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RECIP. NAME RECIPIENT AFFILIATION
KNIGHTON, G. W. PWR Project Directorate 7

SUBJECT: Application for amends to Licenses NPF-41 & NPF-51, revising Tech Spec Tables 2.2-1 & 3.3-2 to prevent spurious reactor trips & transients. Description & justification of proposed amend request withheld (ref10CFR2.790). Fee paid.

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Arizona Nuclear Power Project
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July 23, 1986
ANPP-37463-JGH/JRP/98.05

Director of Nuclear Reactor Regulation
Attention: Mr. George W. Knighton, Project Director
PWR Project Directorate #7
Division of Pressurized Water Reactor Licensing - B
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Subject: Palo Verde Nuclear Generating Station
Units 1 and 2
Docket No. STN 50-528 (License NPF-41)
STN 50-529 (License NPF-51)
Request for Exigent Technical Specification Change
File: 86-F-005-419.05; 86-056-026

Dear Mr. Knighton:

This letter is provided to request a Technical Specification Change to PVNGS Units 1 and 2 Technical Specification Table 2.2-1; Reactor Protective Instrumentation Trip Setpoint Limits, item I.A.7.a, b and c, and Table 3.3-2; Reactor Protective Instrumentation Response Times, item I.A.7.

This change is required expeditiously in order to prevent spurious reactor trips and lower the probability of the Units being in a transient condition. Pursuant to 10CFR50.91(a)(6), exigent circumstances, we find that time does not permit the normal course of action for Technical Specification amendments and request that the NRC act quickly and grant the proposed change in a timely manner. It should also be noted here that the changes defined herein do not violate the existing safety analysis requirements and, therefore, no documentation changes are required in that area.

Attached with this request are the following:

A. Description of the Proposed Amendment Request and Technical Justification.

B. Basis for No Significant Hazards Determination.

C. Justification for Exigent Classification.

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D. Environmental Impact Consideration Determination.

E. Proposed Marked-up Technical Specifications.

Note that section A of this document contains trade secrets and/or proprietary information and is, therefore, to be withheld from public disclosure in accordance with 10CFR2.790(a)(4). Please assure appropriate steps are taken to safeguard its contents. Also attached, pursuant to 10CFR2.790(b)(4), is an affidavit from Combustion Engineering who proposes that part A of this document be withheld in whole from public disclosure.

In accordance with 10CFR170.12(c), the license amendment application fee of $150 is also enclosed. If you have any questions or concerns, please call.

Very truly yours,

J G Haynes

J. G. Haynes
Vice President
Nuclear Production

JGH/JRP/dlk
Attachments

cc: Director Region V, USNRC
NRC Project Manager - E. A. Licitra
NRC Resident Inspector - R. P. Zimmerman
Director ARRA - C. E. Tedford
E. E. Van Brunt, Jr.
A. C. Gehr

AFFIDAVIT PURSUANT

TO 10 CFR 2.790

Combustion Engineering, Inc.)
State of Connecticut)
County of Hartford) SS.:

I, A. E. Scherer, depose and say that I am the Director, Nuclear Licensing, of Combustion Engineering, Inc., duly authorized to make this affidavit, and have reviewed or caused to have reviewed the information which is identified as proprietary and referenced in the paragraph immediately below. I am submitting this affidavit in conformance with the provisions of 10 CFR 2.790 of the Commission's regulations and in conjunction with the operating licenses and construction permit of Arizona Public Service Company, for withholding this information.

The information for which proprietary treatment is sought is contained in the following document:

Low Reactor Coolant Flow Setpoint Calculation for ANPP, PVNGS-1, 2, and 3. This document has been appropriately designated as proprietary.

I have personal knowledge of the criteria and procedures utilized by Combustion Engineering in designating information as a trade secret, privileged or as confidential commercial or financial information.

Pursuant to the provisions of paragraph (b) (4) of Section 2.790 of the Commission's regulations, the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure, included in the above referenced document, should be withheld.

1. The information sought to be withheld from public disclosure is low reactor coolant flow setpoint calculations including channel uncertainties, which is owned and has been held in confidence by Combustion Engineering.

2. The information consists of test data or other similar data concerning a process, method or component, the application of which results in a substantial competitive advantage to Combustion Engineering.

3. The information is of a type customarily held in confidence by Combustion Engineering and not customarily disclosed to the public. Combustion Engineering has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence. The details of the aforementioned system were provided to the Nuclear Regulatory Commission via letter DP-537 from F.M. Stern to Frank Schroeder dated December 2, 1974. This system was applied in determining that the subject document herein are proprietary.

4. The information is being transmitted to the Commission in confidence under the provisions of 10 CFR 2.790 with the understanding that it is to be received in confidence by the Commission.

5. The information, to the best of my knowledge and belief, is not available in public sources, and any disclosure to third parties has been made pursuant to regulatory provisions or proprietary agreements which provide for maintenance of the information in confidence.

6. Public disclosure of the information is likely to cause substantial harm to the competitive position of Combustion Engineering because:

a. A similar product is manufactured and sold by major pressurized water reactor competitors of Combustion Engineering.

b. Development of this information by C-E required ten of thousands of manhours of effort and hundreds of thousands of dollars. To the best of my knowledge and belief a competitor would have to undergo similar expense in generating equivalent information.

c. In order to acquire such information, a competitor would also require considerable time and inconvenience related to reactor coolant low flow trip methodology.

d. The information required significant effort and expense to obtain the licensing approvals necessary for application of the information. Avoidance of this expense would decrease a competitor's cost in applying the information and marketing the product to which the information is applicable.

e. The information consists of low reactor coolant flow setpoint calculations including channel uncertainties, the application of which provides a competitive economic advantage. The availability of such information to competitors would enable them to modify their product to better compete with Combustion Engineering, take marketing or other actions to improve their product's position or impair the position of Combustion Engineering's product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.

f. In pricing Combustion Engineering's products and services, significant research, development, engineering, analytical, manufacturing, licensing, quality assurance and other costs and expenses must be included. The ability of Combustion Engineering's competitors to utilize such information

without similar expenditure of resources may enable them to sell at prices reflecting significantly lower costs.

g. Use of the information by competitors in the international marketplace would increase their ability to market nuclear steam supply systems by reducing the costs associated with their technology development. In addition, disclosure would have an adverse economic impact on Combustion Engineering's potential for obtaining or maintaining foreign licensees.

Further the deponent sayeth not.

A. E. Scherer
Director
Nuclear Licensing

Sworn to before me
this 22nd day of July

Susanne Smith
Notary Public

SUSANNE SMITH, NOTARY PUBLIC
State of Connecticut No. 74148
Commission Expires March 31, 1990

A. DESCRIPTION OF THE PROPOSED AMENDMENT REQUEST AND TECHNICAL JUSTIFICATION

This document contains trade secrets and/or proprietary information and is, therefore, to be withheld from public disclosure in accordance with 10CFR2.790(a)(4). (See proprietary attachment)

B. BASIS FOR NO SIGNIFICANT HAZARDS DETERMINATION

1. The proposed amendment does not involve a significant hazards consideration because operation of Palo Verde Units 1 and 2 in accordance with this change would not:

   a. Involve a significant increase in the probability or consequences of an accident previously evaluated. The purpose of the setpoint change is to prevent spurious reactor trips and lower the probability of the Unit(s) being in a transient condition.

   b. Create the possibility of a new or different kind of accident from any previously analyzed. The low reactor coolant flow trip provides protection for a sheared reactor coolant pump shaft or steam line break with loss of offsite power. The analysis requirements for the low reactor coolant flow trip setpoint are unchanged. The new methodology has more margin for signal noise while meeting the analysis requirements. Thus, protection is maintained and the potential for spurious reactor trips are eliminated.

   c. Involve a significant reduction in a margin of safety. The setpoint change does not involve a significant reduction in the margin of safety in that by preventing spurious reactor trips, the margin of safety is enhanced.

2. The Commission has provided guidance concerning the application of the standards for determining whether a significant hazards consideration exists.

   The proposed amendment is similar to example (ix), other: in that the change to the setpoint calculation methodology will prevent spurious reactor trip signals.

C. JUSTIFICATION FOR EXIGENT CLASSIFICATION

The requested relief granted in Exigent circumstances is necessary, in that by the NRC acting quickly it would preclude the possibility of plant shutdown. The normal Technical Specification amendment review and public notification allows for a minimum of 30 days, Exigent circumstances allows a shorter time period for public comment. During this shorter time, Units 1 and 2 would be less susceptible to spurious reactor trips which have the potential to unnecessarily challenge the units safety systems.

D. ENVIRONMENTAL IMPACT CONSIDERATION DETERMINATION

The proposed amendment request does not involve an unreviewed environmental question because operation of PVNGS Units 1 and 2 in accordance with this change would not:

1. Result in a significant increase in any adverse environmental impact previously evaluated in the Final Environmental Statement (FES) as modified by the staff's testimony to the ASLB, Supplements to the FES, Environmental Impact appraisals, or in any decisions of the ASLB; or

2. Result in a significant change in effluents or power levels; or

3. Result in matters not previously reviewed in the licensing basis for PVNGS which may have a significant environmental impact.

E. PROPOSED MARKED-UP TECHNICAL SPECIFICATIONS

(see attached T/S pages)