

Note to: Dave Jaffe

From: J. Gray

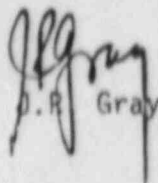
SUBJECT: NOTICE ON PROPOSED CALVERT CLIFFS AMENDMENT ON CEA
POSITION INDICATION

OELD has been asked to concur in a notice of a proposed Calvert Cliffs amendment which would expand the allowed use of electrical limit switches to provide position indications for the CEAs. I have a problem with the stated basis for the proposed NSHC determination.

In the notice you propose to find NSHC on the ground that this amendment is similar to the Commission's example of a "purely administrative change not likely to involve SHC. You go on to indicate that this amendment is similar to the "administrative change" example because it would achieve consistency between the current stated basis for the rod position indication Tech. Specs. and the Tech. Spec. requirements. That is a novel argument but not one which is sufficient to establish that the Commission's "administrative change" example applies here.

While it is true that the "administrative change" example encompasses amendments to, for example, correct typographical errors or achieve consistency in nomenclature in the license, the proposed changes here are not of that type. First of all, the statements of bases for tech. specs. are, themselves, not legally binding requirements. The Commission, I believe, could not have contemplated that the "administrative change" example would encompass substantive changes to legally binding requirements in the tech. specs. simply to make the tech. specs. consistent with the non-binding bases. More importantly, an amendment expanding (our characterization in the notice) the permitted use of limit switches for rod position indication beyond that now permitted by the license really appears to be a substantive change with safety significance and not just a purely administrative change involving correction of typographical errors, non-substantive changes in nomenclature and the like. In short, the "administrative change" example does not appear to apply here.

I suggest that you modify the bases for the proposed NSHC finding either by finding an applicable example of an action not likely to involve SHC or by addressing the criteria for NSHC in 10 CFR § 50.92. I cannot concur in the proposed notice in its present form.


J. R. Gray

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