

9/19/83

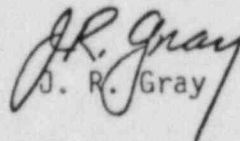
Note to: J. Lombardo

From: J. R. Gray

SUBJECT: OYSTER CREEK AMENDMENT INVOLVING ORGANIZATION CHANGES

OELD has been asked to concur in a proposed notice for Oyster Creek that involves substantial changes in the licensee's organization for reviewing plant, procedure and license modification. A notice for this particular license change was previously reviewed by JELD and found to be deficient with regard to the basis for the NSHC finding.

While the instant notice describes in detail the substance of the changes, it still provides no basis for the proposed NSHC finding. The proposed notice says the amendments involve NSHC because they don't significantly increase the probability/consequences of accidents, don't significantly decrease a safety margin and don't create a new accident. This is essentially like saying the amendments don't involve SHC because they don't involve SHC. You need to provide the bases (reasons) for why the amendments will not (1) significantly increase the probability/consequences of accidents previously considered, (2) create the possibility of a new or different accident from any previously considered, and (3) significantly reduce a safety margin. In the absence of rational bases for the proposed NSHC finding, we are not prepared to concur in the proposed notice at this time.


J. R. Gray

8502090139 840518
PDR FOIA
ADAT084-166 PDR

260

10/3/83

Note to: C. Trammell
From: J. Gray
SUBJECT: COMMISSION PAPER AND PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION (NSHC) DETERMINATION FOR TROJAN SFP
CAPACITY EXPANSION

OELD has been asked to concur in a Commission paper and a proposed notice of preliminary NSHC finding for a license amendment authorizing expansion of the storage capacity of the Trojan SFP. The Commission paper advises the Commission of the Staff's proposal to find that the amendment involves NSHC. The proposed notice describes the amendment and sets forth the basis for the proposed NSHC finding. I have several comments on both which I believe ought to be resolved before I would concur in the package.

As to the proposed Commission paper, I note that a similar paper was sent to the Commission for a re-rack for Oconee-3. The Commission elected to treat that as a request for a notation vote and may view a similar paper for Trojan the same way. In any event, consistent with the Oconee-3 Commission paper, I believe that you should, in the Commission paper itself, summarize the basis for the proposed NSHC finding in addition to the presently proposed discussion of SECY-83-337.

On the proposed notice, and specifically on the bases for the NSHC finding, I have one general comment and one specific concern. Generally, the notice speaks in terms of what the Licensee states or asserts rather than in terms of what the Staff is finding. Since the proposed NSHC determination is being made by the NRC, the bases for such determination ought to be affirmative findings by the Staff (even though, at bottom, the Staff may only be adopting the Licensee's arguments). Thus, I have noted some minor language changes in pp. 2-9 of the proposed notice that would make the proposed determination on NSHC that of the Staff rather than of the Licensee.

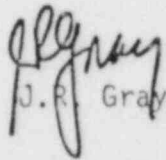
Of greater significance is the proposed basis for finding that the amendment will not significantly increase the consequences of heavy load handling accidents (proposed notice, pp. 5, 7). You indicate that the only possible heavy load handling accident is a cask drop in the pool but that there is not likely to be any casks in the pool before 1998. (With Trojan's history of fuel degradation, I am not sure that Licensee won't find it necessary to ship some damaged fuel offsite for analysis before 1998). You go on to say that before that time an analysis will be done and, therefore, this amendment does not involve a significant increase in the consequences of a cask drop. That is basically

~~9405260434~~

261

a non sequiter. As it stands, nothing now prohibits Licensee from putting a shipping cask in the SFP. After the instant SFP amendment, nothing will prohibit Licensee from putting a shipping cask in the SFP. What does change is that, after the instant SFP amendment, with more fuel stored in the SFP, the consequences of a cask handling accident may be greater. The consequences have not been analyzed and we don't know whether they will change or not. That being the case, we cannot say now that this license amendment will not significantly increase the consequences of a cask handling accident. The proposed basis for this finding (some future cask handling analysis) just doesn't make sense. Some other basis is needed.

I will be prepared to discuss my concerns with you whenever you return from travel.


J. R. Gray