



TU ELECTRIC

Log # TXX-94099
File # 916 (3/4.8)
10010
Ref. # 10CFR50.90
10CFR50.36
40CFR80.29

William J. Cahill, Jr.
Group Vice President

March 30, 1994

U. S. Nuclear Regulatory Commission
Attn: Document Control Room
Washington, DC 20555

SUBJECT: COMANCHE PEAK STEAM ELECTRIC STATION (CPSES)
DOCKET NOS. 50-445 AND 50-446
SUBMITTAL OF LICENSE AMENDMENT REQUEST 94-007
EMERGENCY DIESEL GENERATOR FUEL OIL SURVEILLANCE TESTING

Gentlemen:

Pursuant to 10CFR50.90, TU Electric hereby requests an amendment to the CPSES Unit 1 Facility Operating Licensing (NPF-87) and CPSES Unit 2 Facility Operating License (NPF-89) by incorporating the attached change into the CPSES Units 1 and 2 Technical Specifications.

Technical Specification Surveillance Requirement 4.8.1.1.2d requires that prior to addition to the storage tanks, new fuel oil shall be tested in accordance with ASTM-D975-1981. It also requires verification that the sample has "a clear and bright appearance with proper color" when tested in accordance with ASTM-D4176-1982. The requested change modifies the CPSES Technical Specifications to provide an alternate test method for assessing the acceptability of the new fuel oil. The alternate method requires verification that the new fuel oil sample contains less than or equal to 0.05% volume water and sediment, when tested in accordance with ASTM-D1796-1968.

Attachment 1 is the required affidavit. Attachment 2 provides a detailed description of the proposed change, a safety analysis of the change and TU Electric's determination that the proposed change does not involve a significant hazard consideration. Attachment 3 provides the affected Technical Specification pages, marked up to reflect the proposed change. Also enclosed are copies of 40CFR80.29, "Fuels and Fuel Additives"; 58FR68304-26CFR Parts 47 and 48, "Amendments to the Temporary Fuel Floor Stocks Taxes Regulations"; and Internal Revenue Service Notice 94-21.

In accordance with 10CFR50.91(b), TU Electric is providing the State of Texas with a copy of this requested amendment.

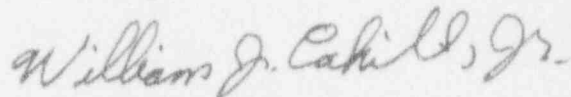
Handwritten signature: Aool

9404040220 940330
PDR ADDCK 05000445
P PDR

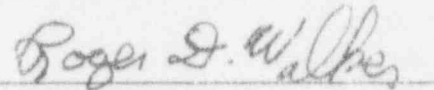
TU Electric requests approval as quickly as reasonably possible to avoid impact on plant operations and potential technical specification compliance problems. Upon NRC approval of the requested changes, TU Electric requests a 30 day implementation period following the date of license amendment issuance.

Should you have any questions regarding the requested amendment, please contact Mr. Manu Patel at (214) 812-8298.

Sincerely,



William J. Cahill, Jr.

By: 

Roger D. Walker
Regulatory Affairs Manager

MCP/grp

Attachments: 1. Affidavit
 2. Description and Assessment
 3. Affected Technical Specification pages (NUREG-1468) as revised

Enclosures: 1. 40CFR80.29, Fuel and Fuel Additives
 2. 26 CFR Parts 47 and 48, Regulations on Diesel Fuel Oil
 3. Internal Revenue Service Notice 94-21 of February 18, 1994

c - Mr. L. J. Callan, Region IV
 Mr. L. A. Yandell, Region IV
 Mr. T. A. Bergman, NRR
 Resident Inspectors, CPSES (2)

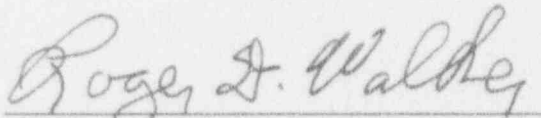
Mr. D. K. Lacker
Bureau of Radiation Control
Texas Department of Public Health
1110 West 49th Street
Austin, Texas 78704

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
Texas Utilities Electric Company) Docket Nos. 50-445
) 50-446
(Comanche Peak Steam Electric)
Station, Units 1 & 2))

AFFIDAVIT

Roger D. Walker being duly sworn, hereby deposes and says that he is Regulatory Affairs Manager of TU Electric, that he is duly authorized to sign and file with the Nuclear Regulatory Commission this License Amendment Request 94-007; that he is familiar with the content thereof; and that the matters set forth therein are true and correct to the best of his knowledge, information and belief.

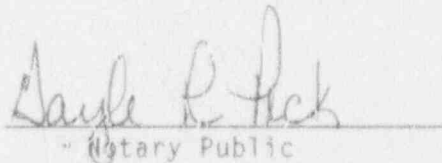


Roger D. Walker
Regulatory Affairs Manager

STATE OF TEXAS)
)
COUNTY OF DALLAS)

Subscribed and sworn to before me, a Notary Public, on this 28th day of March, 1994.




Notary Public

ATTACHMENT 2 TO TXX-94099

DESCRIPTION AND ASSESSMENT

DESCRIPTION AND ASSESSMENT

I. BACKGROUND

The Comanche Peak Steam Electric Station's (CPSES) Diesel Generators operate using high sulfur, non-highway diesel fuel oil. Effective October 1, 1993, the Environmental Protection Agency (EPA), in accordance with 40 CFR 80.29, requires that high sulfur, non-highway diesel fuel oil be dyed blue with 1.4 dialkylamino anthraquinone. The concentration of the dye in the fuel oil is not specified by the EPA. Effective January 1, 1994, the Internal Revenue Service (IRS) in accordance with 26 CFR 48.4082-1T as amended by IRS Notice 94-21 requires high sulfur diesel fuel oil to be dyed blue with the same dye specified by the EPA, but in a concentration of at least 1.2 pounds of active ingredient (exclusive of the solvent) per thousand barrels of diesel fuel. The present dye concentration has not posed a problem with Technical Specification compliance; however, the amended IRS regulations also require the use of increased amounts of the blue dye (specified as color index solvent blue 98) in concentrations of at least 4 pounds after March 31, 1994, and of at least 10 pounds after June 30, 1994, of active ingredient (exclusive of the solvent) per thousand barrels of diesel fuel. The IRS requirement to dye high sulfur diesel fuel oil facilitates the detection of tax evasion.

Texas Utilities (TU) Electric recently obtained a sample of the dye and prepared mixtures of dyed diesel fuel oil at different concentrations. The acceptability of the mixture at approximately the concentration of dye required by the amended IRS regulations from March 31, 1994, through June 30, 1994, as new fuel oil at CPSES would have been in doubt for two reasons. (1) The CPSES Technical Specification's specify the use of ASTM-D4176-1982, which requires that the fuel oil possess a color of ASTM 5 or less. The dyed fuel oil was darker than ASTM 5. (2) The color of the dyed fuel oil was too dark to detect water and sediment via visual observation. The ability to detect water and sediment visually is inherent in performing a "clear and bright" test in accordance with the Technical Specifications.

TU Electric is thereby requesting a change to the CPSES Technical Specifications allowing the use of ASTM-D1796-1968 as an alternate method for determining the acceptability of water and sediment in new Diesel Generator fuel oil receipts. Implementation of the requested change will allow CPSES to continue to receive Diesel Generator fuel oil that meets the detailed requirements of ASTM-D975-1981.

II. DESCRIPTION OF TECHNICAL SPECIFICATION CHANGE REQUEST

The following specific change is proposed for Technical Specification 3/4.8.1, "A.C. Sources":

Surveillance Requirement 4.8.1.1.2d.1) states, in part, the following regarding the acceptability of new fuel oil, "By verifying in accordance with the tests specified in ASTM-D975-1981 ... that the sample has ... a clear and bright appearance with proper color when tested in accordance with ASTM-D4176-1982."

The requested change revises section 4.8.1.1.2d.1)d) to allow an alternative test to the "clear and bright" test of ASTM-D4176-1982. The alternate test would verify that the new fuel oil sample "has a water and sediment content of less than or equal to 0.05% volume".

In summation, the change does not delete any of the present surveillance requirements, but provides an alternative test method for determining the acceptability of new fuel oil. In accordance with ASTM-D975-1981, the new method utilizes ASTM-D1796-1968, with an acceptance limit of 0.05% water and sediment by volume.

III. ANALYSIS

The change to surveillance requirement 4.8.1.1.2d.1)d), described above continues to provide an adequate level of safety. The amended IRS regulations which are required to be implemented as of April 1, 1994, may prevent the acceptability determination of new Diesel Generator fuel oil in accordance with ASTM-D4176-1982. TU Electric has researched the bases for the acceptance criterion of fuel oil testing performed in accordance with ASTM-D4176-1982, and concluded that the quantitative acceptance criterion for water and sediment in No. 2 Diesel Generator fuel oil is presented in ASTM-D975-1981. The acceptance criterion as presented in ASTM-D975-1981, is less than or equal to 0.05% volume water and sediment. TU Electric's conclusion is supported by the CPSES Unit 1 and 2 Technical Specifications which bases overall acceptance of new fuel on ASTM-D975-1981. In addition, the version of the Westinghouse Standard Technical Specifications which was provided by the NRC (Reference 1) for use in developing the CPSES Technical Specifications, contains this same criterion.

ASTM-D4176-1982, provides a pass/fail test which confirms that the fuel oil is "clear and bright." ASTM-D1796-1968 provides test methodology that allows confirmation that the percent volume of water and sediment is less than or equal to 0.05%. These test methods provide an essentially equivalent level of assurance that the level of water and sediment in new fuel oil is low enough to allow its use at CPSES.

IV. SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

As required by 10 CFR 50.91(a)(1), an analysis is provided below to demonstrate that the requested license amendment involves no significant hazards considerations.

1. Operation of the CPSES in accordance with the requested license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

Either the current testing option, which remains valid for fuel oil with ASTM Color 5 or less, or the alternative testing method, provide the necessary assurance that the water and sediment quantity in the new fuel oil is acceptable. As the performance of the quantitative water and sediment test of ASTM-D1796-1968, maintains essentially the same attribute qualities of the new fuel oil, there should not be any undetected degradation in the Diesel Generator fuel oil supply.

Therefore, since the fuel oil supply will be maintained at its present quality level, there should be no increase in the probability or consequences of an accident previously evaluated.

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

As stated in 1) above, the proposed amendment only provides a quantitative method for the acceptability determination of new Diesel Generator fuel oil. The proposed testing will continue to verify the high quality and acceptability of the fuel oil supply. There should not be any possibility that a new or different kind of accident from those previously evaluated is created.

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

The only margin associated with this amendment is the margin between the acceptance limit on water and sediment in the fuel oil supply and the quantity of water and sediment that could impact Diesel Generator operation. The "clear and bright" testing per ASTM-D4176-1982 and the proposed quantitative testing per ASTM-D1796-1968 are both written to detect and reject fuel oil containing water or sediment at essentially the same level. The margin of safety to Diesel Generator impairment is therefore not reduced. This amendment request does not involve a significant reduction in a margin of safety.

Conclusion:

On the basis of the above evaluations, TU Electric concludes that the activities associated with the requested changes satisfy the no significant hazards consideration standards of 10 CFR 50.92(c) and, accordingly, a no significant hazards consideration finding is justified.

V. ENVIRONMENTAL EVALUATION

TU Electric has evaluated the requested changes and has determined that the changes do not involve (i) a significant hazards consideration, (ii) a significant change in the types or significant increase in the amounts of any effluent that may be released offsite, or (iii) a significant increase in individual or cumulative occupational radiation exposure. Accordingly, the requested changes meet the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(9). Therefore, pursuant to 10 CFR 51.22(b), an environmental assessment of the requested change is not required.

VI. REFERENCES

- 1) NRC letter dated August 14, 1987, transmitting "Standard Technical Specifications for Westinghouse Pressurized Water Reactors," applicable to CPSES.