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UNITED STATES NUCLEAR REGULATORY COMMISSION

PACIFIC GAS AND ELECTRIC COMPANY

DOCKET NOS. 50-275 AND 50-323

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO  
FACILITY OPERATING LICENSES, PROPOSED NO SIGNIFICANT HAZARDS  
CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. DPR-80 and DPR-82 issued to Pacific Gas and Electric Company (the licensee) for operation of the Diablo Canyon Nuclear Power Plant located in San Luis Obispo County, California.

The proposed amendments would revise the combined Technical Specifications (TS) 3/4.3.2, "Engineered Safety Features Actuation System Instrumentation," and TS 3/4.6.2.3, "Containment Cooling System." TS 3/4.3.2, Table 3.3-3, "Engineered Safety Features Actuation System Instrumentation Surveillance Requirements," would be revised to clarify acceptable containment fan cooling unit (CFCU) configurations that satisfy the safety analysis requirements and to clarify the minimum required component cooling water flow supplied to the CFCU cooling coils. The specific TS changes proposed are as follows:

(1) TS 3.3.2, Table 3.3-3 and Table 4.3-2, Functional Units 2.c. and 3.b.3), would be revised to expand the mode applicability to Mode 4.

(2) TS 3.6.2.3 would be revised to require that at least four containment fan cooling units (CFCUs), or three CFCUs, each supplied by a separate vital bus, be operable.

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(3) TS 3.6.2.3, action statement a., would be revised to clarify the equipment required to be operable when in the action statement.

(4) TS 3.6.2.3, action statement b., would be deleted.

(5) TS 3.6.2.3, action statement c., would be renumbered to action statement b. and revised to clarify the equipment required to be operable when in the action statement.

(6) TS 4.6.2.3.a.2) would be revised to clarify the minimum component cooling water (CCW) flow to the CFCUs as 1650 gpm during normal operation which will assure that the required accident flow is satisfied.

(7) A footnote would be added to the surveillance requirement of TS 4.6.2.3.a.2) allowing all CFCUs to have flow CCW flow for ASME Section XI testing and Mode 4 operation with the residual heat removal (RHR) heat exchangers in service for decay heat removal.

(8) TS 4.6.2.3.a.3) would be revised to remove cycle specific information that is no longer applicable.

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) Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

Neither the [component cooling water] CCW system nor the containment pressure high-high signal initiate any accident, and therefore, do not affect the probability of an accident occurring.

Addition of Mode 4 to the applicability of the containment high-high pressure signal provides assurance that the containment spray system will automatically actuate and the CCW nonvital header will automatically isolate in response to the high containment pressure.

Deletion of action statement b. of TS 3.6.2.3 is conservative since it assures that adequate containment heat removal is available and assures that the assumptions of the bounding Mode 1 containment [design basis accident] DBA are satisfied.

Revising the CCW flow rates to the CFCUs clarifies the expected CCW flow rates during normal operation. Operation within the flow requirements assures that adequate flow will be available to the CFCUs to satisfy the assumptions in the containment DBA in [final safety analysis report] FSAR Section 6.2B.3.

PG&E analysis has determined that with three CFCUs available for containment heat removal, adequate CCW flow will be available with both [residual heat removal] RHR heat exchangers in service to provide assurance that the maximum design pressure of containment is not exceeded, assuming a single failure does not occur.

The revisions to clarify CFCU configurations that satisfy the [limiting condition for operation] LCO and action statements and the removal of cycle specific information from the containment cooling TS are administrative changes that do not affect the operating methodology of Diablo Canyon.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

(2) Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

The revision to the minimum CCW flow requirement to the CFCU cooling coils updates a requirement currently in the TS. The new flow requirement assures that the maximum containment design pressure will not be exceeded during a DBA and assures that the CCW system is not overheated. The changes do not result in any physical modification to any plant system.

The revisions to clarify CFCU configurations that satisfy the LCO and action statements and the removal of cycle specific information from the containment cooling TS are administrative changes that do not affect the operating methodology of Diablo Canyon.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

(3) Does the change involve a significant reduction in a margin of safety?

Revising the CCW flow rates to the CFCUs clarifies the expected CCW flow rates during normal operation that satisfy the assumptions in the containment design basis accident described in FSAR Update Section 6.2B.3. The revision is an administrative change that clarifies the intent of the TS.

PG&E analysis has determined that with three CFCUs available for containment heat removal, adequate CCW flow will be available with both RHR heat exchangers in service to provide assurance that the maximum design pressure of containment is not exceeded, assuming a single failure does not occur.

The revisions to clarify CFCU configurations that satisfy the LCO and action statements and the removal of cycle specific information from the containment cooling TS are administrative changes that do not affect the operating methodology of Diablo Canyon.

Therefore the proposed change does not involve a significant reduction in a 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 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 P-223, Phillips Building, 7920 Norfolk Avenue, Bethesda, 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 20555.

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

By **FEB 28 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 20555 and at the local public document room located at California Polytechnic State University, Robert E. Kennedy Library, Government Documents and Maps Department, San Luis Obispo, California 93407. 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 20555, 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, Director, Project Directorate V: 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 Christopher J. Warner, Esq., Pacific Gas and Electric Company, P.O. Box 7442, San Francisco, California 94120, 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 January 10, 1994, 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 California Polytechnic State University, Robert E. Kennedy Library, Government Documents and Maps Department, San Luis Obispo, California 93407.

Dated at Rockville, Maryland, this 25<sup>th</sup> day of January 1994.

FOR THE NUCLEAR REGULATORY COMMISSION



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Division of Reactor Projects III/IV/V  
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