

UNITED STATES NUCLEAR REGULATORY COMMISSION  
VIRGINIA ELECTRIC AND POWER COMPANY  
DOCKET NOS. 50-338 AND 50-339  
NOTICE OF CONSIDERATION OF ISSU#      AMENDMENTS TO  
FACILITY OPERATING LICENSES AND PROPOSED NO SIGNIFICANT HAZARDS  
CONSIDERATION DETERMINATION  
AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating Licenses No. NPF-4 and NPF-7 issued to the Virginia Electric and Power Company (the licensee) for operation of the North Anna Power Station, Units No. 1 and No. 2 (NA-1&2), located in Louisa County, Virginia.

By letter dated September 20, 1988, as supplemented October 6, 1988, the licensee proposed amendments which would modify the NA-1&2 Technical Specifications (TS) to permit conducting the third Type A test of the first 10-year service period during the 1989 refueling/10-year ISI outage. Currently, because of the TS requirements to conduct Type A tests at a  $40 \pm 10$  month frequency, the third Type A test would be due on or before November 11, 1988 for NA-1 and on or before December 14, 1988 for NA-2. The TS also specify that the "third test of each set shall be conducted during the shutdown for the 10-year plant inservice inspection." The NA-1 outage is currently scheduled to begin in April 1989 and the NA-2 outage is currently scheduled to begin in February 1989.

The second interval overall integrated leakage rate test for NA-1 was completed on September 11, 1984. The test demonstrated that the containment leakage rate was 43% of the maximum allowable leakage rate permitted by the

NA-1 TS. In addition, the test took into account leakage from individual valves and penetrations. Subsequent testing of these valves and penetrations has demonstrated no degradation.

The second interval overall integrated leakage rate test for NA-2 was completed on October 14, 1984. The test demonstrated that the containment leakage rate was 92% of the maximum allowable leakage rate permitted by the NA-2 TS. In addition, the test took into account leakage from individual valves and penetrations. Subsequent testing of these valves and penetrations has demonstrated no degradation.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the request for amendment involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The proposed extension of the surveillance interval for the third Type A test does not involve a significant increase in the probability or consequences of an accident previously evaluated. The last measured Types A, B, and C leakage rates indicate that NA-1&2 containment integrity is adequate. In addition, leakage from containment penetrations and valves, including air locks, is

measured in accordance with Technical Specifications 3/4.6.1.2 and 3/4.6.1.3 whenever changes or activities occur (e.g., valve maintenance or modification, containment entries) which may affect leakage rate. Thus, the combined leakage of penetrations subject to Types B and C tests will continue to be maintained within Technical Specifications' limits. Therefore, the proposed extension in the surveillance interval for the Type A test will not result in a significant increase in the probability or consequences of an accident previously evaluated.

The proposed extension of the surveillance interval does not create the possibility of a new or different kind of accident from any accident previously evaluated. The change does not impact the design basis of the containment and does not modify the response of the containment during a design basis accident.

The proposed extension of the surveillance interval does not involve a significant reduction in the margin of safety. The 1984 Type A test results indicate that the containment integrity is adequate. In addition, leakage from containment penetrations and valves, including air locks, is measured in accordance with Technical Specifications 3/4.6.1.2 and 3/4.6.1.3 whenever changes or activities occur (e.g., valve maintenance or modification, containment entries) which may affect leakage rate. Thus, the combined leakage of penetrations subject to Types B and C tests will continue to be maintained within the Technical Specifications' limits. Therefore, the proposed extension in the surveillance interval for the Type A test will not result in a significant reduction in the margin of safety.

Therefore, based on the above considerations, the Commission has made a proposed determination that the amendment request involves no significant hazards considerations.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Regulatory Publications Branch, Division of Freedom of Information and Publications Services, Office of Administration and Resources Management, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room P-216, Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland from 7:30 a.m. to 4:15 p.m. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. The filing of requests for hearing and petitions for leave to intervene are discussed below.

By November 10, 1988, the licensee may file a request for a hearing with respect to issuance of the amendments to the subject facility operating licenses and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Request for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by

the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR §2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter, and the bases for each contention set

forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendments under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards considerations. The final determination will serve to decide when the hearing is held.

If the final determination is that the request for amendment involves no significant hazards considerations, the Commission may issue the amendments and make them effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendments.

If a final determination is that the amendment involves significant hazards considerations, any hearing held would take place before the issuance of any amendment.

Normally, the Commission will not issue the amendments until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendments before the expiration of the 30-day notice period, provided that its final determination is that the amendments involve no significant hazards considerations. The final determination will consider all public and State comments received. Should the Commission take

this action, it will publish a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

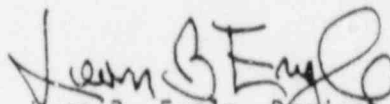
A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Pocketing and Service Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, DC, by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 325-6000 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Herbert N. Berkow: (petitioner's name and telephone number), (date petition was mailed), (plant name), and (publication date and page number of this FEDERAL REGISTER notice). A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and Michael W. Maupin, Esq., Hunton and Williams, P. O. Box 1535, Richmond, Virginia 23212.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendments dated September 20, 1988, as supplemented October 6, 1988, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C., and at the Alderman Library, Manuscripts Department, University of Virginia, Charlottesville, Virginia 22901.

Dated at Rockville, Maryland, this 6th day of October, 1988.

FOR THE NUCLEAR REGULATORY COMMISSION



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