



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NOS. 213 AND 218 TO FACILITY OPERATING

LICENSE NOS. DPR-44 and DPR-56

PECO ENERGY COMPANY
PUBLIC SERVICE ELECTRIC AND GAS COMPANY
DELMARVA POWER AND LIGHT COMPANY
ATLANTIC CITY ELECTRIC COMPANY

PEACH BOTTOM ATOMIC POWER STATION, UNIT NOS. 2 AND 3

DOCKET NOS. 50-277 AND 50-278

1.0 INTRODUCTION

By letter dated December 19, 1995, PECO Energy Company (the licensee) submitted a request for changes to the Peach Bottom Atomic Power Station, Unit Nos. 2 and 3, Technical Specifications (TS). The requested changes would revise the ventilation filter test program bypass and penetration leakage test acceptance criteria in the Peach Bottom Improved Technical Specifications (ITS) from less than 0.05 percent to less than 1.0 percent. The change corrects an administrative error that occurred during the development of the ITS which were issued as Amendments 210 and 214 to the Peach Bottom licenses on August 30, 1995 and which are due to be implemented by January 28, 1996.

2.0 EVALUATION

Sections 3/4.7.B and 4.11.A of the current Peach Bottom TS contain testing requirements for the filters and charcoal adsorber banks for the standby gas treatment system (SGTS) and main control room emergency ventilation systems (MCREVS) respectively. Those TS require the licensee to periodically demonstrate that the removal rate for the filters and adsorbers is greater than or equal to 99%. The 99% removal efficiency requirement is the equivalent to a requirement specifying a bypass and penetration leakage allowance of less than 1%.

In its application to adopt improved technical specifications for Peach Bottom (technical specification change request (TSCR) 93-16, dated September 29, 1994, and supplements), the licensee proposed implementation of the TS Ventilation Filter Test Program (VFTP) and proposed to transfer several existing TS requirements into that program. In the process of drafting the bypass and penetration leakage test acceptance criteria, the licensee specified an acceptance criteria of less than 0.05%, although it stated that the acceptance criteria were equivalent to existing specifications.

In section 2.5.0.4 of the safety evaluation that accompanied Amendments 210 and 214, the staff stated:

Requirements in CTS [current technical specifications] 3/4.7.B, Standby Gas Treatment System, and 4.11.A, Main Control Room Emergency Ventilation System, regarding testing of HEPA filters and charcoal absorber banks are incorporated into ITS 5.5.7, Ventilation Filter Testing Program. The Ventilation Filter Testing Program specifies testing requirements equivalent to the CTS; however, references to the appropriate sections of Regulatory Guide 1.52 and ASME N510-1989 were added for clarity. This change is administrative, is consistent with the STS [standard technical specifications], and is acceptable.

In the December 19, 1995 application, the licensee stated that when it developed (TSCR) 93-16, it had intended to retain acceptance criteria equivalent to those contained in the current technical specifications (i.e., bypass and penetration leakage of less than 1.0%). However, during the development of TSCR, the licensee's staff inadvertently substituted the acceptance criteria of Regulatory Guide 1.52 (bypass and penetration leakage of less than 0.05%). In the December 19, 1995 application, the licensee stated that this was an administrative error that occurred during the development of TSCR 93-16.

Based on the above discussion, the staff concludes that the 1.0% bypass and penetration leakage acceptance criteria contained in the current technical specifications remains an appropriate value for the ITS VFTP and was intended to be carried into the ITS. Therefore, the staff finds the licensee's proposed changes to the ITS VFTP acceptable.

3.0 EXIGENT CIRCUMSTANCES

The Commission's regulations in 10 CFR 50.91 contain provisions for issuance of amendments with less than a 30-day comment period if either emergency or exigent circumstances are determined to exist.

Emergency situations involve those cases in which failure to act in a timely way results in the derating or shutdown of a nuclear power plant or prevents either resumption of operation or increase in power output up to the plant's licensed power level. Under emergency circumstances, the Commission may issue a license amendment involving no significant hazards consideration without prior notice and opportunity for a hearing or for public comment. In such a situation, the Commission publishes a notice of issuance under 10 CFR 2.106, providing for opportunity for a hearing and for public comment after issuance.

The processing of an amendment under exigent circumstances usually applies to those cases in which the licensee and Commission must act promptly, but failure to act promptly does not involve a plant shutdown, derating, or delay in startup. For both emergency and exigent circumstances, the licensee is required to explain the reason for the condition and why it could not be avoided. This requirement is intended to prevent the abuse of the special provisions of 10 CFR 50.91(a)(6). Under exigent circumstances, the Commission notifies the public in one of two ways: by issuing a Federal Register notice providing notice of an opportunity for hearing and allowing at least 2 weeks from the date of the notice for prior public comment; or by using local media to provide reasonable notice to the public in the area surrounding a licensee's facility and providing special instructions for providing comment. For this amendment request, the Commission employed the first approach with a Federal Register notice published on December 27, 1995 (60 FR 66997), which presented the staff's proposed no significant hazards consideration determination and requested public comment within 15 days of the date of publication of the notice.

In the December 19, 1995 application, the licensee provided the following discussion to support exigent review of the application:

"PECO Energy requests exigent handling of TS Change Request No. 95-13. On December 11, 1995, it was determined that a change to the Improved Technical Specifications issued by Amendments 210 and 214 to Unit 2 and Unit 3, respectively, was required. An administrative error in the VFTP would result in the Engineered Safety Feature (ESF) filter ventilation systems being declared inoperable upon implementation of Improved Technical Specifications which is scheduled for January 11, 1996. Because these ESF filter ventilation systems are common to both Units and because the ESF filter ventilation systems cannot be maintained operable in accordance with the administrative error in the VFTP, a shutdown of both Units would be required. Therefore, approval of TS Change Request No. 95-13 in advance of the implementation of Improved Technical Specifications would result in eliminating unnecessary hardship.

The staff has reviewed the licensee's justification and concludes that correction of errors prior to implementation of the Improved Technical Specifications is an acceptable basis for exigent review and therefore, is issuing this amendment on an exigent basis following a 15-day comment period as permitted by 10 CFR 50.91(a)(6).

4.0 FINAL NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

The Commission's regulations in 10 CFR 50.92 state that the Commission may make a final determination that a license amendment involves no significant hazards considerations if operation of the facility in accordance with the amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, (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. In the December 19, 1995 application, the licensee provided the following analysis:

- 1) The proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated because the changes are purely administrative and do not involve any physical changes to plant SSC [systems, structures and components]. These proposed changes do not impact initiators of analyzed events, and will not increase the probability of occurrence of an accident previously evaluated. These proposed changes do not impact the assumed mitigation of accidents or transient events. Therefore, these changes will not involve a significant increase in the probability or consequences of an accident previously evaluated.
- 2) The proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated because the changes will not involve a physical alteration of the plant (no new or different type of equipment will be installed) or changes in methods governing normal plant operation. The changes do not allow plant operation in any mode that is not already evaluated in the safety analysis. Therefore, these changes will not create the possibility of a new or different kind of accident from any accident previously evaluated.
- 3) The proposed changes do not involve a significant reduction in a margin of safety because they are purely administrative and will not involve any technical changes. Generic Letter 83-13 (GL 83-13), "Clarification of Surveillance Requirements for HEPA [high efficiency particulate air] Filters and Charcoal Adsorber Units in Standard Technical Specifications on ESF Cleanup Systems," was reviewed for guidance. GL 83-13 based in-place penetration and bypass leakage testing acceptance criteria in part on the NRC staff assumptions used in its safety evaluation reports (SERs) for the ESF atmospheric cleanup systems. GL 83-13 stated, "0.05% value applicable when a HEPA filter or charcoal adsorber efficiency of 99% is assumed, or 1% when a HEPA filter or charcoal adsorber efficiency of 95% or less is assumed in the NRC staff's safety evaluation." In the original SER for PBAPS dated August 11, 1972, the NRC staff assumed a 90% halogen removal efficiency for the elemental and particulate forms of iodine, and 70% for the organic forms of iodine in the HEPA filters and charcoal adsorbers of the Standby Gas Treatment System (SGTS). The SER for Amendments 10/7 dated June 25, 1975 was issued to resolve an issue raised by a December 10, 1974, letter from the NRC proposing model TS [technical specifications] for PBAPS Control Room Air Treatment Systems and SGTS. The June 25, 1975, SER documented the acceptability of values of less than 1% penetration and bypass leakage which is still in place in the existing TS Bases. No SERs assumed HEPA filter or charcoal adsorber efficiency of 99%. Therefore, GL 83-13 recommends

acceptance of less than 1% penetration and bypass leakage. Therefore, maintaining the current requirements for penetration and bypass leakage does not involve a reduction in the margin of safety. Also, because the change is administrative in nature, no question of safety is involved. Therefore, the change does not involve a significant reduction in a margin of safety.

Based upon the above considerations, the staff concludes that the amendment meets the three criteria of 10 CFR 50.92. Therefore, the staff has made a final determination that the proposed amendment does not involve a significant hazards consideration.

5.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Pennsylvania State official was notified of the proposed issuance of the amendments. The State official had no comments.

6.0 ENVIRONMENTAL CONSIDERATION

The amendments change a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendments involve no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration, and there has been no public comment on such finding (60 FR 66997). Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

7.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

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