

OCT 31 1985

Docket Nos.: 50-361  
and 50-362

Mr. Kenneth P. Baskin  
Vice President  
Southern California Edison Company  
2244 Walnut Grove Avenue  
Post Office Box 800  
Rosemead, California 91770

Mr. James C. Holcombe  
Vice President - Power Supply  
San Diego Gas & Electric Company  
101 Ash Street  
Post Office Box 1831  
San Diego, California 92112

Gentlemen:

SUBJECT: ISSUANCE OF NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS

Enclosed for your information is a copy of a notice of Consideration of Issuance of Amendments to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing related to your applications dated August 23, October 10 and October 16, 1985, to revise the technical specifications relating to the maximum enrichment of the fuel assemblies and the criticality requirements for storage of fuel in the fuel storage areas (Proposed Change No. 199). This Notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by:  
George W. Knighton

George W. Knighton, Chief  
Licensing Branch No. 3  
Division of Licensing

Enclosure:  
Federal Register Notice

cc w/enclosure:  
See next page

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

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Sincerely,

A handwritten signature in cursive script that reads "George W. Knighton".

George W. Knighton, Chief  
Licensing Branch No. 3  
Division of Licensing

Enclosure:  
Federal Register Notice

cc w/enclosure:  
See next page

Mr. Kenneth P. Baskin  
Southern California Edison Company

San Onofre Nuclear Generating Station  
Units 2 and 3

cc:

Mr. James C. Holcombe  
Vice President - Power Supply  
San Diego Gas & Electric Company  
101 Ash Street  
Post Office Box 1831  
San Diego, California 92112

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U.S. Nuclear Regulatory Commission  
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Mr. C. B. Brinkman  
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7910 Woodmont Avenue  
Bethesda, Maryland 20814

Resident Inspector, San Onofre NPS  
c/o U. S. Nuclear Regulatory Commission  
Post Office Box 4329  
San Clemente, California 92672

Mr. Dennis F. Kirsh  
U.S. Nuclear Regulatory Commission - Region V  
1450 Maria Lane, Suite 210  
Walnut Creek, California 94596

Southern California Edison Company - 2 - San Onofre 2/3

cc:

California State Library  
Government Publications Section  
Library & Courts Building  
Sacramento, CA 95841  
ATTN: Ms. Mary Schnell

Mayor, City of San Clemente  
San Clemente, CA 92672

Chairman, Board Supervisors  
San Diego County  
1600 Pacific Highway, Room 335  
San Diego, CA 92101

California Department of Health  
ATTN: Chief, Environmental  
Radiation Control Unit  
Radiological Health Section  
714 P Street, Room 498  
Sacramento, CA 95814

Mr. Joseph O. Ward, Chief  
Radiological Health Branch  
State Department of Health Services  
714 P Street, Building #8  
Sacramento, California 95814

UNITED STATES NUCLEAR REGULATORY COMMISSIONSOUTHERN CALIFORNIA EDISON COMPANY, ET AL.DOCKET NOS. 50-361 AND 50-362NOTICE 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-10 and NPF-15, issued to Southern California Edison Company, San Diego Gas and Electric Company, The City of Riverside, California and The City of Anaheim, California (the licensees), for operation of the San Onofre Nuclear Generating Station, Units 2 and 3 located in San Diego County, California.

The amendments would revise the technical specifications relating to the maximum enrichment of the fuel assemblies and the criticality requirements for storage of fuel in the fuel storage areas (reference PCN-199). These technical specifications are being changed because the Cycle 3 fuel enrichment is being changed from 3.7% to 4.1% to accommodate an 18-month refueling cycle. Other amendments have been requested to modify the technical specifications associated with reactor operation with the revised enrichment, and are now being evaluated by the NRC staff. The proposed amendments were requested by the licensee's letters of August 23, October 10, and October 16, 1985.

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.

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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 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.

The Commission has provided guidance concerning the application of standards for determining whether a significant hazards consideration exists by providing certain examples (48 FR 14870) of amendments that are considered not likely to involve significant hazards considerations. Example (i) relates to a purely administrative change to the Technical Specifications: for example a change to achieve consistency throughout technical specifications, correction of an error, or a change in nomenclature. Example (vi) relates to a change which either may result in some increase to the probability or consequences of a previously-analyzed accident or may reduce in some way a safety margin, but where the results of the change are clearly within all acceptable criteria with respect to the system or component specified in the Standard Review Plan: for example, a change resulting from the application of a small refinement of a previously used calculational model or design method. The proposed change is similar to these two examples of 48 FR 14870.

Description of Amendment Request: The proposed change would revise Technical Specification 5.3.1, "Fuel Assemblies." Technical Specification 5.3.1 specifies design features of the fuel assemblies including the allowed enrichment of U-235. Currently, Technical Specification 5.3.1 specifies a maximum enrichment for reload assemblies of 3.7 weight percent. Fuel assemblies which will be used for cycle 3, a nominal 18-month cycle, will require higher U-235 content. The proposed change revises Technical Specification (T.S.) 5.3.1 to increase the maximum allowed enrichment for reload fuel to 4.1 weight percent.

The proposed change would also change T. S. 5.6.1, "Fuel Storage-Criticality." This T. S. specifies that the spent fuel storage racks are designed and shall be maintained with a  $k_{eff}$  less than or equal to 0.95 with a conservative allowance of 0.014 delta  $k/k_{eff}$  for uncertainties. The proposed change would delete reference to a specific value of uncertainty in reactivity.

Basis for Proposed No Significant Hazards Consideration Determination: The pertinent acceptance criteria are found in Standard Review Plan Sections 9.1.1 "New Fuel Storage," and 9.1.2 "Spent Fuel Storage." Specifically, these sections require that  $K_{eff}$  be less than 0.95 when moderated with unborated water. The proposed change would increase the allowed U-235 content in fuel assemblies from 3.7 weight percent to 4.1 weight percent. The worst case  $K_{eff}$  calculated are 0.876 for new fuel storage and 0.936 for spent fuel storage. These calculated results are well within the SRP acceptance criteria. Therefore, the NRC staff proposes to determine that this part of the proposed change is similar to Example (vi) of 48 FR 14870 and does not involve a significant hazards consideration.

The proposed change would also delete the specific value for the uncertainty allowance included in the T.S. 5.6.1. This inclusion of specific uncertainty values is inconsistent with other technical specifications. For example, set point values quoted in other technical specifications include allowances for uncertainties, but the actual values of the uncertainties are not included in technical specifications. The proposed change to T.S. 5.6.1 resolves this inconsistency within the technical specifications. Therefore, this change is similar to Example (i) of 48 FR 14870 and on this basis, the NRC staff proposes to determine that the proposed change does 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 Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attn: Docketing and Service Branch.

By November 29, 1985, 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, 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 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 requests 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 Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to

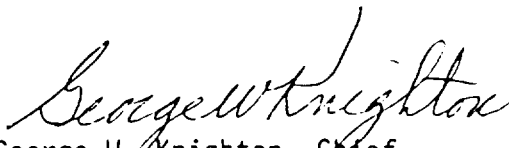
Charles R. Kocher, Esq., Southern California Edison Company, 2244 Walnut Grove Avenue, P. O. Box 800 Rosemead, California 91770 and Orrick, Herrington & Sutcliffe, Attn: David R. Pigott, Esq., 600 Montgomery Street, San Francisco, California 94111.

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 petitioner 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 applications for amendments which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the San Clemente Library, 242 Avenida Del Mar, San Clemente, California 92672.

Dated at Bethesda, Maryland, this 25th day of October, 1985.

FOR THE NUCLEAR REGULATORY COMMISSION

  
George W. Knighton, Chief  
Licensing Branch No. 3  
Division of Licensing