

October 12, 1983

Note to: D. Neighbors
From: J. Gray
SUBJECT: SURRY-1 AMENDMENTS REDUCING BORON CONCENTRATION

OELD has been asked to concur in a proposed notice and preliminary no significant hazards consideration (NSHC) finding for a license amendment reducing the minimum boron concentration in the Surry-1 boron injection tank from 11.5% to 0% and in the boric acid system from 11.5% to 7%. Because I don't believe we have provided an adequate basis for the proposed NSHC finding, I am not prepared to concur at this time.

The problems I have are twofold. First, the notice states that the amendment falls within example (vi) of actions likely to involve NSHC yet there is no showing at all that this amendment involves an action which, while possibly increasing the probability or consequences of an accident or reducing a safety margin, nevertheless meets all acceptable criteria with respect to a system or component specified in the Standard Review Plan. The conclusory statement that "the staff has reviewed and approved a number of plants as meeting the acceptance criteria" doesn't appear to have any relationship to anything involved in this amendment and surely doesn't show that example (vi) applies for this specific amendment for this particular plant. If you are going to contend that example (vi) applies, you must show clearly in the notice why that is so.

Second, you cite example (iii) of actions likely to involve SHC and then state that it is not applicable here because of compensatory actions the licensee will take. However, you can't create new examples of actions likely to involve NSHC by modifying the Commission's examples of actions likely to involve SHC and the discussion involving example (iii) does not provide a basis, of itself, for finding that the instant license amendment involves NSHC. If there are enforceable compensatory measures taken that will insure that this amendment will not (1) significantly increase the probability/consequences of previously considered accidents, (2) create a new and different accident, or (3) significantly reduce a safety margin, then that is a valid basis for finding NSHC. However, in that case you need to show in the notice how the compensatory actions result in a license amendment that does not significantly increase probability/consequences, does not significantly decrease safety margins and does not create a new or different accident.

Thus, my objection to the proposed notice is that a valid basis for the proposed NSHC finding has not been provided. To remedy this, I suggest that you modify the proposed notice:

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- (1) to show in detail that example (vi) of actions likely to involve NSHC applies or
- (2) to show how compensatory measures make this license amendment satisfy the NSHC criteria or
- (3) to provide some other valid basis, using either the examples or the NSHC criteria, for finding NSHC here.

J.R. Gray
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