity for hearings, has been forwarded to the Office of the Federal Register for publication.

In your application, you requested prompt attention to this matter and that it be handled under exigent circumstances to minimize the potential for a reactor trip. As discussed previously with your staff, we do not find that exigent circumstances exist. Although the proposed changes do not involve changes which exceed the bounds of the existing safety analyses, they do involve a reduction to the margins currently in the Technical Specifications. Nevertheless, we will review your application promptly in order to minimize the potential for unwanted operational inconveniences.

If you have any questions in this matter, please let me know.

Sincerely,

EL

E. A. Licitra, Senior Project Manager
PWR Project Directorate NO. 7
Division of PWR Licensing-B

Enclosure:
As stated

cc: See next page

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Mr. E. E. Van Brunt, Jr.
Arizona Nuclear Power Project

Palo Verde

cc:

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Chairman
Arizona Corporation Commission
P. O. Box 6019
Phoenix, Arizona 85003

Arizona Radiation Regulatory Agency
ATTN: Ms. Clara Palovic, Librarian
925 South 52nd Street
Tempe, Arizona 85238

Mr. Charles Tedford, Director
Arizona Radiation Regulatory Agency
924 South 52nd Street, Suite 2
Tempe, Arizona 85281

Chairman
Maricopa County Board of Supervisors
111 South Third Avenue
Phoenix, Arizona 85003

UNITED STATES NUCLEAR REGULATORY COMMISSIONARIZONA PUBLIC SERVICE COMPANY, ET AL.DOCKET NOS. 50-528 AND 50-529

NOTICE 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-41 and NPF-51 issued to Arizona Public Service Company et al. (the licensees)*, for operation of Palo Verde Nuclear Generating Station, Units 1 and 2, located in Maricopa County, Arizona. The request for amendments was submitted by letter dated July 23, 1986, as supplemented by letter dated August 26, 1986.

The proposed amendments would revise Tables 2.2-1 and 3.3-2 to the Technical Specifications for both units to change the setpoints involved with the Low Reactor Coolant Flow (LRCF) reactor trip function. The LRCF trip function provides protection in the event of (1) a reactor coolant pump sheared shaft or (2) a main steam line break with a concurrent loss of offsite power. The proposed changes would still be within the bounds of the current safety analyses for both events. The purpose for the proposed changes is to accommodate process noise without tripping the reactor.

*The other licensees are the Salt River Project Agricultural Improvement and Power District, El Paso Electric Company, Southern California Edison Company, Public Service Company of New Mexico, Los Angeles Department of Water and Power, and Southern California Public Power Authority.

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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 request for amendments involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facilities 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.

A discussion of these standards as they relate to these amendments follows:

Criterion 1

The proposed changes would not increase the probability or consequences of any accident previously evaluated since the proposed changes are still within the bounds of the current safety analyses. The proposed changes are intended to reduce the probability of a reactor trip due to process noise.

Criterion 2

The proposed changes would not create the possibility of a new or different kind of accident from any previously analyzed since they would not introduce new systems, modes of operation, failure modes or other plant perturbations. They would only adjust the settings for the LRCF trip function.

Criterion 3

The proposed changes would not involve a significant reduction in the margin of safety. While some of the proposed setpoints are less conservative than the existing setpoints, the proposed setpoints are still within the bounds of current safety analyses.

Therefore, since the application for amendments appears to satisfy the criteria specified in 10 CFR 50.92, the NRC staff proposed to determine that the requested changes do not involve a 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.

Comments should be addressed to the Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

By October 2, 1986, the licensees 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 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 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 amendments 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 request for amendments 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.

Normally, the Commission will not issue the amendments 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 amendments before the expiration of the 30-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 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 Service Branch, or may be

delivered to the Commission's Public Document Room, 1717 H 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 (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 George W. Knighton: 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-Bethesda, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Arthur C. Gehr, Esq., Snell & Wilmer, 3100 Valley Center, Phoenix, Arizona 85073, attorney for the licensees.

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 which is available for public inspection at the Commission's Public

Document Room, 1717 H Street, N.W., Washington, D.C., and at the Phoenix Public Library, Business, Science and Technology Department, 12 East McDowell Road, Phoenix, Arizona 85007.

Dated at Bethesda, Maryland, this 27th day of August, 1986.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script, reading "E. A. Licitra".

E. A. Licitra, Acting Director
PWR Project Directorate No. 7
Division of PWR Licensing-B