

~~October~~ 29, 1994

NOVEMBER

Mr. William L. Stewart
Executive Vice President, Nuclear
Arizona Public Service Company
P. O. Box 53999
Phoenix, Arizona 85072-3999

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT - PROPOSED
NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION, OPPORTUNITY FOR
HEARING - PALO VERDE NUCLEAR GENERATING STATION (PVNGS), UNIT 1
(TAC NO. M72451)

Dear Mr. Stewart:

The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendment, Proposed No Significant Hazards Consideration Determination, and Opportunity for Hearing." The proposed amendment would add a note to the Palo Verde Unit 1 Technical Specification Table 3.7-2. The note would allow continued operation of Unit 1 during Cycle 5 at 100 percent maximum steady state power level with one main steam safety valve (MSSV) inoperable per steam generator. This note applies only during the current fuel cycle (Cycle 5) for Unit 1.

Sincerely,

ORIGINAL SIGNED BY:
Linh N. Tran, Project Manager
Project Directorate IV-2
Division of Reactor Project III/IV
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-528

Enclosure:
Notice

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

November 29, 1994

Mr. William L. Stewart
Executive Vice President, Nuclear
Arizona Public Service Company
P. O. Box 53999
Phoenix, Arizona 85072-3999

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT - PROPOSED
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Sincerely,

A handwritten signature in black ink, appearing to read "Linh N. Tran".

Linh N. Tran, Project Manager
Project Directorate IV-2
Division of Reactor Project III/IV
Office of Nuclear Reactor Regulation

Docket No. STN 50-528

Enclosure:
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cc w/enclosure:
See next page

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Arizona Public Service Company

Palo Verde

cc:

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UNITED STATES NUCLEAR REGULATORY COMMISSIONARIZONA PUBLIC SERVICE COMPANY, ET AL.PALO VERDE NUCLEAR GENERATING STATION, UNIT NO. 1DOCKET NO. STN 50-528NOTICE 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 No. NPF-41, issued to the Arizona Public Service Company (APS or the licensee), for operation of the Palo Verde Nuclear Generating Station, Unit No. 1, located in Maricopa County, Arizona.

The proposed amendment would add a note to the Palo Verde Unit 1 Technical Specification Table 3.7-2. The note would allow continued operation of Unit 1 during Cycle 5 at 100 percent maximum steady state power level with one main steam safety valve (MSSV) inoperable per steam generator. This note applies only during the current fuel cycle (Cycle 5) for Unit 1.

This amendment is being requested on an exigent basis to return Unit 1 to 100% power because the current condition (one inoperable MSSV per SG), is limiting Unit 1 to 98.2% power until the next refueling outage (the next Unit 1 refueling, Cycle 6, is scheduled for April 1995).

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:

Standard 1 -- Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

The proposed technical specification (TS) amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. The primary pressure peaking events [loss of condenser vacuum (LOCV), feedwater line break (FLB), and control element assembly (CEA) ejection events] were analyzed to provide a comparison of pressure response using a base case with a moderator temperature coefficient (MTC) of 0.0 [$\Delta K/K/^\circ F$] and ten operable main steam safety valves (MSSVs) per steam generator (SG) and a second case using an MTC of $-1.0 \text{ E-}4$ [$\Delta K/K/^\circ F$] and nine operable MSSVs per SG. The analyses performed confirmed that the existing safety analysis (i.e., the analysis of record) for PVNGS Unit 1, Cycle 5 will remain valid for 102% rated thermal power operation with one MSSV inoperable in each SG. That is, the reactor coolant system (RCS) and secondary system design pressure limits will not be exceeded.

The analysis of the pressure peaking events was conservative and included the following:

(1) The actual MTC expected for full power operation for the remainder of PVNGS Unit 1, Cycle 5 is more negative, and thus more beneficial, than the $-1.0 \text{ E-}4$ [$\Delta K/K/^\circ F$] used in the reanalysis (actual MTC measured on October 20, 1994 was $-2.039 \text{ E-}4$ [$\Delta K/K/^\circ F$]). Thus, the mitigating affect on peak system pressures would be expected to be even greater than those reported herein.

(2) The core parameters used in the reanalysis (other than MTC) are generic and selected in the most adverse direction. Less adverse cycle

specific or time-in-cycle specific values were not used in the reanalysis of PVNGS Unit 1, Cycle 5.

(3) The inoperable MSSVs are assumed to be in the first bank of MSSVs which have the lowest lift setpoint pressure (i.e., 1303 psia). In fact, one of the two MSSVs currently inoperable is from the third bank of MSSVs (with a higher lift setpoint of 1370 psia) and the other MSSV is in the first bank. If the actual MSSV lift setpoint pressures had been simulated, the results would be less adverse since there would be more relief capacity near the beginning of the event to reduce the pressure peak.

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

The proposed TS amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated. The analyses performed demonstrates that the current licensing basis analyses results remain valid at 102% rated thermal power with one MSSV inoperable in each SG and that all safety system settings will remain unchanged. The PVNGS TS currently allows operation at 98.2% Maximum Steady State Power Level (ACTION a. of Limiting Condition for Operation 3.7.1.1) with one inoperable MSSV per SG. The analysis shows that for the current Unit 1 fuel cycle, operation at 102% Maximum Steady State Power Level with one inoperable MSSV per SG is acceptable.

Standard 3 -- Does the proposed change involve a significant reduction in a margin of safety?

The proposed TS amendment will not involve a significant reduction in a margin of safety. There is no reduction in the margin of safety since the analysis performed, crediting the remaining operable MSSVs, shows the results of the analysis of record remain valid. That is, the RCS and secondary system design pressure limits will not be exceeded at 102% rated thermal power with one MSSV inoperable in each SG. In addition, all other safety limits and safety system settings remain unchanged. The actual MTC expected for full power operation for the remainder of PVNGS Unit 1, Cycle 5 is more negative, and thus more beneficial, than the $-1.0 \text{ E-4 } [\text{delta K/K}]/^{\circ}\text{F}$ used in the reanalysis study (actual MTC measured on October 20, 1994, was $-2.039 \text{ E-4 } [\text{delta K/K}]/^{\circ}\text{F}$).

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 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.

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

By December 16, 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, and at the local public document room located at the Phoenix Public Library, 12 East McDowell Road, Phoenix, Arizona 85004. 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, 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 Theodore R. Quay: 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.

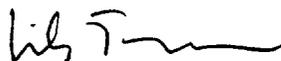
Nuclear Regulatory Commission, Washington, DC 20555, and to Nancy C. Loftin, Esq., Corporate Secretary and Counsel, Arizona Public Service Company, P.O. Box 53999, Mail Station 9068, Phoenix, Arizona 85072-3999, attorney for the licensee.

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 November 22, 1994, 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 Phoenix Public Library, 12 East McDowell Road, Phoenix, Arizona 85004.

Dated at Rockville, Maryland, this 29th day of November 1994.

FOR THE NUCLEAR REGULATORY COMMISSION



Linh N. Tran, Project Manager
Project Directorate IV-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation