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March 6, 1986

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OFFICE OF SERVICE, 1775 20th St. N.W. 20006-2133
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BRANCH CABLE ADDRESS: ATOMLAW

Ivan W. Smith, Chairman
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Richard F. Cole
Atomic Safety and
Licensing Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Mr. Gustave A. Linenberger, Jr.
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

In the Matter of
Philadelphia Electric Company
(Limerick Generating Station, Unit 1)
Docket No. 50-352-OLA (Check Valve)

Dear Mr. Smith:

In accordance with your letter dated March 5, 1986, we are enclosing copies of the slip opinions in Philadelphia Electric Company (Limerick Generating Station, Units 1 and 2), Docket Nos. 50-352 and 50-353, ALAB "Order" (August 5, 1985) and Public Service Company of New Hampshire (Seabrook Station, Units 1 and 2), Docket Nos. 50-443-OL and 50-444-OL "Order" (November 15, 1983). We referred to these decisions in our Answer (dated February 19, 1986) to Mr. Anthony's late-filed petition for leave to intervene.

Also enclosed is a copy of the letter dated December 18, 1985 from Licensee to the NRC, attaching a copy of the Application for Amendment, which we also cited in our Answer to Mr. Anthony's petition.

Sincerely,

Troy B. Conner, Jr.
Troy B. Conner, Jr.
Counsel for Licensee

8603110402 860306
PDR ADOCK 05000352
G PDR

TBC/df
Enclosures
cc: Service List



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

RECEIVED AUG - 6 1985

ATOMIC SAFETY AND LICENSING APPEAL BOARD

Administrative Judges:

Christine N. Kohl, Chairman
Gary J. Edles
Dr. Reginald L. Gotchy

August 5, 1985
'85 AUG - 6 AIO:26

In the Matter of
PHILADELPHIA ELECTRIC COMPANY
(Limerick Generating Station,
Units 1 and 2)

Docket Nos. 50-352 OL
50-353 OL

ORDER

1. In a motion filed July 31, 1985, the Commonwealth of Pennsylvania requests a two-day extension of time in which to file its brief in response to the pending appeals from the Licensing Board's third partial initial decision. The NRC staff does not object to a grant of the motion, on condition that it receive an equivalent extension. The motion fails to set forth the positions of the other parties to the proceeding.

For good cause shown, the motion is granted; the Commonwealth's brief is due August 8, 1985. The NRC staff's brief, however, remains due on August 16, 1985. No good cause for extending the time for the filing of the staff's brief is apparent. See 10 C.F.R. § 2.711(a). The reasons given by the Commonwealth for its extension request clearly

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do not apply to the staff.¹ And, while the Commission's Rules of Practice accord the staff extra time for filing its brief as an appellee, that time is computed from the date of filing of the last appellant's brief, not the last appellee's brief. See 10 C.F.R. § 2.762(c). In other words, if the staff needs an extension, it is generally obliged, as are other parties, to request one and to justify it.

2. By postcard dated and postmarked July 31, 1985, intervenors Robert L. Anthony/Friends of the Earth (Anthony/FOE) appeal the Licensing Board's fourth partial initial decision in this proceeding.² Despite the substantial nonconformance of Mr. Anthony's postcard to the Commission's Rules of Practice,³ we will treat the appeal as

¹ Thus, this situation is distinguishable from the circumstances that prompted our order of June 27, 1985. There, we granted the staff's motion for a briefing extension and sua sponte extended the time for filing the briefs of all other appellees because of a conflict with an upcoming Licensing Board hearing in this proceeding that was to involve all of these parties.

² Although mailed from what appears to be a vacation area, it (unfortunately) is not a picture postcard.


³ 10 C.F.R. § 2.708(b) requires each document filed in an adjudication to "be bound on the left side and typewritten, printed or otherwise reproduced in permanent form on good unglazed paper of letterhead size. Each page shall begin not less than one and one-quarter inches from the top, with side and bottom margins of not less than one and one-quarter inches. Text shall be double-spaced, except

(Footnote Continued)

properly filed.⁴ Up to now, we have been quite indulgent of the nonconformances in the pleadings of various parties. Any future filings from any party that are not in substantial conformance with the Rules, however, will be subject to summary rejection.

It is so ORDERED.

FOR THE APPEAL BOARD


C. Jean Shoemaker
Secretary to the
Appeal Board

(Footnote Continued)
that quotations may be single-spaced and indented." The reasons for this rule -- comparable to that of most courts and other agencies -- are fully justified: to facilitate proper docketing in the Commission's formal record of the proceeding, and to facilitate review and disposition by the presiding board.

⁴ Our acceptance for filing of this notice of appeal does not reflect any judgment on the standing of Anthony/FOE to appeal the decision in question.

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USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'83 NOV 16 P3:32

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Helen F. Hoyt, Chairperson
Emmeth A. Luebke
Jerry Harbour

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

SERVED NOV 17 1983

In the Matter of)
PUBLIC SERVICE COMPANY)
OF NEW HAMPSHIRE, et al.)
(Seabrook Station, Units 1 and 2))

Docket Nos. 50-443-OL
50-444-OL
(ASLBP No. 82-471-02-OL)

November 15, 1983

ORDER

On September 6, 1983, John F. Doherty filed Petition for Leave to Intervene. Applicants' Response to John F. Doherty's Petition for Leave to Intervene was filed September 19, 1983 and NRC Staff Response opposing John F. Doherty's Petition for Leave to Intervene was filed September 26, 1983.

On October 4, 1983, John F. Doherty filed a Request for Leave to Amend His Petition for Leave to Intervene and an Amended Petition for Leave to Intervene. Applicants answered on October 17, 1983 and NRC Staff filed Motion for Leave to Reply to "John F. Doherty's Request for Leave to Amend his Petition for Leave to Intervene."

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On October 20, 1983, Petitioner Doherty inquired of the Board if it had issued an Order in response to his pleadings.¹

On October 27, 1983, the Petitioner filed Petitioner Doherty's Reply to Staff's Motion for Leave to Reply to "John F. Doherty's Request for Leave to Amend His Petition for Leave to Intervene" of October 24, 1983.

By Federal Register dated October 19, 1981, notice was given that Applicant, Public Service Company of New Hampshire had applied to this Commission for facility operating licenses to operate Seabrook Station, Units 1 and 2. 46 Fed. Reg. 51, 330-51, 332 (1981). The notice provided that any persons whose interest may be affected by this proceeding could file a petition for leave to intervene by November 18, 1981. 46 Fed. Reg. 51, 331.

Petitioner has acknowledged that his petition of September 6, 1983 is late filed and admits that he had resided in Texas from August 20,

¹ Because the letter does not appear to have been served on the parties to this proceeding the text is set out below:

This letter is to inquire if the Board has issued an order with regard to this Petitioner's "Petition for Leave to Intervene" of September 6, 1983, and "Request for Leave to Amend His Petition for Leave to Intervene", together with an "Amended Petition for Leave to Intervene" of October 4, 1983.

Petitioner respectfully requests the Board take steps to send him the Order(s) if indeed they have been circulated, and the Board can see the Order(s) should have arrived at Petitioner's address by this time.

1977 to June 1, 1983 with a permanent address in Boston, MA² acquired on June 22, 1983. This petition further urges standing based upon; (1) by currently residing 40 miles from site he is within the zone of effects of pathways of radiation exposure, and so will suffer injury in fact by operation of Seabrook; (2) his uses of Seabrook and Hampton Beach for recreational purposes; (3) his frequent use of Route 95 for family visits; (4) his frequent consumption of seafood which he believes may be fished from waters within 50 miles of the Seabrook site; (5) the effects by radioactive emissions in gaseous effluents such as those in Table D.1 (P.D-4) of NUREG-0895; and (6) he is a ratepayer of Boston Edison, thus, has an economic interest.

The Petitioner's one contention deals with the issue of whether the application of an operating license for Unit 2 is premature because the unit is "but 22% complete" and is thus in violation of 10 CFR 50.57(a)(1).

The Board need only to consider whether the late-filed petition can be admitted after balancing all five of the intervention factors set forth in 10 CFR 2.714(a)(1). Public Service Company of New Hampshire, et al., ___ NRC ___, CLI-83-23, September 19, 1983. As the Commission went on to say in that case, "Those factors involve careful consideration of the contents of the contention and the circumstances under which the contention is offered."

² 40 miles from Seabrook Station, Units 1 and 2.

The five factors in Section 2.714(a)(1) and the Board's consideration of each are set forth below:

(1) Good cause, if any for failure to file on time.

The Board finds no good cause in Petitioner's argument that he lacked standing prior to June 1983 when he established residence in Boston. It has been well-settled in this agency that newly acquired standing is not sufficient, of itself, to justify permitting belated intervention. Carolina Power and Light Co. (Shearon Harris, Units 1-4), 9 NRC 122, 124, (1979). As the ASLAB in that case said, "if newly acquired standing . . . were sufficient of itself to justify permitting belated intervention, the necessary consequence would be that the parties to the proceeding would never be determined with certainty until the final curtain fell. Assuredly, no adjudicatory process could be conducted in an orderly and expeditious manner if subjected to such a handicap." See also Houston Lighting and Power Company (Allens Creek, Unit 1) 11 NRC 239 (1980).

The Board has also considered the Petitioner's other arguments that it is not "reasonable . . . to expect a member of the public to assimilate the notices of all nuclear plants throughout the nation in the Federal Register on the chance that some day, Petitioner might relocate in the zone of affected interest." Petitioner has betrayed his

understanding of such legal requirement as notice by the character of his pleadings and his admitted prior participation in Allens Creek.³

At the August 26, 1983 hearing, petitioner stated that, "The Federal Register is full of requests for delays from utilities on implementing modifications ordered by the Commission." This appears to be the statement of one well versed in nuclear matters appearing in the Federal Register. Thus, Petitioner apparently was well qualified to locate notice of hearings in the Federal Register and had he been able to qualify as a late-filed petitioner would have had ample notice that the proceeding was considering the application for an operating license of Unit 1 and 2. The Board has elected to address this argument to make it clear to others in this proceeding who do not understand that ignorance of Federal Register notice is no justification for permitting late intervention or justification for ignoring the matters set forth in Federal Register notices pertaining to this proceeding.⁴ Indeed any

³ Transcript August 26, 1983, page 1783:

I hold a Doctor of Jurisprudence degree from the University of Houston, gained in 1980 and was an intervenor in the construction permit proceedings for the now-cancelled Allens Creek Nuclear Generating Station. I commented on the DEIS for the Seabrook Stations also.

On September 30, 1983, Petitioner filed to intervene in Pilgrim Nuclear Power Station, Unit 1 and quoted in the title to his pleading from the Federal Register thus reflecting his searches of the Federal Register notices.

⁴ See Houston Lighting and Power Company (Allens Creek Nuclear
(Footnote Continued)

litigant in such a formal proceeding as an operating license proceeding is charged to remain at the ready throughout the litigation to protect his interest.

(ii) The availability of other means whereby the petitioner's interest will be protected.

Petitioner has already availed himself of one means of asserting his concern with the Board's hearing, in this proceeding, the application for a Unit 2 operating license when this unit is something less than half completed. This Petitioner acknowledges making a limited appearance before this Board at Dover, NH, on August 26, 1983. In a six page statement (Tr. 1782-88), Petitioner elected to mention in 15 lines what now purports to be his main concern.

The Board does not intend to indicate that Petitioner's interest could be completely protected by a limited appearance statement. However, Petitioner in his September 6, 1983 pleading (page 5) sought to show that he had presented a limited appearance statement on August 26 presenting the Seabrook Unit 2 issue and that the Board had not taken action because, as Petitioner stated it, the Board evidently was "not empowered to do so."⁵

(Footnote Continued)

Generating Station, Unit 1), ALAB-574, 11 NRC 7 (1980).

5

Petitioner labors under the impression that he is entitled to instant relief. See also Petitioner's letter of October 20, 1983 set out in preceding footnote.

Petitioner's concern with the partial completion of Seabrook Unit 2 as a safety issue would not be articulated by other means in this proceeding. On this point, Applicant agrees and NRC Staff acknowledges it has some merit. But Staff's arguments here clearly carry the day--this factor weighs less than other factors to be considered. The delay it would cause and the possibility that it could broaden these proceedings are not overcome by the mere novelty of the issue. This proceeding is two years old and if, with the active intervenors in the proceedings, the issue has not been brought forward, it can only be considered as a novelty at this point in time. It would take more of a showing than this Petitioner has made that the issue should be heard in this the afternoon of the hearings.

(iii) The extent to which the petitioner's participation may reasonably be expected to assist in developing a sound record.

There is nothing in Petitioner's pleadings before this Board which demonstrates in any manner that his participation could assist in compiling a sound record. To run an issue up the flagpole to see who will salute is a far cry from contributing sound evidence. Houston Lighting and Power Company, Id.

(iv) The extent to which the Petitioner's interest will be represented by existing parties.

No other party has put forward the matter of Unit 2's degree of completion. But, as Applicant noted, there are other intervenors whose interest in health and safety issues are represented.

While some weight may be given to Petitioner here, it does not tip the balance when viewed against the time in the proceeding at which the Petitioner seeks to introduce it.

(v) The extent to which the Petitioner's participation will broaden the issues or delay the proceeding.

Introduction of a contention nearly two years after the proceeding began would truly broaden and delay the proceeding. There is no indication here of the character of evidence Petitioner wants the Board to consider, what witnesses, if any, would be presented and how much time would need to be scheduled for the proffered contention. While other intervenors have mostly presented their cases through cross-examination, the Petitioner's vague presentation of his intention here leaves a total void. The Board is without a standard against which to test the Petitioner's concerns to determine if his contention could be litigated at this time.

The Board has considered all pleadings filed by Petitioner in support and by Applicant, and NRC Staff in opposition to this petition and amendment. The Board finds in balancing all the factors set forth in 10 CFR 2.714(a)(1), the Petitioner's non-timely petition cannot be entertained by this Board.

Accordingly, intervention by Petitioner, John F. Doherty in this proceeding is DENIED.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD

A handwritten signature in cursive script, appearing to read "Helen F. Hoyt", written over a horizontal line.

Helen F. Hoyt, Chairperson
Administrative Judge

Dated at Bethesda, Maryland
this 15th day of November, 1983

PHILADELPHIA ELECTRIC COMPANY

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PHILADELPHIA, PA. 19101

(215) 841-4000

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THOMAS H. MILLER, JR.

IRENE A. MCKENNA

ASSISTANT COUNSEL

December 18, 1985

Mr. Harold R. Denton, Director
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Limerick Generating Station, Unit 1
Docket No. 50-352

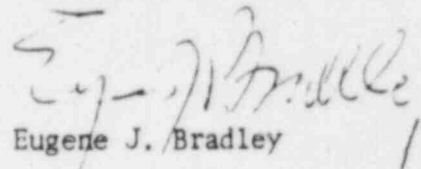
Dear Mr. Denton:

Transmitted herewith for filing with the Commission are 3 originals and 19 copies of Philadelphia Electric Company's Application for Amendment of Facility Operating License NPF-39 and Exemption to Part 50, Appendix J. This Application seeks a 14 week extension in the allowable interval for conducting certain Type C leak rate tests.

There are also transmitted herewith for filing 3 originals and 19 copies of an Application for Amendment of Facility Operating License NPF-39 which requests an extension of the allowable interval for testing certain reactor instrumentation line excess flow check valves.

In accordance with Section 170.12 of the Commission's regulations, there are enclosed Philadelphia Electric Company's checks totalling \$300 to cover the filing fees for these Applications.

Very truly yours,


Eugene J. Bradley

EJB:pkc
Enclosures
cc: See Attached Service List

0137q

cc: Troy B. Conner, Jr., Esq. (w/enclosure)
Ann P. Hodgdon, Esq. (w/enclosure)
Mr. Frank R. Romano (w/enclosure)
Mr. Robert L. Anthony (w/enclosure)
Ms. Phyllis Zitzer (w/enclosure)
Charles W. Elliott, Esq. (w/enclosure)
Zori G. Ferkin, Esq. (w/enclosure)
Mr. Thomas Gerusky (w/enclosure)
Director, Penna. Emergency (w/enclosure)
Management Agency
Angus Love, Esq. (w/enclosure)
David Wersan, Esq. (w/enclosure)
Robert J. Sugarman, Esq. (w/enclosure)
Kathryn S. Lewis, Esq. (w/enclosure)
Spence W. Perry, Esq. (w/enclosure)
Jay M. Gutierrez, Esq. (w/enclosure)
Atomic Safety & Licensing Appeal Board (w/enclosure)
Atomic Safety & Licensing Board Panel (w/enclosure)
Docket & Service Section (w/enclosure - 3 copies))
E. M. Kelly (w/enclosure)
Timothy R. S. Campbell (w/enclosure)

BEFORE THE
UNITED STATES NUCLEAR REGULATORY COMMISSION

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In the Matter of :
PHILADELPHIA ELECTRIC COMPANY : Docket No. 50-352

APPLICATION FOR AMENDMENT
OF
FACILITY OPERATING LICENSE
NPF-39

Edward G. Bauer, Jr.
Eugene J. Bradley
2301 Market Street
Philadelphia, Pennsylvania 19101
Attorneys for
Philadelphia Electric Company

BEFORE THE
UNITED STATES NUCLEAR REGULATORY COMMISSION

In the Matter of :
PHILADELPHIA ELECTRIC COMPANY : Docket No. 50-352

APPLICATION FOR AMENDMENT
OF
FACILITY OPERATING LICENSE
NPF-39

Philadelphia Electric Company, Licensee under Facility Operating License NPF-39 for Limerick Generating Station Unit 1, hereby requests that the Technical Specifications contained in Appendix A to the Operating License (NUREG-1149) be temporarily amended to provide an extension of fourteen weeks to the surveillance testing interval for the reactor instrumentation line excess flow check valves contained in Technical Specification 4.6.3.4 (page 3/46-18).

In order to meet the requirements of the Technical Specifications, it will be necessary to shutdown the plant prior to February 19, 1986 to perform the necessary testing. A shutdown is necessitated because the valves in question, which

are functionally tested by opening a line downstream of the valve with the reactor pressurized, serve one or more components which must be removed from service during testing. This action could result in Emergency Core Cooling System, Reactor Protection System or Nuclear Steam Supply Shutoff System actuations, or in a condition prohibited by Technical Specifications. To do this testing at power also poses a risk of personnel injury, in the unlikely event that one of the valves fails to check, due to high temperature water or radiation hazard. The estimated duration of this testing would be approximately fourteen days as necessitated by the operational requirement to cool the reactor to a decay heat level consistent with the heat removal capabilities of the Reactor Water Cleanup (RWCU) system.

The long time associated with obtaining the full power license led to the need for this extension. A normal schedule for low power testing, startup testing and 100-hour full power warranty run would not have resulted in a requirement to extend the testing interval. All low power (less than 5% thermal power) testing was completed prior to late April, 1985. Circumstances beyond licensee's control delayed the issuance of the full power license until August, 1985. During this period of time, the unit was maintained in a 48-hour standby condition to demonstrate its availability for operation. This action precluded testing the excess flow check valves.

The current schedule is for a maintenance and surveillance testing outage to begin on or before May 26, 1986. During this outage, maintenance activities, surveillance testing,

and minor plant modifications will be performed which will allow the plant to operate through the first refueling outage. The fourteen-day outage required to perform the testing of the excess flow check valves would result in a net increase in overall outage time if an extension was not permitted. This additional outage would impose an economic penalty of greater than 6 million dollars to area customers as a result of the cost of replacement generation and would also subject plant equipment and systems to the detrimental effects inherent in an additional shutdown and startup operation.

Therefore, licensee requests an extension of fourteen weeks to the surveillance testing interval for reactor instrumentation line excess flow check valves for the first cycle so that this testing may be performed concurrent with a maintenance outage currently scheduled for late May, 1986.

Significant Hazards Determination

The Commission has provided guidance concerning the application of standards in 10 CFR 50.92 for determining whether license amendments involve a significant hazards consideration by providing certain examples which were published in Federal Register on April 6, 1983 (48 FR 14870). One of the examples (vi) of an action involving no significant hazards consideration is a change which may in some way reduce a safety margin, but where the results of the change are clearly within all acceptable criteria. The requested change fits this example. Postponing

the aforementioned surveillance testing until an outage commencing in late May, 1986 would allow for continued operation of the plant and would have little or no effect on containment integrity for the following reasons:

1. The following design features would limit inventory loss in the event of a reactor instrument line rupture coincident with the failure of the excess flow check valve to close:
 - a) The lines in question are one-inch in diameter or less.
 - b) These lines are equipped with one-quarter inch restricting orifices, inside containment, which serve to limit flow.
 - c) The line rupture, in order to pose a hazard, would have to occur outside of primary containment, where the majority of the line is only 3/8" diameter.
 - d) The excess flow check valves are designed so that should they fail to close the main flow path through the valve has a flow resistance equivalent to a sharp edged orifice of 0.375 inch diameter.
2. Manual valves are available to shut off the protected line, outside of primary containment, should any indication be present concerning excess flow check valve inoperability.

3. The excess flow check valves are located outside of primary containment; therefore, they are available for periodic visual inspection, if necessary.
4. The lines which are protected by the excess flow check valves are located within the reactor enclosure which is served by the standby gas treatment system which would filter and monitor any release.
5. A rupture of a single instrument line, assuming the failure of the excess flow check valve to seat, will not result in a release of radioactivity in excess of 10 CFR Part 100 limits (FSAR Table 15.6-7).
6. Excess flow check valves have exhibited a high degree of reliability in performing their "checking" function; thus, the inspection interval which is designed to provide a high probability of detection of a leaking valve is very conservative and the probability of detection will not be significantly reduced by the requested interval extension of less than 20%.

A review of the Nuclear Plant Reliability Data System and a poll of several utilities having similar make and model valves revealed no instances of the valves failing to perform their safety-related function. During the first surveillance tests, all valves tested successfully. Philadelphia Electric's Peach Bottom Units 2 and 3 have valves which are similar in

design, although by a different manufacturer, and have had a high degree of success with these valves checking properly.

For these reasons, the proposed temporary amendment to the Limerick Operating License does not constitute a significant hazards consideration in that it would not:

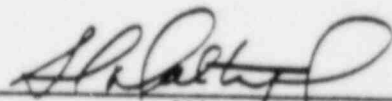
1. Involve a significant increase in the probability or consequences of an accident previously evaluated because the change extends the surveillance interval less than 20% beyond the current conservative surveillance requirements and has no effect on the assumptions of valve failure assumed in the present analyses; or
2. Create the possibility of a new type of accident or a different kind of accident from any accident previously analyzed because current analyses assume valve failure concurrent with line rupture. No new accident scenarios are credible based upon scheduling of this testing alone; or
3. Involve a significant reduction in the margin of safety because the design addresses failures of the excess flow valves to function by the use of small lines, restricting orifices and valve body impediments to free flow.

The requested amendment will not result in a significant change in the types or amounts of any effluents that may be released off-site in that the change is schedular in nature and affects no systems concerning effluents.

There will be no significant increase in individual or cumulative occupational radiation exposure as a result of the requested amendment which merely requests to delay testing which will be performed regardless of the outcome of the amendment request.

The Plant Operations Review Committee and the Nuclear Review Board have reviewed these proposed temporary changes to the Technical Specifications and have concluded that they do not involve an unreviewed safety question or a significant hazards consideration and will not endanger the public health and safety.

Respectfully Submitted,
PHILADELPHIA ELECTRIC COMPANY



Vice President

CONTAINMENT SYSTEMS

SURVEILLANCE REQUIREMENTS

4.6.3.1 Each primary containment isolation valve shown in Table 3.6.3-1 shall be demonstrated OPERABLE prior to returning the valve to service after maintenance, repair or replacement work is performed on the valve or its associated actuator, control or power circuit by cycling the valve through at least one complete cycle of full travel and verifying the specified isolation time.

4.6.3.2 Each primary containment automatic isolation valve shown in Table 3.6.3-1 shall be demonstrated OPERABLE during COLD SHUTDOWN or REFUELING at least once per 18 months by verifying that on a containment isolation test signal each automatic isolation valve actuates to its isolation position.

4.6.3.3 The isolation time of each primary containment power operated or automatic valve shown in Table 3.6.3-1 shall be determined to be within its limit when tested pursuant to Specification 4.0.5.

4.6.3.4 Each reactor instrumentation line excess flow check valve shown in Table 3.6.3-1 shall be demonstrated OPERABLE at least once per 18 months* by verifying that the valve checks flow.

4.6.3.5 Each traversing in-core probe system explosive isolation valve shall be demonstrated OPERABLE:

- a. At least once per 31 days by verifying the continuity of the explosive charge.
- b. At least once per 18 months by removing the explosive squib from the explosive valve, such that each explosive squib in each explosive valve will be tested at least once per 90 months, and initiating the explosive squib. The replacement charge for the exploded squib shall be from the same manufactured batch as the one fired or from another batch which has been certified by having at least one of that batch successfully fired. No squib shall remain in use beyond the expiration of its shelf-life and/or operating life, as applicable.

*92-week interval is permissible for the first cycle.

COMMONWEALTH OF PENNSYLVANIA :

: ss.

COUNTY OF PHILADELPHIA :

S. L. Daltroff, being first duly sworn, deposes and says:

That he is Vice President of Philadelphia Electric Company, the Applicant herein; that he has read the foregoing Application for Amendment of Facility Operating License NPF-39 and knows the contents thereof; and that the statements and matters set forth therein are true and correct to the best of his knowledge, information and belief.



Subscribed and sworn to
before me this 18th day
of December 1985



Notary Public

PATRICIA D. SCHOLL
Notary Public, Philadelphia, Philadelphia Co.
My Commission Expires February 10, 1986

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of : Docket No. 50-352
: PHILADELPHIA ELECTRIC COMPANY :
: (Limerick Generating Station, :
Unit No. 1) : :

CERTIFICATE OF SERVICE

I hereby certify that copies of Philadelphia Electric Company's Application for Amendment of Facility Operating License NPF-39 and Application for Amendment of Facility Operating License NPF-39 and Exemption to Part 50, Appendix J in the above-captioned matter were served on the following by deposit in the United States mail, first-class postage prepaid on this 19th day of December, 1985.

Kathryn S. Lewis, Esquire
Municipal Services Building
15th & JFK Blvd.
Philadelphia, PA 19107

Atomic Safety & Licensing
Appeal Board Panel
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

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Counsel for NRC Staff
Office of the Executive Legal Director
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