

November 14, 1983

Note to J. Stolz

SUBJECT: TMI-1 STEAM GENERATOR REPAIR LICENSE AMENDMENT PACKAGE

1. The report indicates the inaccuracy of our communications with licensees. I presume we got our information over the phone and didn't get confirmation in writing. We noted this problem in the original SER.

2. Commission paper - The notice only covered resumption of operation with repaired SG. The repair work was okayed originally as no unreviewed safety question.

3. Page 2, SER - What was standard used to decide what is "unacceptable"? Why is that "insignificant"?

4. Page 4 - What is the test story all about?

5. Page 12 - On buckling - How does this match page 7 on buckling? Sounds like we changed our story and are trying to rationalize.

6. Page 19 - Basis for concluding that its okay not to flush 1 "piping"?

7. Need to see original comments. Any new comments on Sholly law or Regs - need to be reviewed by Olmstead.

8. Page 10 - Needs to be changed because changes on not having replaced all corroded parts.

9. The SER is probably as good a defense of the NSHC determination as can be developed. However, it does not sound like this matter was insignificant from the standpoint of plant operating safely.

10. I may have another comment on the story on the 7-9 of the NSHC Determination.

cc: R.Rawson
J.Gray

for *Amb*
Joe Scinto

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PDR FOIA
ADAT084-166 PDR

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November 16, 1983

Note to: J. Scinto
From: R. Rawson
SUBJECT: McGUIRE AMENDMENT PACKAGE (838988) RELATING TO
"DENIAL" OF AMENDMENT ON DIESEL GENERATOR SURVEILLANCE

On August 1, 1983, Duke submitted a request for separate amendments to McGuire 1 and 2 licenses. This request was supplemented on September 7, 1983. For Unit 1, Duke requested a change in its schedule for surveillance testing of turbine overspeed protection system valves from once every 7 days to once every 31 days. For Unit 2, Duke requested a change in the surveillance interval for certain diesel generator tests from 18 months to each refueling outage. These amendment requests were both noticed on September 15, 1983 with proposed no significant hazards consideration determinations. No comments or requests for hearing were received.

On October 26, the Staff issued the amendment for Unit 1. The Staff also denied Duke's request for a change in the surveillance interval for Unit 2, but granted a one-time extension to no later than March 31, 1984 for the next set of tests. Duke's application did specifically request this alternative relief in the event that the primary request was not authorized. Failure to have granted this relief would have required shutdown on October 27, 1983 to perform the tests. Thus, both amendments have already been issued by the Staff.

OELD has now been asked to concur in a package regarding the issuance of these amendments. A single FRN is framed as a "Notice of Denial of Amendments." I understand that this was done in response to an earlier comment by you. It addresses only the amendment for Unit 2 and discusses the one-time extension. (I understand that the issuance of the amendment for Unit 1 is not intended to be covered by this FRN and has been or will be the subject of a separate monthly or individual FRN.) The FRN for the Unit 2 amendment also states that the required findings will have been made before issuance of the proposed amendments. No findings are included in the notice. The October 26 letter issuing the amendments encloses the amendments themselves; these contain the appropriate findings. The basis for these findings is contained in the SER.

As to the Unit 1 turbine overspeed protection system valves, the Staff relies on "preliminary indications" of turbine valve operability and reliability presented by Westinghouse, together with licensee's maintenance, inspection and turbine valve test program and licensee's "all volatile treatment program for maintaining water chemistry." The Staff approves the change to 31 day testing as an interim condition,

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subject to review and confirmation of a Westinghouse turbine missile generation probability analysis. Licensee agrees to this condition.

As to Unit 2, the Staff provides ample justification for denying Duke's request to lengthen the surveillance interval. The Staff goes on, however, to approve a one-time extension of up to five months "based on previously performed successful tests and other system and component testing performed at more frequent intervals at McGuire."

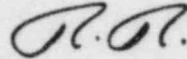
To summarize, then:

- ° both amendment requests were noticed
- ° the amendment for Unit 1 has been issued as requested but the postnotice of issuance is not made as part of this package
- ° the amendment for Unit 2 has been denied as requested but a lesser alternative request was granted and is the subject of the FRN in this package.

I cannot recommend OELD concurrence on this package for the following reasons:

1. The FRN title should clearly reflect that it is notice of issuance of amendment and denial of amendments. It is misleading to the public to call this only a notice of denial when an amendment is in fact being issued.
2. The FRN should state clearly that it does not encompass the amendment for Unit 1. We should be sure that the Unit 1 amendment has been or gets final notice and does not slip between the cracks.
3. The FRN is inadequate in that it fails to state that the NRC has made appropriate findings that the amendment granted comply with the requirements of the Atomic Energy Act and the Commission's regulations (the statement on the first page that the Commission will have made the findings is obviously inapplicable here);
4. The FRN should state clearly that Duke specifically requested the one-time extension on diesel generator surveillance as an alternative to its primary request to lengthen the surveillance interval;
5. The SER does not adequately explain the basis for granting the one-time extension to the Unit 2 diesel generator surveillance testing interval (see SER page 2). The statement that approval of the amendment is "based on previously performed successful tests and other system and component testing performed at more frequent intervals" provides a good starting

point but is not enough to support issuance of the amendment without: (1) some specificity as to the nature of the tests relied upon; and (2) some statement as to why those successful tests support the extension. Too much is left unsaid by the present language. (I recognize that the SER has already been issued without OELD concurrence and note this comment primarily for the purpose of facilitating future amendment packages.)



Richard J. Rawson

cc: J. Gray