

Docket No.: 50-362

DEC 15 1983

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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 and Electric Company
101 Ash Street
San Diego, California 92211

Gentlemen:

Subject: Issuance of Notice of Consideration of Issuance of Amendment

Enclosed for your information is a copy of the "Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing" related to your submittals of January 25, July 14, and September 23, 1983, regarding proposed changes to the Technical Specifications related to DNBR calculations associated with fuel rod bowing. This Notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

Harry Rood, Project Manager
Licensing Branch No. 3
Division of Licensing

Enclosure:
Federal Register Notice

cc: w/encl: See next page

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San Onofre

Mr. Kenneth P. Baskin
Vice President
Southern California Edison Company
2244 Walnut Grove Avenue
P. O. 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

Charles R. Kocher, Esq.
James A. Beoletto, Esq.
Southern California Edison Company
2244 Walnut Grove Avenue
P. O. Box 800
Rosemead, California 91770

Orrick, Herrington & Sutcliffe
ATTN: David R. Pigott, Esq.
600 Montgomery Street
San Francisco, California 94111

Mr. George Carvalho
City Manager
City of San Clemente
100 Avenida Presidio
San Clemente, California 92701

Alan R. Watts, Esq.
Rourke & Woodruff
Suite 1020
1055 North Main Street
San Clemente, California, 92701

Lawrence Q. Garcia, Esq.
California Public Utilities Commission
5066 State Building
San Francisco, California 94102

Mr. V. C. Hall
Combustion Engineering, Inc.
1000 Prospect Hill Road
Windsor, Connecticut 06095

Mr. S. McClusky
Bechtel Power Corporation
P. O. Box 60860, Terminal Annex
Los Angeles, California 90060

Mr. Mark Medford
Southern California Edison Company
2244 Walnut Grove Avenue
P. O. Box 800
Rosemead, California 91770

Mr. Henry Peters
San Diego Gas & Electric Company
P. O. Box 1831
San Diego, California 92112

Ms. Lyn Harris Hicks
Advocate for GUARD
3908 Calle Ariana
San Clemente, California 92672

Richard J. Wharton, Esq.
University of San Diego School of
Law
Environmental Law Clinic
San Diego, California 92110

Phyllis M. Gallagher, Esq.
Suite 222
1695 West Crescent Avenue
Anaheim, California 92701

Mr. A. S. Carstens
2071 Caminito Circulo Norte
Mt. La Jolla, California 92037

Charles E. McClung, Jr., Esq.
Attorney at Law
24012 Calle de la Plaza/Suite 330
Laguna Hills, California 92653

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

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

Regional Administrator - Region V/NRC
1450 Maria Lane/Suite 210
Walnut Creek, California 94596

Mr. C. B. Brinkman
Combustion Engineering, Inc.
7010 Woodmont Avenue
Bethesda, Maryland 20814

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

Chairman, Board Supervisors
San Diego County
San Diego, CA 92412

Mayor, City of San Clemente
San Clemente, CA 92672

Mr. Joseph O. Ward, Chief (w/1/25/83 ltr)
Radiological Health Branch
State Department of Health Services
714 P Street, Bldg. #8
Sacramento, California 95814

Director, Energy Facilities
Siting Division
Energy Resources Conservation &
Development Commission
1111 Howe Avenue
Sacramento, CA 95825

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

UNITED STATES NUCLEAR REGULATORY COMMISSIONSOUTHERN CALIFORNIA EDISON COMPANY, ET ALDOCKET NO. 50-362NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE AND 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-15 issued to Southern California Edison Company, San Diego Gas & Electric Company, the City of Riverside, California and the City of Anaheim, California (the licensees), for operation of the San Onofre Nuclear Generating Station Unit 3 located in San Diego County, California.

In accordance with the licensees' requests of January 25, July 14, and September 23, 1983, the amendment would make the following changes:

- (1) Note 5 in Table 2.2-1 of Technical Specification 2.2.1 is changed by the deletion of a description of the specific methodology used to calculate the minimum Departure from Nucleate Boiling Ratio (DNBR) trip setpoint from the safety system settings.
- (2) Section B 2.2.1 of the Technical Specifications is modified by the addition of a description of the specific methodology used to calculate the minimum DNBR trip setpoint from the safety system settings. The methodology differs from that deleted from Note 5 of Table 2.2-1 in that it includes methodology for incorporation of rod bow penalty factors into the Core Operating Limit Supervisory System (COLSS) and Core Protection Calculator (CPC) calculations of DNBR.

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(3) The ACTION statement of Technical Specification 3/4.2.4 is changed by requiring the plant operators to "restore" the DNBR to within acceptable limits if it goes outside such limits. The present wording requires the operators to "reduce" the DNBR to within acceptable limits if it goes outside such limits.

(4) Technical Specifications 4.2.4.4 and B 3/4.2.4 are changed to incorporate revised, burnup-dependent DNBR rod bow penalty factors. The revised factors are based on Combustion Engineering Topical Report CENPD-255.

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.

The Commission has provided guidance concerning the application of these standards by providing certain examples (48 FR 14870) of amendments that are considered not likely to involve significant hazards considerations. One of the examples 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. Although the proposed action may slightly reduce the margin of safety by reducing the margin to DNBR under some operating conditions, the safety margin nevertheless remains within accepted criteria, as described in Combustion Engineering Topical Report CENPD-255P, "Fuel and Poison Rod Bowing." This report was approved by the NRC staff in its letter of February 15, 1983, C. O. Thomas (NRC) to A. E. Scherer (CE). Accordingly, the Commission proposes to determine that this 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 Services Branch.

By January 20, 1984 , 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 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 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 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 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 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 Mr. 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, attorneys for the licensees.

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 designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be 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 25, 1983 and the supporting SCE letters dated July 14 and September 23, 1983, 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.

Dated at Bethesda, Maryland, this 15th day of December, 1983.

FOR THE NUCLEAR REGULATORY COMMISSION

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

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JLee/yt
11/23/83

HR
DL:LB#3
HRood
11/20/83

GW
DL:NB#3
GWKnighton
11/20/83

OK as legal objection
OELD
L. E. HANCOCK
12/5/83

INITIAL
NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION
AND NOTICING ACTION

Docket No. 50-362 Facility: San Onofre Unit 3
Licensee: So. Calif. Edison Co., et al Date of application: 1/25, 7/14 & 9/23/83
Request for: Changes to the Technical Specifications related to DNBR calculations associated with fuel rod bowing

(See attached notice or press release for more details.)

Initial Determination:

- (X) Proposed determination - amendment request involves no significant hazards considerations (NSHC).
() Final determination - amendment request involves significant hazards considerations (SHC).

Basis for Determination

- (X) Licensee's NSHC discussion has been reviewed and is accepted. See attached amendment request.
() Basis for this determination is presented in the attached notice.
() Other (state):

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(Attach additional sheets as needed.)

Initial Noticing Action: (Attach appropriate notice or input for monthly FRN)

1. () Monthly FRN. Notice of opportunity for hearing (30 days) and request for comments on proposed NSHC determination - monthly FRN input is attached (Attachment 8).
2. (X) Individual FRN (30 days). Same notice matter as above. Time does not allow waiting for next monthly FRN (Attachments 9a and 9b).

(THIS FORM SHOULD BE TYPED EXCEPT FOR UNUSUAL, URGENT CIRCUMSTANCES.)

- 3. () Local media notice. Valid exigent circumstances exist (evaluated below). Local media notice requesting public comments on proposed NSHC determination is attached (Attachment 10).
- 4. () No notice. A valid emergency situation exists (evaluated below) and there is no time for public notice on proposed NSHC determination. (No attachment.)
- 5. () Individual FRN (30-days). Licensee's claim of exigent or emergency circumstances is invalid (evaluated below). Notice of opportunity for hearing (30 days) and request for comments on proposed NSHC determination is attached (Attachments 9a and 9b). Letter of explanation to licensee is also attached.
- 6. () Individual FRN (30-days). The amendment request involves SHC. Notice of opportunity for prior hearing is attached (Attachment 5). Letter to licensee also attached.
- 7. () Individual Short FRN. Valid emergency circumstances exist (evaluated below). There is no time for the usual 30-day FRN. (Attachment 16).

Evaluation of exigent or emergency circumstances (if applicable):

(attach additional sheets as needed)

Approvals:

<u>Approvals:</u>	<u>Date</u>
1. <u>Harry Rood</u> (Project Manager)	<u>11-28-83</u>
2. <u>Debra W. Kugler</u> (Branch Chief)	<u>11-28-83</u>
3. <u>Thomas A. Chandler</u> <i>no legal objection</i> (OELD)	<u>12/15/83</u>

Additional approval (for noticing actions types 3, 4, 5, 6 and 7):

4. _____
(Assistant Director)

Additional approval (for noticing action types 4 and 5):

5. _____
(Director, Division of Licensing)

Attachment: as indicated

cc: Original - Docket File (with note "Docket File only")
Project Manager
Licensing Assistant
Branch Files