

October 2, 1991

Docket No. 50-445

Mr. William J. Cahill, Jr.
Executive Vice President
TU Electric
400 North Olive Street, L.B. 81
Dallas, Texas 75201

Dear Mr. Cahill:

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT, PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR HEARING - COMANCHE PEAK STEAM ELECTRIC STATION, UNIT NO. 1 (TAC NO. 81778)

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." This notice relates to your application for amendment dated October 1, 1991, which requested a change to the Technical Specifications to revise the acceptance criteria provided for the ECCS pump flow balance test.

Sincerely,

Original Signed By

Thomas A. Bergman, Acting Project Manager
Project Directorate IV-2
Division of Reactor Projects - III/IV/V
Office of Nuclear Reactor Regulation

Enclosure:
Notice

cc w/enclosure:
See next page

DISTRIBUTION:

Docket File TBergman
NRC PDR EPeyton
Local PDR JClifford
PDIV-2 Reading ACRS (10)
PDIV-2 Plant File OGC
BBoger DHagan
MVirgilio GPA/PA
DChamberlain, Region IV

9110100023 911002
PDR ADDCK 05000445
P PDR

OFC	: PDIV-2/LA	: PDIV-2/PM	: PDIV-2/D	:	:
NAME	: EPeyton	: TBergman	: SBlack	:	:
DATE	: 10/2/91	: 10/2/91	: 10/2/91	:	:

OFFICIAL RECORD COPY

NRC FILE SEPARATOR COPY
CP1

Def 111

Mr. William J. Cahill, Jr.

- 2 -

October 2, 1991

cc w/enclosure:

Senior Resident Inspector
U.S. Nuclear Regulatory Commission
P. O. Box 1029
Granbury, Texas 76048

Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive, Suite 1000
Arlington, Texas 76011

Mrs. Juanita Ellis, President
Citizens Association for Sound Energy
1426 South Polk
Dallas, Texas 75224

Owen L. Thero, President
Quality Technology Company
Lakeview Mobile Home Park, Lot 35
4793 East Loop 820 South
Fort Worth, Texas 76119

Mr. Roger D. Walker
Manager, Nuclear Licensing
Texas Utilities Electric Company
400 North Olive Street, L.B. 81
Dallas, Texas 75201

Texas Utilities Electric Company
c/o Bethesda Licensing
3 Metro Center, Suite 610
Bethesda, Maryland 20814

William A. Burchette, Esq.
Counsel for Tex-La Electric
Cooperative of Texas
Jorden, Schulte, & Burchette
1025 Thomas Jefferson Street, N.W.
Washington, D.C. 20007

GDS Associates, Inc.
Suite 720
1850 Parkway Place
Marietta, Georgia 30067-8237

Jack R. Newman, Esq.
Newman & Holtzinger
1615 L Street, N.W.
Suite 1000
Washington, D.C. 20036

Chief, Texas Bureau of Radiation Control
Texas Department of Health
1100 West 49th Street
Austin, Texas 78756

Honorable Dale McPherson
County Judge
P.O. Box 851
Glen Rose, Texas 76043

UNITED STATES NUCLEAR REGULATORY COMMISSIONTU ELECTRIC COMPANYDOCKET NO. 50-445NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE, 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-87 issued to TU Electric Company (the licensee) for operation of the Comanche Peak Steam Electric Station, Unit 1, located in Somervell County, Texas.

The proposed amendment would revise the acceptance criteria provided in the Technical Specifications for the ECCS pump flow balance test. The purpose of the revision is to allow a throttle valve adjustment which assures the minimum required ECCS flow while preventing the ECCS pumps from exceeding runout limits. The minimum flow values presently included in the Technical Specifications are too high to ensure that runout limits will not be reached.

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. 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) The proposed change does not involve a significant increase in the probability or consequences of accidents previously evaluated.

The proposed change revises the minimum flow value of certain ECCS injection lines. Because the systems function as accident mitigation systems, adjustments in the operation of these systems will not increase the probability of an accident previously evaluated. In addition, no design, material or construction changes are included in this activity. Thus, no changes have been proposed which affect the probability of an accident.

The primary accidents affected by the reduction in the minimum ECCS flow are the Loss of Coolant Accidents (LOCAs). Evaluations of the analyses of these events have demonstrated that the applicable event acceptance criterion for Peak Cladding Temperature (PCT) continue to be met. The source term for the analyses of the radiological consequences of a LOCA is predicated on compliance with the PCT acceptance criterion. Because the PCT acceptance criterion is satisfied, there is no effect on the radiological consequences.

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

The proposed change does not modify any hardware, material or construction. Although the flow limits for the ECCS injection lines are revised, no new failure modes are created for any components, systems or structures. As such, no new accidents are created from any accident previously evaluated.

(3) The proposed change does not involve significant reductions in the margin of safety.

The proposed change impacts safety in two basic ways. First, if the ECCS flow values remain as-is, it is postulated that the centrifugal charging pumps and the safety injection pumps could reach or exceed their runout limits. Although this situation was evaluated and it was concluded that these pumps would perform their safety function for all postulated accidents at CPSES, safety can be enhanced if these pumps are operated in a range that does not reach the runout limits. Such an improvement in safety is the primary purpose of this proposed technical specification change.

Adjusting the operating range of these ECCS injection flow lines results in the second basic impact on safety. In many accident analyses, the assumed ECCS flow will be lower than previously postulated. Although the primary impact is on the LOCA analyses, all affected analyses were assessed.

The margin of safety is the difference between the value of the regulated acceptance limit for a particular parameter and the failure value associated with that parameter. The primary parameter of interest affected by the rebalancing of the ECCS is the PCT calculated in the LOCA analyses. Due to the ECCS rebalancing, the minimum ECCS flow delivered to the Reactor Coolant System during the injection mode of ECCS operation is reduced. As a result, the PCT due to LOCA increases. However, evaluations of the LOCA analyses have been performed which demonstrate that the PCT acceptance limit, defined in 10 CFR 50.46, is not exceeded. Furthermore, because the ECCS flow reduction does not affect the design, material, or construction of the fuel assemblies, there is no effect on the failure limit associated with the fuel.

Because neither the PCT acceptance limit value nor the associated failure value is changed, there is no effect on the margin of safety.

Evaluations of the impact of the proposed change on these analyses have demonstrated that the associated acceptance limits are not exceeded.

Furthermore TU Electric has determined that the reduction in the minimum ECCS flow surveillance criteria allows the ECCS to be balanced such that the pump runout limits will not be exceeded in the recirculation mode. Therefore, the availability of the ECCS pumps during the post-LOCA, long-term recirculation mode of operation is enhanced.

Although the proposed change will result in higher PCT for some accident analyses due to the reduced flow rates, the fact that all accidents continue to provide acceptable results and all parameters of concern continue to meet acceptance criteria when coupled with the clear improvement in safety which results from not exceeding the pump runout limits, leads TU Electric to the conclusion that this proposed change does not involve a significant reduction in the margin of safety.

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 thirty (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, DC 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, NW., Washington, DC 20555. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By November 7, 1991, 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 20555 and at the local public document room located at the University of Texas at Arlington Library, Government Publications/ Maps, 701 South Cooper, P. O. Box 19497, Arlington, Texas 76019. 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 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.

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 in the FEDERAL REGISTER 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, 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 20555, 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 Suzanne C. Black: 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 George L. Edgar, Esq., Newman and Holtzinger, 1615 L Street, N.W., Suite 1000, Washington, D.C. 20036, 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 application for amendment dated October 1, 1991, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555 and at the local public document room located at the University of Texas at Arlington Library, Government Publications/Maps, 701 South Cooper, P. O. Box 19497, Arlington, Texas 76019.

Dated at Rockville, Maryland, this 2nd day of October 1991.

FOR THE NUCLEAR REGULATORY COMMISSION



Thomas A. Bergman, Acting Project Manager
Project Directorate IV-2
Division of Reactor Projects - III/IV/V
Office of Nuclear Reactor Regulation