

Note to: Don Neighbors

From: J. Gray

SUBJECT: PROPOSED NOTICE FOR SURRY AMENDMENT CHANGING FIRE PUMP
FLOW TESTING REQUIREMENTS

The referenced notice describes a proposed T.S. change which would modify the fire pump flow testing requirement by changing the 2500 gpm flow at 250 feet of head to something else. The indicated reason for the change is that, in responding to an NRC request for proposed T.S., licensee erroneously (blindly) proposed values for these parameters which we had suggested only as an example. While all of that may be true, I do not agree that this is an administrative change as you suggest.

The Commission's example of an administrative change likely to involve NSHC contemplates, I believe, a change that is purely non-substantive and administrative in nature - for example, correction of a typographical error or a non-substantive change in nomenclature in the license. The change in question here is not of that character. It is true that the 2500 gpm at 250 feet head now in the T.S. resulted from an error on licensee's part. However, when those values were put in the TS, the NRC had reviewed those values, found them substantively adequate and appropriate, and approved them. The change proposed now is not simply a non-substantive change to correct a typographical error; it is, in fact, a substantive change (albeit one to correct a substantive error), the merits of which we will have to evaluate. Because of this, I do not believe that the "purely administrative change" example applies here and I don't believe that the proposed notice provides an adequate basis for the proposed NSHC finding.

I suspect that, in fact, the proposed change, while substantive in nature, is not very significant. If the pump flow testing is adequate with the proposed flow parameters and the change is indeed not significant, we should be able to find that the change does not significantly increase the probability or consequences of accidents, create the possibility of new accidents or significantly decrease a safety margin. You should make your proposed NSHC determination based on these criteria and not rely on the "purely administrative" change example. Because the present notice does rely on that example, I am not prepared to concur in it.

J. Gray
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