

12/16/83

Note to: J. Scinto

From: J. Gray

SUBJECT: "EXIGENT" CIRCUMSTANCES FOR LASALLE 1 LICENSE AMENDMENT

In the attached package, the staff proposes a "press release" notice (supposedly because of exigent circumstances) and a shortened comment period (less than 30 days, calling for comments by 1/3/84) on a LaSalle 1 license amendment regarding testing of the diesel generators (DGs). Under the existing LaSalle 1 license, three DGs are to be "fast started" once every 31 days. The proposed amendment would decrease the fast start testing frequency to once every 6 months for these 3 DGs and allow the testing that is to be done every 31 days to have a prelube and slow engine warmup period rather than a cold fast start. Supposedly, elimination of the monthly fast start testing will decrease the mechanical wear and tear on the DGs and make them more reliable.

The 3 DGs to which this LaSalle 1 amendment would apply will be common DGs shared with LaSalle 2. The surveillance requirements for these 3 DGs proposed for the LaSalle 2 license supposedly will require fast start tests once every 6 months and allow the testing that is to be done every 31 days to have a prelube and slow engine warmup period rather than a cold fast start. The staff claims that an exigency for the

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PDR FOIA
ADAT084-166 PDR

LaSalle 1 license amendment is created by the imminent issuance of the LaSalle 2 license which will require fast starts for these 3 DGs only once every 6 months. The argument apparently goes like this:

- ° the staff only recently determined that fast starts degrade DGs and shouldn't be done so often and only recently asked the LaSalle 1 licensee to (1) propose tech. specs. for LaSalle 2 requiring fast starts only once per 6 months (2) apply for a license amendment for LaSalle 1 decreasing fast start frequency to once every 6 months. The applicant promptly applied.

- ° issuance of the LaSalle 2 license, with the decreased fast start frequency for these 3 DGs, is imminent. Once the LaSalle 2 license is issued, these 3 DGs, common to both LaSalle 1 and LaSalle 2, will be subjected to conflicting surveillance requirements - i.e., the LaSalle 2 license will require fast starts every 6 months whereas the LaSalle 1 license will require the same DGs to be fast started every 31 days. Therefore, the LaSalle 1 license must be amended by the time the LaSalle 2 license is issued, and we have an exigency warranting a short notice/comment period.

I disagree.

First of all, the Staff has not shown that this amendment is the kind of amendment that can involve an exigency. The Commission in its Statement

of Considerations for the Sholly regulations, indicated that an exigency would exist when there is an amendment that would improve safety and the opportunity for the improvement in safety would be lost if the amendment is not issued quickly. It may be that this LaSalle 1 DG testing amendment would improve safety (cut down on DG degradation), but there is absolutely no reason to believe that the opportunity to improve safety would be lost if the normal 30 day notice and comment period is provided here. At most, providing the normal 30 day notice for this amendment will result in only one additional fast start for these DGs and that can't be very detrimental (if one additional fast start of these DGs is a serious safety concern, then we ought to be issuing orders all over the place prohibiting fast starts).

Secondly, the potential for conflicting testing requirements for these 3 DGs if the LaSalle 1 license is not amended quickly is completely avoidable. The LaSalle 2 license has not yet been issued. The DG testing requirements put into the LaSalle license can properly be fashioned to eliminate any testing conflicts with the LaSalle 1 license requirements for these 3 DGs in the interim period between issuance of the Unit 2 license and the eventual amendment of the Unit 1 license. Thus, a Unit 2 Tech. Spec. to the effect that these 3 DGs may be tested either by

- ° fast start testing every 31 days (consistent with existing LaSalle 1 requirement) or

- ° fast start testing every 6 months and testing with prelube and slow warmup every 31 days (consistent with LaSalle 1 license after the pending amendment)

would eliminate any potential conflict.

In short, I don't see an exigent circumstance here warranting a press release and shortened notice period. This is just not the kind of circumstance that was contemplated for that. I recommend that we return this package to the Staff without concurrence and advise the Staff

- (1) to prepare, for the LaSalle 1 amendment, the normal 30 day advance notice
- (2) to modify the LaSalle 2 Tech Specs, currently in preparation, on testing for these 3 DGs to allow the licensee to test them
 - ° by fast starts every 31 days or
 - ° by fast starts every 6 months and prelube with slow warmup testing every 31 days.

J.R. Gray
J.R. Gray

Togre
JEB



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

FROM: SCHWENCER
BOURNIA, LB#2
NRR

DOCUMENT DATE: DATE RECEIVED TASK BASIS NO:
12/13/83 840282

CLASS: AMDT

PENDING BEFORE:
FACILITY: (05000373) LASALLE 1

DESCRIPTION:

AMDT TO OL RE T.S. 3.8.1.1, 4.8.1.1.2,
TABLE 4.8.1.2-1 AND BASES 3/4.8.1 AND
3/4.8.2 TO MODIFY THE FAST STARTS ON THE
DIESEL GENERATORS. THE CHANGE IS
PROPOSED FOR MINIMIZING MECH. STRESS

REFERRED TO:

RECEIVED:

SCINTO
GRAY/WOODHEAD

12/19
12/13/83

REMARKS:

FOR LEGAL REVIEW OF NOTICE

DUE DATE: 12/20/83

9/17
DEC 19 1983

COMMENTS:

Colleen:
Do you understand the basis for this "emergency."
I don't. This is an amend. for LaSalle Unit 1.
There is no claim that prompt issuance of the amendment
is necessary in order to avoid shutdown or derating
of unit 1, or in order to avoid losing an opportunity
to install something that would improve safety etc.
In short, I just don't see what the emergency is or how
~~it could~~ that would justify anything other than the
normal 30 day FR notice

② Even if there is an emergency, there must be a bona fide
staff finding that licensee did not create it.
Licencee here has had its licence for Unit 1 (with diag
requirements on its fast start testing) for many months
& has been in the process of gearing up to get the licence for
Unit 2 for a long time. How can it be possible that
Licencee only discovered in early December 1983 that
it "needs" this amendment for Unit 1. Licencee provides
absolutely no justification for waiting until this late date
to seek this amendment for Unit 1.

50.91(b)
Doesn't require
this to 50.91(c)

See Change
on p. 1

Returned
w/o concurrence
12/16/83

114



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

12/20

FROM: KNIGHTON

DOCUMENT DATE: DATE RECEIVED TASK BASIS NO:
12/02/83 839933

NRR

PENDING BEFORE:
FACILITY: (05000275) DIABLO CANYON 1

CLASS: BLUE

DESCRIPTION:

ISSUANCE OF AMENDMENT TO LICENSE NO
DPR-76 DIABLO CANYON NUCLEAR POWER PLANT
UNIT 1

REFERRED TO:
SCINTO
RUTBERG/CHANDLER

RECEIVED:
12/15
12/02/83

REMARKS:

LTR FR KNIGHTON TO SCHUYLER

DUE DATE: 12/02/83

²⁰
ext'd to 12/24

To CC
12/2

llh
12/14
DEC 20 1983

COMMENTS:

Used - returned
without concurrence
(only)
- advised Geo Knighton
that pending further
discussions with Eisenhart
and perhaps SF Rembo / ESC...
should hold action

llh