

UNITED STATES NUCLEAR REGULATORY COMMISSION REGION V

1450 MARIA LANE WALNUT CREEK, CALIFORNIA 94596-5368

NOV 0 3 1993 NOTICE OF SIGNIFICANT OPEN MEETING

Name of Licensee:

Arizona Public Service Company (APS)

Name of Facility:

Palo Verde Nuclear Generating Station

Docket Numbers:

50-528, 50-529, and 50-530

Date and Time of Meeting:

November 15, 1993, 1:00 p.m.

Location of Meeting:

NRC Region V Office -

1450 Maria Lane, Walnut Creek, California

Purpose of Meeting:

Discussion of (1) Plans for Modifications to Emergency Operating Procedures and (2) September 1993 Initial

Examination Failures

NRC Attendees:

B. Faulkenberry, Regional Administrator

K. Perkins, Director, Division of Reactor

Safety and Projects

D. Lange, Acting Chief, Human Factors Assessment

Branch, NRR

S. Richards, Deputy Director, Division of Reactor

Safety and Projects

L. Miller, Chief, Reactor Safety Branch P. Morrill, Chief, Operations Section

G. Johnston, Operator Examiner

H. Wong, Chief, Reactor Projects Section II

APS Attendees:

J. Levine, Executive Vice President, Nuclear

E. Firth, General Manager, Nuclear Training

D. Gouge, Director, Plant Support

J. Dennis, Manager, Operation Standards

L. Florence, Senior Advisor

P. Wiley, Operations Manager, Unit 2

NOTE: Attendance at this meeting by individuals other than those listed above should be made known by November 11, 1993, via a telephone call to P. Morrill, 510-975-0200.

Approved By:

K. Perkins, Director

Division of Reactor Safety

and Projects

Distribution

J. Sniezek, DEDO T. Murley, NRR W. Russell,NRR

J. Roe, NRR

E. Adensam, NRR

T. Quay, NRR

B. Holian, NRR

L. Tran, NRR

Region V EDO Coordinator, OEDO

Meeting Notice Coordinator - P378

G. Cook, RV

NRC Attendees Listed

cc:

Mr. W. Conway, APS

Mr. R. Stevens, APS

Mr. Steve Olea, Arizona Corporation Commission

Mr. James A. Beoletto, Esq., Southern California Edison Company

Mr. Charles B. Brinkman, Manager, ABB Combustion Engineering Nuclear Power

Mr. Aubrey Godwin, Director, Arizona Radiation Regulatory Agency

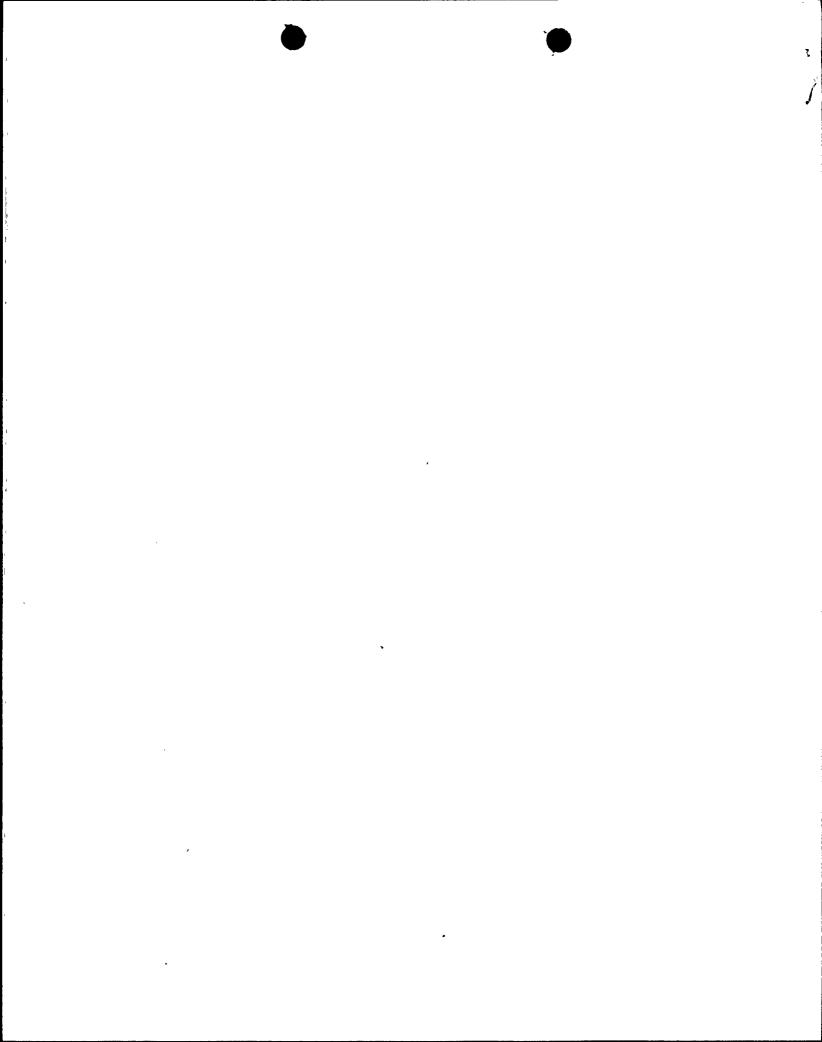
Chairman, Maricopa County Board of Supervisors

Mr. Jack R. Newman, Esq., Newman & Holtzinger, P.C. Mr. Curtis Hoskins, Executive Vice President and Chief Operating Officer,

Palo Verde Services

Mr. Roy P. Lessey, Jr., Esq., Akin, Gump, Strauss, Hauer and Feld

Mr. Bradley W. Jones, Esq., Akin, Gump, Strauss, Hauer and Feld



B. Faulkenberry J. Sloan

B. Olson R. Huey

M. Blume

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



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Hosch 7, 1994

(s) 50-528- 50-529 and 50-530

MEMORANDUM FOR:

Regulatory Publications Branch Division of Freedom of Information and Publications Services Office of Administration and Resources Management

FROM:

Office of Nuclear Reactor Regulation

SUBJECT:

NOTICE OF CONSIDERATION OF TRANSFER OF CONTROL OF OWNERSHIP OF LICENSEE AND

OPPORTUNITY FOR PUBLIC COMMENT OH ANTITRUST ISSUES. (TAC NOS. H88572, H88571

	ADD (E88570)
	signed original of the <i>Federal Register</i> Notice identified below is enclosed for your transmittal to the Office of the Federater for publication. Additional conformed copies (5) of the Notice are enclosed for your use.
	Notice of Receipt of Application for Construction Permit(s) and Operating License(s).
	Notice of Receipt of Partial Application for Construction Permit(s) and Facility License(s): Time for Submission of Views on Antitrust Matters.
	Notice of Consideration of Issuance of Amendment to Facility Operating License. (Call withday insert date).
	Notice of Receipt of Application for Facility License(s); Notice of Availability of Applicant's Environmental Report; and Notice of Consideration of Issuance of Facility License(s) and Notice of Opportunity for Hearing.
	Notice of Availability of NRC Draft/Final Environmental Statement.
	Notice of Limited Work Authorization.
	Notice of Availability of Safety Evaluation Report.
	Notice of Issuance of Construction Permit(s).
	Notice of Issuance of Facility Operating License(s) or Amendment(s).
	Order.
	Exemption.
	Notice of Granting Exemption.
	Environmental Assessment.
	Notice of Preparation of Environmental Assessment.
	Receipt of Petition for Director's Decision Under 10 CFR 2.206.
	Issuance of Final Director's Decision Under 10 CFR 2.206.
×	Other: Transfer of ownership.

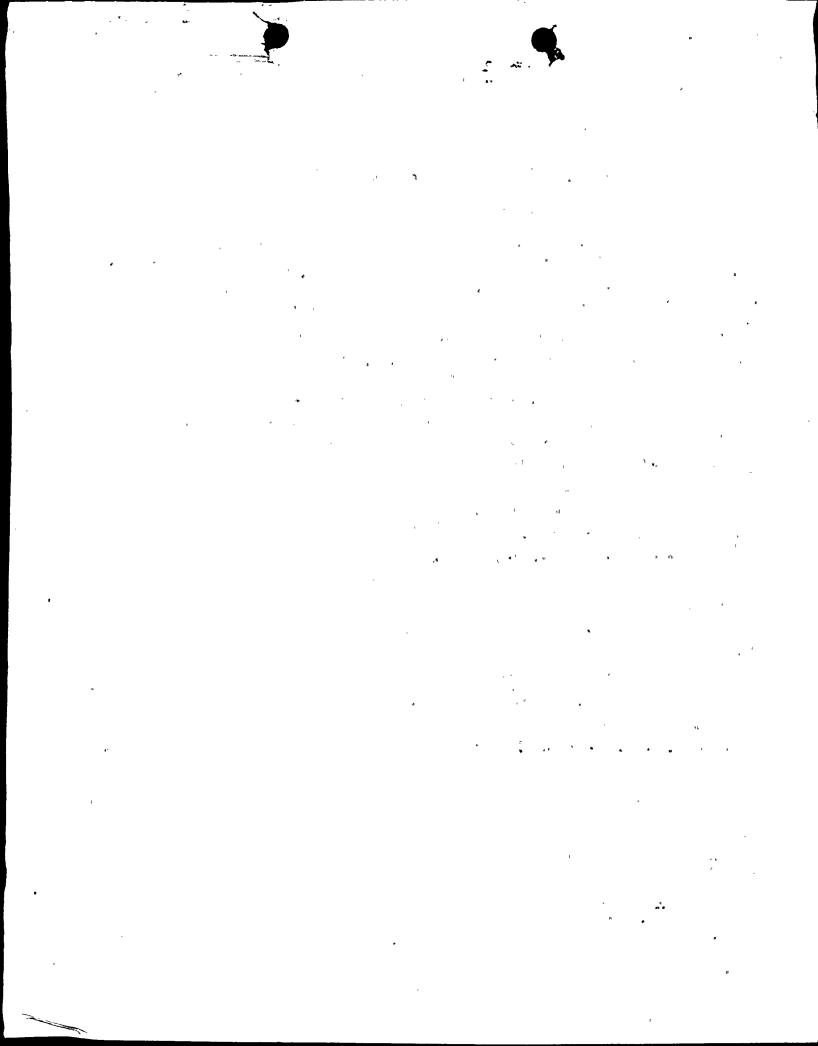
Office of Nuclear Reactor Regulation

Enclosure: As stated

Contact: Phone:

Linh Tran 504-1361

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

October 12, 1993

L. Tran B. Holian E: Barnhill PDV Reading File

Docket File

MEMORANDUM FOR:

Regulatory Publications Branch Division of Freedom of Information and Publications Services Office of Administration and Resources Management

FROM:

Office of Nuclear Reactor Regulation

St	IBJECT:				F AMENDMENT <u>-</u> AC NO. M87839)		
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Docket No. 50-528

Mr. William F. Conway Executive Vice President, Nuclear Arizona Public Service Company P.O. Box 53999 Phoenix, Arizona 85072-3999

Dear Mr. Conway:

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT - PALO VERDE

NUCLEAR GENERATING STATION, UNIT 1 (TAC NO. M87839)

The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for Hearing." This notice relates to your application for amendment dated September 8, 1993.

The proposed amendment would add a methodology supplement entitled, "System 80TH Inlet Flow Distribution," to the list of methods used to determine the core operating limits.

Sincerely,

Original signed by:

Brian E. Holian, Project Manager Project Directorate V Division of Reactor Projects III/IV/V Office of Nuclear Reactor Regulation

Enclosure: As Stated

cc w/enclosure: See next page

DISTRIBUTION:

Docket File

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Region V

NRC & Local PDRs

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DOCUMENT/NAME: PV87839.FRN



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

October 12, 1993

Docket No. 50-528

Mr. William F. Conway
Executive Vice President, Nuclear
Arizona Public Service Company
P.O. Box 53999
Phoenix, Arizona 85072-3999

Dear Mr. Conway:

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Sincerely,

Buten F. Halian Busines

Brian E. Holian, Project Manager Project Directorate V Division of Reactor Projects III/IV/V Office of Nuclear Reactor Regulation

Enclosure: As Stated

cc w/enclosure: See next page Mr. William F. Conway Arizona Public Service Company

cc: Mr. Steve Olea Arizona Corporation Commission 1200 W. Washington Street Phoenix, Arizona 85007

James A. Beoletto, Esq. Southern California Edison Company P. O. Box 800 Rosemead, California 91770

Senior Resident Inspector Palo Verde Nuclear Generating Station 5951 S. Wintersburg Road Tonopah, Arizona 85354-7537

Regional Administrator, Region V U. S. Nuclear Regulatory Commission 1450 Maria Lane Suite 210 Walnut Creek, California 94596

Mr. Charles B. Brinkman, Manager Washington Nuclear Operations ABB Combustion Engineering Nuclear Power 12300 Twinbrook Parkway, Suite 330 Rockville, Maryland 20852

Mr. Aubrey V. Godwin, Director Arizona Radiation Regulatory Agency 4814 South 40 Street Phoenix, Arizona 85040

Chairman Maricopa County Board of Supervisors 111 South Third Avenue Phoenix, Arizona 85003 Palo Verde

Jack R. Newman, Esq. Newman & Holtzinger, P.C. 1615 L Street, N.W., Suite 1000 Washington, D.C. 20036

Mr. Curtis Hoskins
Executive Vice President and
Chief Operating Officer
Palo Verde Services
2025 N. 3rd Street, Suite 220
Phoenix, Arizona 85004

Roy P. Lessey, Jr., Esq. Bradley W. Jones, Esq. Akin, Gump, Strauss, Hauer and Feld El Paso Electric Company 1333 New Hampshire Ave., Suite 400 Washington, D.C. 20036

Mr. Ronald J. Stevens, Director Nuclear Regulatory Affairs Arizona Public Service Company P. O. Box 52034 Phoenix, Arizona 85072-2034

UNITED STATES NUCLEAR REGULATORY COMMISSION PALO VERDE NUCLEAR GENERATING STATION. UNIT 1 DOCKET NO. 50-528

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE. 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-41 issued to Arizona Public Service Company (APS) for operation of the Palo Verde Nuclear Generating Station, Unit No. 1, located in Maricopa County, Arizona.

The proposed amendment would add a methodology supplement entitled, "System 80TM Inlet Flow Distribution," to the list of methods used to determine the core operating limits.

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:

<u>Standard 1</u> -- Involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated. The proposed change is administrative in nature and does not involve any change to the configuration or method of operation of any plant equipment that is used to mitigate the consequences of an accident. Also, the proposed change does not alter the conditions or assumptions in any of the Final Safety Analysis Report (FSAR) accident analyses. Since the FSAR accident analyses remain bounding, the radiological consequences previously evaluated are not adversely affected by the proposed change. Therefore, it can be concluded that the proposed change does not involve a significant increase in the probability of an accident previously evaluated.

<u>Standard 2</u> -- Create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated. The proposed change is administrative in nature and does not involve any change to the configuration or method of operation of any plant equipment that is used to mitigate the consequences of an accident. Accordingly, no new failure modes have been defined for any plant system or component important to safety nor has any new limiting failure been identified as a result of the proposed change. Therefore, it can be concluded that the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

Standard 3 -- Involve a significant reduction in a margin of safety.

The proposed change does not involve a significant reduction in a margin of safety. The proposed change is administrative in nature and does not adversely impact the plant's ability to meet applicable regulatory requirements. Therefore, it can be concluded that 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 thirty (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.

Ву , 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 the Phoenix Public Library, 12 East McDowell Road, Phoenix, Arizona 85004. 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: 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 Nancy C. Loftin, Esq., Corporate Secretary and Counsel, Arizona Public Service Company, P.O. Box 53999, Mail Station 9068, Phoenix, Arizona 85072-3999, 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 September 8, 1993, 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 the Phoenix Public Library, 12 East McDowell Road, Phoenix, Arizona 85004.

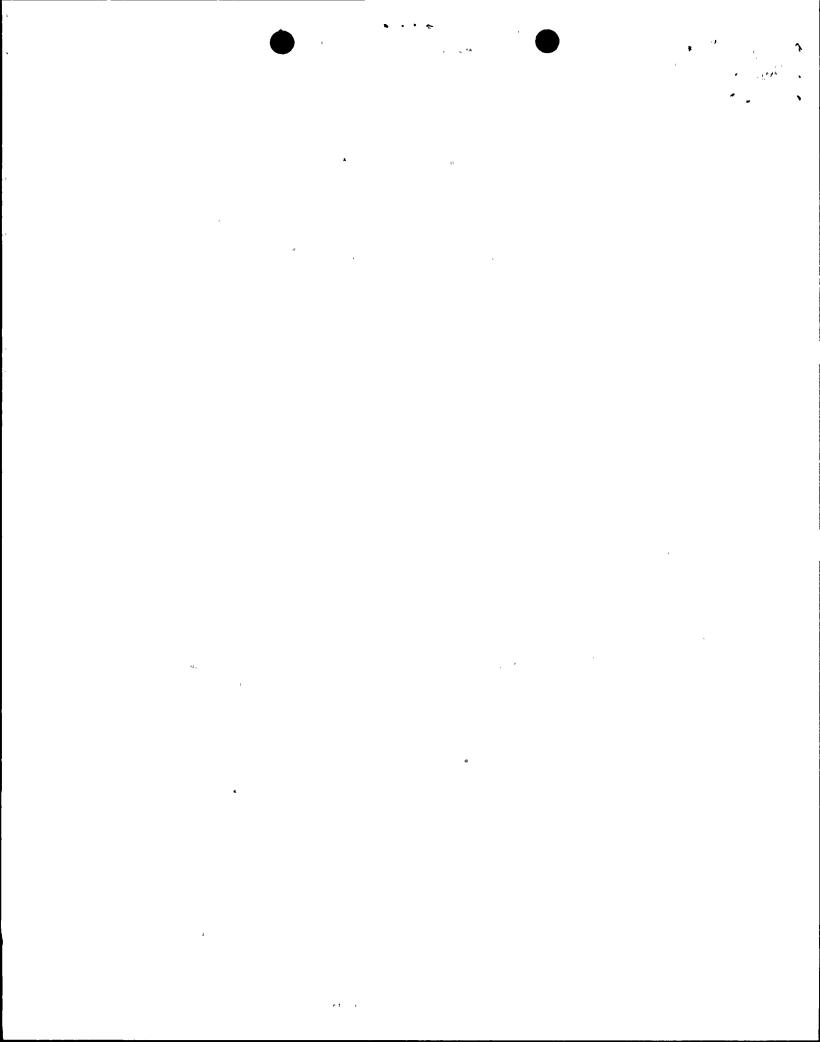
Dated at Rockville, Maryland, this 12th day of October

FOR THE NUCLEAR REGULATORY COMMISSION

B_E+12:

Brian E. Holian, Project Manager Project Directorate V Division of Reactor Projects III/IV/V Office of Nuclear Reactor Regulation

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UNITED STATES NUCLEAR REGULATORY COMMISSION WASHINGTON, D.C. 20555 July 9, 1993

Docket File PDV Reading File DFoster-Curseen CTRammell/LTran

50-529

MEMORANDUM FOR:

Regulatory Publications Branch Division of Freedom of Information and Publications Services Office of Administration and Resources Management

FROM:

Office of Nuclear Reactor Regulation

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