

Mr. C. Lance Terry  
Group Vice President, Nuclear  
TU Electric  
Energy Plaza  
1601 Bryan Street, 12th Floor  
Dallas, Texas 75201-3411

March 1, 1995

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO FACILITY OPERATING LICENSES, PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR HEARING - COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2 (TAC NOS. M91635 AND M91636)

Dear Mr. Terry:

The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing." This notice relates to your application dated February 28, 1995, (TXX-95050) to replace Technical Specification (TS) 3/4.6.2, "Depressurization and Cooling Systems - Containment Spray System" Surveillance Requirement (SR) 4.6.2.1b, with NUREG-1431 SR 3.6.6A.4. Also Bases 3/4.6.2.1, "Containment Spray System", will be revised to expand the detail consistent with the NUREG-1431 Bases SR 3.6.6A.4. The SR and its associated bases for confirming the performance of the containment spray pumps is changed by replacing the specific pump head and flow values with the general requirement that the pumps provide the required head at the flow test point while the specific required values are moved to the technical requirements manual.

Sincerely,

ORIGINAL SIGNED BY:

Timothy J. Polich, Project Manager  
Project Directorate IV-1  
Division of Reactor Projects III/IV  
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

Enclosure: Notice

cc w/encl: See next page

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

March 1, 1995

Mr. C. Lance Terry  
Group Vice President, Nuclear  
TU Electric  
Energy Plaza  
1601 Bryan Street, 12th Floor  
Dallas, Texas 75201-3411

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO FACILITY OPERATING LICENSES, PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR HEARING - COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2 (TAC NOS. M91635 AND M91636)

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Sincerely,

A handwritten signature in cursive script, appearing to read "Timothy J. Polich".

Timothy J. Polich, Project Manager  
Project Directorate IV-1  
Division of Reactor Projects III/IV  
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

Enclosure: Notice

cc w/encl: See next page

Mr. C. Lance Terry  
TU Electric Company

Comanche Peak, Units 1 and 2

cc:  
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U.S. Nuclear Regulatory Commission  
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Honorable Dale McPherson  
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UNITED STATES NUCLEAR REGULATORY COMMISSIONTEXAS UTILITIES ELECTRIC COMPANYDOCKET NOS. 50-445 and 50-446NOTICE 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 Nos. NPF-87 and NPF-89 issued to Texas Utilities Electric Company (TU Electric, the licensee) for operation of the Comanche Peak Steam Electric Station, Units 1 and 2 located in Somervell County, Texas.

The proposed amendment would modify the Comanche Peak Steam Electric Station (CPSES) Technical Specification (TS) 3/4.6.2, "Depressurization and Cooling Systems - Containment Spray System" Surveillance Requirement (SR) 4.6.2.1b, is replaced with NUREG-1431 SR 3.6.6A.4. This change replaces the specific pump flow and head values now contained in the SR with the general requirement that the pump develop the required head at the flow test point. Also Bases 3/4.6.2.1 "Containment Spray System" will be revised to expand the detail consistent with the NUREG-1431 Bases SR 3.6.6A.4. The Bases from NUREG-1431 has minor modifications to reflect (1) that the CPSES containment spray pumps are tested via a special test line which allows testing at flows higher than that allowed by the miniflow recirculation line; (2) the "pump design curve" is termed the "analytical pump curve"; and (3) the reference to the technical requirements manual where the pump head requirements are defined is provided for the user's information.

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. Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?

The relocation of the specific values for flow and developed head at the flow test point to the Technical Requirements Manual (TRM) is essentially an administrative change. The change does not change the plant hardware or operating procedures. As such, the change has no impact on the probability of an accident.

The consequences of an accident previously evaluated, as it relates to the performance characteristics of the containment spray pumps, depends on the pumps meeting the performance characteristics in the analytical pump curve used by the containment analyses. Since the limitations established in the TRM will continue to ensure that this analytical pump curve is met, there is no impact on the accident analyses. The initial TRM will duplicate the existing surveillance values. In the future, the TRM values may be slightly more or slightly less restrictive based on changes to the containment analyses or their design inputs. The result of this variation could be a minor variation in the consequences of an actual event were one to occur; however, the consequences would be bounded by the existing safety analyses and therefore, the change does not involve a significant increase in the consequences of an accident previously evaluated.

2. Do the proposed changes create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed change does not add new hardware to the units or change plant operations. Relocation of the surveillance acceptance criteria to the TRM cannot initiate an event nor cause an analyzed event to progress differently. Thus, the possibility of a new or different kind of accident is not created.

3. Do the proposed changes involve a significant reduction in a margin of safety?

The margin of safety is not affected since the surveillance will continue to be required by Technical Specifications at the same frequency and that surveillance will continue to ensure the containment spray pump performance is bounded by the analytical pump curve used in the containment analyses.

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 30 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 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.

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 April 5, 1995, 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 University of Texas at Arlington Library, Government Publications/Maps, 702 College, 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 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 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.

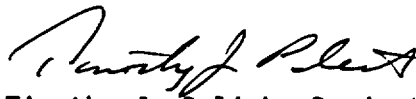
A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 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 William D. Beckner, Director, Project Directorate IV-1: 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., 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 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 February 28, 1995, 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 University of Texas at Arlington Library, Government Publications/Maps, 702 College, P.O. Box 19497, Arlington, Texas 76019.

Dated at Rockville, Maryland, this 1st day of March 1995.

FOR THE NUCLEAR REGULATORY COMMISSION



Timothy J. Polich, Project Manager  
Project Directorate IV-1  
Division of Reactor Projects - III/IV  
Office of Nuclear Reactor Regulation