

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD ⁹³ MAY 27 1993 16

_____))
In the Matter of))
Boston Edison Company) Docket No. 50-293
(Pilgrim Nuclear Power Station))
_____)

CERTIFICATE OF SERVICE

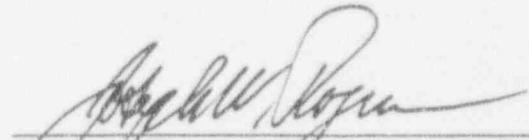
I hereby certify that copies of the foregoing pleadings to which this certificate is attached were served by Federal Express or first-class mail on the parties listed below on this date.

Rules Review and Directives Branch
Division of Freedom of Information
and Publication Services
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

W. S. Stowe, Esq.
Boston Edison Company
800 Boylston Street - 36th Floor
Boston, MA 02199

Office of the Secretary
Attn: Docketing and Service Branch
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555



Joseph W. Rogers
Assistant Attorney General

Dated: May 27, 1993

individual one or two days before the scheduled meeting to be advised of any changes in schedule, etc., that may have occurred.

Dated: April 22, 1993.

Sam Duraiswamy,

Chief, Nuclear Reactors Branch.

[FR Doc. 93-10165 Filed 4-29-93; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards; Subcommittee on Probabilistic Risk Assessment; Meeting

The ACRS Subcommittee on Probabilistic Risk Assessment will hold a meeting on May 11, 1993, in room P-110, 7920 Norfolk Avenue, Bethesda, MD.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows: Tuesday, May 11, 1993—8:30 a.m. Until the Conclusion of Business.

The Subcommittee will discuss the report of the PRA Working Group that summarizes activities of this Group and provides guidance for the staff regarding the application of PRA. The purpose of this meeting is to gather information, analyze relevant issues and facts, and to formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Recordings will be permitted only during those sessions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and staff. Persons desiring to make oral statements should notify the ACRS staff member named below as far in advance as is practicable so that appropriate arrangements can be made.

During the meeting, the Subcommittee, along with any of its consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC staff, the nuclear industry, its respective consultants, and other interested persons regarding this review.

Further information regarding topics to be discussed, the scheduling of sessions open to the public, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on

requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant ACRS staff engineer, Mr. Dean Houston (telephone 301/492-9521) between 7:30 a.m. and 4:15 p.m. (EDT). Persons planning to attend this meeting are urged to contact the above named individual one or two days before the scheduled meeting to be advised of any changes in schedule, etc., that may have occurred.

Dated: April 21, 1993.

Sam Duraiswamy,

Chief, Nuclear Reactors Branch.

[FR Doc. 93-10166 Filed 4-29-93; 8:45 am]

BILLING CODE 7590-01-M

Boston Edison Co; Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

[Docket No. 50-293]

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DFR-35, issued to Boston Edison Company (the licensee) for operation of the Pilgrim Nuclear Power Station, located in Plymouth County, Massachusetts.

The proposed amendment would increase the allowed fuel assembly storage cells from 2320 to 3859, and change the maximum loads allowed to travel over the spent fuel assemblies from 1000 lbs. to 2000 lbs., and change the limiting characteristics of assemblies to be stored in the spent fuel from a maximum K_{eff} of 1.35 to a maximum K_{eff} of 1.32 and a maximum lattice average Uranium enrichment of 54.6% by weight.

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. The proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The analyses performed by HOLTEC demonstrate the acceptability of the proposed Spent Fuel Storage expansion from a variety of perspectives. The analyses demonstrate K_{eff} will remain within acceptable limits even if an abnormal event, such as a fuel assembly misloading or assembly drop, should occur. It also has been demonstrated the spent fuel pool cooling system will continue to provide acceptable cooling of the stored assemblies, and there is sufficient time to take appropriate corrective action should all cooling be inadvertently lost. The racks are designed to seismic Class I requirements. An assembly inadvertently dropped on the racks would not prohibit the racks from performing their design function. The radiological consequences of a fuel handling accident remains within previously-established limits.

Movement of fuel assemblies and racks necessary for rack installation will be performed in accordance with our commitments to NUREG 0612, entitled: "Control of Heavy Loads at Nuclear Power Plants." Thus, the probability of an accident involving assembly damage will not be significantly increased. Based on these considerations, the probability or consequences of a previously evaluated accident is not significantly increased by installation activities.

To support the above conclusion, BECo has considered the following potential scenarios:

- A spent fuel assembly drop in the spent fuel pool.
- A loss of spent fuel pool cooling system flow.
- A seismic event.
- [An installation] * * * accident.

As detailed in Section 4 of HOLTEC Report HI-92925, BECo evaluated the consequences of a spent fuel assembly drop in the spent fuel pool and found the criticality acceptance criterion, K_{eff} 50.95, is not violated. Also, there is no significant change in the radiological consequences of a fuel assembly drop from the previous analyses since the calculated doses are well within 10 CFR Part 100 guidelines. Analysis shows that dropping a spent fuel assembly on the racks will not prohibit the racks from performing their safety function. Thus, the consequences of this type of accident are not significantly changed from the previously evaluated spent fuel assembly drops.

Certain racks in the pool will be equipped with overhead storage platforms. These platforms are flat plate structures. They serve to store miscellaneous items and protect the fuel assemblies stored underneath from damage. Dropping the platform from a height of 4 inches above the rack (a possible situation if the platform is ever moved in the pool) was analyzed. It was determined that dropping spent fuel from 4" above the racks

is a more severe event than a 4" drop of the platform with an assumed dry weight of 2000 lbs. Therefore, the fuel drop scenarios bound the platform drop condition.

During refueling activities, when the heat load in the pool is greatest, an intertie is available between the fuel pool cooling system and either loop of the Residual Heat Removal (RHR) system. The RHR pump and heat exchanger configuration provides greater cooling capacity for full core off-loads and as a backup to the normal fuel pool cooling system. This system will function during a loss of offsite power by utilizing emergency diesel generator AC power. The analysis in Section 5 of HOLTEC Report HI-87925 determined cooling capacities and maximum temperatures as well as the time-to-boil without cooling. The calculations show that if cooling is lost at the instant when the pool water reaches its maximum value during a full core off-load, there is a minimum of 6.4 hours before bulk boiling can occur.

During reactor power operation, the normal fuel pool cooling system is used with either of the two pumps and heat exchangers capable of maintaining the fuel pool well below boiling. In the event of a loss of offsite power, a temporary AC power interconnection is used to operate one or both pumps. Due to lower spent fuel pool heat loads during plant operation, more than 15 hours are available before bulk boiling can occur. Thus, the consequences of this event type are not significantly increased from previously-evaluated loss of cooling system flow events.

The consequences of a seismic event have been evaluated. The additional new racks will meet design and fabrication requirements of applicable NRC Regulatory Guides and industry standards. Seismic analyses on the new and existing racks were performed using both single rack 3-D (opposed phase motion) and Whole Pool Multi-Rack (WPMR) models. The results of these analyses indicate a large margin of kinematic and stress safety. The kinematic margin against rack-to-rack impact is at least 1 1/2 inches or rack-to-wall impact is at least 2 3/4 inches for all racks in the pool. Likewise, the maximum rack primary stresses under the Safe Shutdown Earthquake (SSE) condition are less than 50% of the allowable ASME Code value. Finally, the maximum bending moments and through-thickness shear in the supporting pool structure under factored load conditions are less than 80% of the respective allowables. The new free-standing racks are designed, as are the existing free-standing racks, so that the integrity of the racks and the pool structure is maintained during and after a seismic event. Thus, the consequences of a seismic event are not increased from previously evaluated events.

The consequences of an installation *** accident have been considered. A heavy load will not be carried in the spent fuel pool area until all fuel in the pool has decayed for a minimum of three months. Per NUREG 0612 this provides sufficient time for the decay of gaseous radionuclides in the fuel (gas activity) such that an assumed accidental release of gasses from damage to all stored fuel assemblies

results in a potential offsite dose less than 10CFR100 limits. In addition, there is no equipment essential to the safe shutdown of the reactor or employed to mitigate the consequences of an accident beneath, adjacent to, or otherwise within the area of influence of any loads to be handled during this expansion modification. Therefore, the consequences of an installation *** accident are not significantly increased from previously evaluated events.

NUREG-0554, entitled: "Single-Failure-Proof Cranes for Nuclear Power Plants", provides guidance for the design, fabrication, installation and testing of new cranes that are of a high reliability design. NUREG-0612, Appendix C, entitled: "Modification of Existing Cranes", provides guidelines on the implementation of NUREG-0554 at operating plants. An evaluation of storage rack movements to be performed by the PNPS Reactor Building crane demonstrated the probability of a drop of a storage rack is extremely small. The Reactor Building crane has a rated capacity of 100 tons and incorporates a design safety factor of five. The maximum weight of any existing or replacement storage rack and its associated handling tool is 15 tons. Therefore, there is an ample safety factor margin for movements of the storage racks by the Reactor Building crane.

Therefore, it is concluded that the proposed amendment supporting the addition of spent fuel racks in the spent fuel pool does not involve a significant increase in the probability or consequences of any accident previously evaluated.

2. The proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

No unproven technology is involved either in the installation process or in the analytical techniques necessary to justify the planned fuel storage expansion. The basic technology for fuel pool expansion has been developed and demonstrated in over 60 applications for fuel pool capacity increases previously approved by the NRC.

HOLTEC has evaluated the proposed modification in accordance with the guidance of an NRC position paper entitled: "OT Position for Review and Acceptance of Spent Fuel Storage and Handling Applications," with appropriate NRC Regulatory Guides, with NRC Standard Review Plans, and with industry codes and standards. In addition, BECO has reviewed several previous NRC Safety Evaluation Reports for rack installation applications similar to this proposed modification.

Based upon the foregoing, the proposed rack installation does not create the possibility of a new or different of accident from any accident previously evaluated.

3. The proposed amendment does not involve a significant reduction in a margin of safety.

The HOLTEC report demonstrates the acceptability of adding new racks from a variety of perspectives including criticality, thermal-hydraulic, radiological, seismic and structural considerations. The results of these analyses provide the basis for our conclusion

that the changes do not involve a significant reduction in a margin of safety.

The established acceptance criterion for criticality is that the effective neutron multiplication factor in spent fuel pools shall be less than or equal to 0.95, including all uncertainties, under all conditions. This margin of safety has been adhered to in the criticality analysis methods in developing the new rack design.

The methods used in the criticality analysis conform to the applicable portions of the appropriate NRC guidance and industry codes, standards, and specifications in meeting the acceptance criteria for criticality in the spent fuel pool such that K_{eff} is always less than or equal to 0.95, including uncertainties at a 95%/95% probability/confidence level, the proposed amendment does not involve a significant reduction in the margin of safety for nuclear criticality.

It is recognized that a one-to-one correspondence between the $K_{infinity}$ of a bundle in the standard core geometry and the K_{eff} in the fuel (rack) does not exist. The effect of higher fuel enrichments on the neutron energy spectrum is to reduce the $K_{infinity}$ (in the spent fuel rack). In order to provide a complete specification of fuel that can be stored in the PNPS pool, the criteria for both $K_{infinity}$ and fuel enrichment needs to be prescribed. Calculations have been performed to demonstrate that all fuel assemblies of up to 4.9% wt planar-average U-235 enrichment with a $K_{infinity}$ of 1.32 or less can be stored in the PNPS spent fuel pool with K_{eff} less than or equal to 0.95.

Conservative methods were used to calculate the maximum fuel temperature and the increase in temperature of the water in the spent fuel pool. The thermal-hydraulic evaluation used methods previously employed for evaluations of the present spent fuel racks to demonstrate the temperature margins of safety are maintained. The proposed modification will increase the heat load in the spent fuel pool. The evaluation shows the existing spent fuel cooling system will maintain the bulk pool water temperature at or below 147°F during refueling.

The evaluation also shows that maximum local water temperatures along the hottest fuel assembly are below the nucleate boiling condition value. Thus, there is no significant reduction in the margin of safety caused by thermal-hydraulic or spent fuel cooling concerns.

The main safety function of the spent fuel pool and racks is to maintain the spent fuel assemblies in a safe configuration through all normal or abnormal loadings. Abnormal loadings that have been considered are the effect of an earthquake, the drop of a spent fuel assembly, or the drop of any other heavy object. The mechanical, material, and structural design of the new spent fuel racks is in accordance with NRC guidance. The rack materials used are compatible with the spent fuel pool and the spent fuel assemblies. The structural considerations of the new racks and existing racks address margins of safety to preclude tilting, deflection or movement, thereby ensuring the racks do not impact each other during postulated seismic events. In addition the spent fuel assemblies

remain intact and no criticality concerns exist. Thus, the margin of safety is not significantly reduced by the proposed rack additions.

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 June 1, 1993, 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 Plymouth Public Library, 11 North Street, Plymouth, Massachusetts 02360. 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 Walter R. Butler: 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 W. S. Stowe, Esquire, Boston Edison Company, 800 Boylston Street, 36th Floor, Boston, Massachusetts 02199, 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).

The Commission hereby provides notice that this is a proceeding on an application for a license amendment falling within the scope of section 134 of the Nuclear Waste Policy Act of 1982 (NWPA), 42 U.S.C. 10154. Under section 134 of the NWPA, the Commission, at the request of any party to the proceeding, must use hybrid hearing procedures with respect to "any matter which the Commission determines to be in controversy among the parties." The hybrid procedures in section 134 provide for oral argument on matters in controversy, preceded by discovery under the Commission's rules, and the designation, following argument, of only those factual issues that involve a genuine and substantial dispute, together with any remaining questions of law, to be resolved in an adjudicatory hearing. Actual adjudicatory hearings are to be held on only those issues found to meet the criteria of section 134 and set for hearing after oral argument.

The Commission's rules implementing section 134 of the NWPA are found in 10 CFR part 2, subpart K, "Hybrid Hearing Procedures for Expansion of Spent Nuclear Fuel Storage Capacity at Civilian Nuclear Power Reactors" (published at 50 FR 41670, October 15, 1985) to 10 CFR 2.1101 *et seq.* Under those rules, any party to the proceeding may invoke the hybrid hearing procedures by filing with the presiding officer a written request for oral argument under 10 CFR 2.1109. To be timely, the request must be filed within 10 days of an order granting a request for hearing or petition to intervene. (As outlined above, the Commission's rules in 10 CFR part 2,

subpart G, and § 2.714 in particular, continue to govern the filing of requests for a hearing or petitions to intervene, as well as the admission of contentions.) The presiding officer may grant an untimely request for oral argument only upon showing of good cause by the requesting party for the failure to file on time and after providing the other parties an opportunity to respond to the untimely request. If the presiding officer grants a request for oral argument, any hearing held on the application shall be conducted in accordance with the hybrid hearing procedures. In essence, those procedures limit the time available for discovery and require that an oral argument be held to determine whether any contentions must be resolved in adjudicatory hearing. If no party to the proceedings requests oral argument, or if all untimely requests for oral argument are denied, then the usual procedures in 10 CFR part 2, subpart G, apply.

For further details with respect to this action, see the application for amendment dated February 11, 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 Plymouth Public Library, 11 North Street, Plymouth, Massachusetts 02360.

Dated at Rockville, Maryland, this 23rd day of April 1993.

For the Nuclear Regulatory Commission,
Ronald B. Eaton, Sr.,
Project Manager, Project Directorate 1-3,
Division of Reactor Projects-1/II, Office of
Nuclear Reactor Regulation.
[FR Doc. 93-10170 Filed 4-29-93; 8:45 am]
BILLING CODE 7590-01-0

[Docket No. 50-298]

Cooper Nuclear Station; Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-46, issued to the Nebraska Public Power District (the licensee), for operation of the Cooper Nuclear Station (CNS), located in Nemaha County, Nebraska.

The proposed amendment would remove Section 3/4.5.H, "Engineered Safeguards Compartments Cooling," and the associated Basis section from the CNS Technical Specifications (TS).

These requirements are redundant to the definition of OPERABILITY in the CNS TS, which requires that all necessary attendant instrumentation, controls, normal and emergency electrical power sources, cooling or seal water, lubrication or other auxiliary equipment that are required for a safety-related system to perform its safety function are also capable of performing their related support function(s). Therefore, removal of TS 3/4.5.H will not adversely affect the assurance of Emergency Core Cooling System pump operability, and will make the CNS TS consistent with the Boiling Water Reactor (BWR) Standard Technical Specifications in this regard.

During the performance of the licensee's ongoing Design Basis Reconstitution Program, the licensee determined that under certain accident conditions (a pipe break postulated to occur in the Core Spray System discharge line, combined with a loss of off-site power and with a failure of one Emergency Diesel Generator), there could be fewer than the required number of low-pressure Emergency Core Cooling System (ECCS) pumps available to respond to the accident than was assumed in the CNS accident analysis. This scenario would occur, in part, as a result of the loss of the Engineered Safeguards Compartment Coolers that are powered by the Emergency Diesel Generator that is assumed to fail.

Although the licensee is currently making a plant design change to ensure the operability of the residual heat removal (RHR) pumps without the RHR pump area coolers, the CNS TS still require these coolers to be "in service," hence, OPERABLE; otherwise the associated pumps, in this case the RHR pumps, must be declared INOPERABLE. However, the plant design change will allow the RHR pumps to perform their safety function and thus be OPERABLE without the coolers being in service. Thus, without approval of this proposed change, the required number of ECCS pumps needed for ASME Class I pressure testing and for plant operation would not be available and plant startup could not occur.

The licensee has stated that the proposed TS change is needed prior to Class I ASME pressure testing and reactor startup following the current refueling outage, currently scheduled for May 10, 1993. Thus, the Commission must act quickly and time does not permit the publication of a Federal Register notice allowing 30 days for prior public comment.

As stated above, the need for the proposed TS change was found during the course of the licensee's ongoing