

UNITED STATES NUCLEAR REGULATORY COMMISSION

GEORGIA POWER COMPANY, ET AL,

VOGTLE ELECTRIC GENERATING PLANT

DOCKET NOS. 50-424 AND 425

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO  
FACILITY OPERATING LICENSES, PROPOSED NO SIGNIFICANT HAZARDS  
CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. NPF-68 and NPF-81 issued to Georgia Power Company, et al. (the licensee), for operation of the Vogtle Electric Generating Plant, Units 1 and 2, located in Burke County, Georgia.

The proposed amendments would change surveillance requirements in Technical Specifications (TS) 3/4.7.6, 3/4.7.7, and 3/4.9.12 and associated TS bases, to revise the minimum heater capacity, and the relative humidity testing requirements for the control room emergency filtration system (CREFS), the piping penetration area filtration and exhaust systems (PPAFES), and the fuel handling building post accident filter system (FHBPAFS). The surveillance requirements in TS 4.7.7 and 4.9.12 for the charcoal adsorber decontamination efficiency for PPAFES and FHBPAFS would also be revised. Specifically, the proposed changes would revise:

- (1) The minimum heater capacities in TS 4.7.6e(4), 4.7.7d(4), and 4.9.12d(4) for CREFS, PPAFES, and FHBPAFS to 95 kilowatts (kw), 65 kw, and 16 kw, respectively;
- (2) the charcoal adsorber decontamination efficiency testing requirements of TS 4.7.7b(2), 4.7.7c, 4.9.12b(2), and 4.9.12c for PPAFES and FHBPAFS to change the relative humidity and methyl iodide penetration criteria limits, 70 and 99.8 percent, to 95 and 90 percent, respectively; and

(3) TSs 4.7.6c(2), 4.7.6d, 4.7.7b(2), 4.7.7c, 4.9.12b(2), and 4.9.12c to refer to ASTM D3803-89 for laboratory testing of charcoal filters. Additionally, the temporary footnote to TS 4.7.7d(4) would be deleted. TS Bases 3/4.7.6, 3/4.7.7, and 3/4.9.12 would also be revised to reflect the proposed changes.

The CREFS, PPAFES, and FHBPAFS systems ensure that, following a loss of coolant accident, potential radioactive materials leaking from the containment would be filtered such that offsite and control room doses would meet regulatory limits. The TS surveillance requirements ensure that the heaters in these systems are periodically verified to be operable and capable of reducing relative humidity of incoming air to a level necessary to assure proper functioning of the filters.

Previously, by letter dated December 20, 1990, the licensee requested a change to TS 4.7.7.d.4 on the basis that the TS surveillance limits for heat outputs were overly conservative because they were based on the purchase specification's rated capacity for heaters and not on the filter system's design basis functional requirements (i.e., to maintain offsite and control room doses within regulatory limits). In response to the licensee's request, the NRC staff issued Vogtle Amendments 37 (Unit 1) and 27 (Unit 2). These amendments implemented a temporary revision to TS 4.7.7.d.4, allowing surveillance of heaters in the PPAFES to be conducted by verifying that the heater capacity is sufficient to maintain the relative humidity of the airstream through the filters at 70 percent or less under design basis accident conditions when tested in accordance with Section 14 of ANSI N510-1980. The TS change was applicable until restart following the fourth

refueling outage for Unit 1 and until restart following the second refueling outage for Unit 2. By its application of November 11, 1991, as supplemented by letter dated January 23, 1992, the licensee now proposes to make these TS changes permanent. Additionally, the licensee proposes similar changes to TS 4.7.6 and 4.9.12.

In support of its request, the licensee has performed accident evaluations and analyses of CREFS, PPAFES, and FHBPAFS performance, to demonstrate filter performance and capabilities to meet post accident dose limits of 10 CFR 100.11 and 10 CFR 50 Appendix A, General Design Criterion 19. These analyses and evaluations have taken into consideration various parameters such as (1) minimum voltage expected at the heaters in the event of loss of off-site power, (2) ventilation system airflow, (3) initial room temperature and relative humidity, and (4) emergency core cooling system leakage moisture.

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 revised surveillance requirements do not increase the probability or consequences of accidents previously evaluated in the Final Safety Analysis Report (FSAR). The filter systems do not function as initiators of any accidents evaluated in the FSAR. The filter system will continue to perform its safety function as assumed in the revised dose analyses. Because no modifications are being made to the filter systems and the surveillance requirements are consistent with the performance requirements of the filter system, it can be concluded that the filter systems will continue to function as designed. Based on the results of the accident analysis, the changes will result in a reduction of the radiological consequences of a loss of coolant accident (LOCA) as previously evaluated in the FSAR.
2. The revisions to the surveillance requirements will not create the possibility of a new or different kind of accident other than those already evaluated in the FSAR. No physical changes are being made to the filter systems, and the revised surveillance requirements demonstrate continued operability of the filter systems; therefore, no new accident scenarios, failure mechanisms, or limiting single failures are introduced.
3. The margin of safety provided by the Technical Specifications relative to the ability of the filter systems to perform their safety function is not significantly changed. The program to reduce leakage from those portions of the systems outside containment that could contain highly radioactive fluids during a serious transient or accident to as low as practical levels is maintained, and the revised filtration system surveillance requirements continue to show that the filter systems will control radioactivity releases and resultant offsite and control room doses to levels less than or equal to the acceptance values for previous accident analyses.

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. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Regulatory Publications 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. 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 March 12, 1992, 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 Burke County Public Library, 412 Fourth Street, Waynesboro, Georgia. 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 Panel, 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 Panel 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 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. 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.

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.

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 ten (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) 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 David B. Matthews: 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



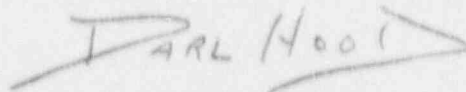
Regulatory Commission, Washington, DC 20555, and to Mr. Arthur H. Dombay, Troutman, Sanders, Lockerman and Ashmore, Candler Building, Suite 1400, 127 Peachtree Street, NE., Atlanta, Georgia 30043, attorney for the licensee.

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 Atomic Safety and Licensing Board Panel 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 November 11, 1991, as supplemented January 23, 1992, 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 Burke County Public Library, 412 Fourth Street, Waynesboro, Georgia 30830.

Dated at Rockville, Maryland, this 5th day of February 1992.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink that reads "Darl Hood". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Darl S. Hood, Project Manager  
Project Directorate 11-3  
Division of Reactor Projects - 1/11  
Office of Nuclear Reactor Regulation