

UNITED STATES NUCLEAR REGULATORY COMMISSIONSOUTHERN CALIFORNIA EDISON COMPANY, ET AL.DOCKET NO. 50-206SAN ONOFRE NUCLEAR GENERATING STATION, UNIT NO. 1NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
PROVISIONAL OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDSCONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Provisional Operating License No. DPR-13 issued to Southern California Edison Company and San Diego Gas and Electric Company (the licensees), for operation of San Onofre Nuclear Generating Station, Unit No. 1, located in San Diego County, California. The request for amendments was submitted April 11, 1989.

The proposed amendment would revise Technical Specification 3.5.1, "Reactor Trip System Instrumentation." The revision, if approved, would revise Table 3.5.1-1 to include a footnote relating to Mode 2 of the Applicable Modes column for Item 4, the Intermediate Range, Neutron Flux. The footnote will indicate the startup rate circuit for the intermediate range channels will be enabled at $10^{-4}\%$ of full reactor power instead at $10^{-7}\%$ of full reactor power as presently implied but not specified in the Technical Specifications.

Prior to 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

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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 about the issue of no significant hazards consideration which is discussed below:

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. Operation of the facility has no effect on the accidents analyzed in the UFSAR. The modification of the startup rate reactor trip functions by enabling them at a higher point in the intermediate neutron flux range. Although this enabling at a higher flux level will cause the functions to be actuated at a later time, the delay does not impact accident probabilities as these functions are of a mitigative nature providing reactor core control and protection during transients and accidents. This proposed modification also has no effect on the accident analysis, particularly the Control Rod Withdrawal from Subcritical, since these functions are not credited. These functions will still be actuated sooner than the reactor trip on overpower, the credited trip for the Control Rod Withdrawal from Subcritical accident. Therefore, the accident probabilities and consequences are not affected by this change.

Operation of the facility in accordance with the proposed amendment would not:

(2) Create the possibility of a new or different kind of accident from any accident previously evaluated. The modification associated with this

proposed change revises the startup rate circuit for the intermediate range channels such that the protective functions are enabled at $10^{-4}\%$ of full reactor power versus $10^{-7}\%$ of full power. The protective functions, high startup rate rod stop and high startup rate power trip, provided by the intermediate range channels are still available and will function as they did previously. Only their time of actuation will be delayed. This modification does not result in a new accident because these functions are of a mitigative nature providing reactor core protection and control. A different kind of accident is not created since these functions are not credited in any of the accident analyses. In the case of Control Rod Withdrawal from Subcritical, these functions are a back-up to the reactor overpower trip. They will still actuate well before the overpower trip occurrence at 118% of full reactor power providing reactor core protection. Therefore, a new or different kind of accident from any previously evaluated is not created.

Operation of the facility in accordance with the proposed amendment would not:

(3) Involve a significant reduction in a margin of safety. The modification associated with this change revises the startup rate circuit for the intermediate neutron flux range by moving the enabling setpoint to $10^{-4}\%$ of full reactor power. This change affects the operational margin to some extent because the protective functions provided by the intermediate range channels are actuated at a later time. As previously indicated, this delay has no effect on the accident analysis because these protective functions are not credited. Therefore, the safety margins associated with the accident analyses are not affected. As indicated in Figure 15.8-1 of the Updated Final Safety Analysis Report, the protective function, overpower trip, for the Control Rod Withdrawal from Subcritical, occurs at 17.5 seconds. This timing is not affected by the

change because the high startup rate rod stop or the high startup rate trip would have been actuated well before that time. Therefore, the margin of safety is not affected by this proposed change.

The NRC staff has reviewed the analysis and, based on that review, it appears that the three criteria 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. The Commission will not normally make a final determination unless it receives a request for a hearing.

Comments should be addressed to the Regulatory Publications Branch, Division of Freedom of Information and Publications Services, Office of Administration and Resources Management, 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-216, Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland, from 7:30 a.m. to 4:15 p.m. Copies of written comments may be examined at the NRC Public Document Room, 2120 L Street NW., Washington, DC 20555. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By May 30, 1989 , the licensees may file a request for a hearing with respect to issuance of the amendment to the subject provisional 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 hearing and a petition for leave to intervene. Requests 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 must 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 aspects 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 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 may 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 shall be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 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 or representative for 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 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 Office of the General Counsel-White Flint, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Charles R. Kocher, Assistant General Counsel and James Beoletto, Esq., Southern California Edison Company, P.O. Box 800, Rosemead, California 91770, 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 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 which is available for public inspection at the Commission's Public Document Room, 2120 L Street NW., Washington, DC 20555, and at the General Library, University of California, P.O. Box 19557, Irvine, California 92713.

Dated at Rockville, Maryland, this 21st day of April, 1989.

FOR THE NUCLEAR REGULATORY COMMISSION

Charles M. Trammell

Charles M. Trammell, Senior Project Manager
Project Directorate V
Division of Reactor Projects - III,
IV, V and Special Projects
Office of Nuclear Reactor Regulation