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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF NUCLEAR REACTOR REGULATION
Harold R. Denton, Director

In the Matter of	)	
	)	
PHILADELPHIA ELECTRIC COMPANY	)	Docket No. 50-352
	)	(10 CFR § 2.206)
	)	
(Limerick Generating Station, Unit 1)	)	

DIRECTOR'S DECISION UNDER 10 CFR §2.206

INTRODUCTION

On December 18, 1985, the Philadelphia Electric Company (licensee), in a letter to the NRC, requested an amendment to its Limerick Unit 1 operating license. The licensee requested permission, on a one-time-only basis, to temporarily extend the surveillance requirements of certain valves which under the Technical Specifications must be inspected nominally every 18 months; this surveillance can only be performed when the plant is shut down. The change would extend the 18 month surveillance interval by fourteen weeks beyond the maximum 25 percent extension allowed by the Technical Specifications. This amendment would permit the licensee to delay performing the testing until a maintenance and surveillance outage which is scheduled to begin on or before May 26, 1986.

The NRC staff, after a review of the licensee's request, determined that the condition of the valves in question would not change significantly during the short extension period. The staff found that issuance of the amendment

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would not involve a significant hazards consideration and issued the amendment on February 6, 1986.

On January 30, 1986, Mr. R. L. Anthony/Friends of the Earth in the Delaware Valley (Collectively "FOE") filed a petition to intervene in connection with the licensee's request for an amendment and, on February 5, 1986, supplemented that request with an amended petition. The NRC staff has opposed FOE's petition in a pleading filed on February 25, 1986 before the Atomic Safety and Licensing Board (ASLB) convened to hear the matter. The ASLB, after conducting a prehearing conference on March 27, 1986, dismissed FOE's petition in a Memorandum and Order dated April 4, 1986 (ASLBP No. 86-522-02-LA (Check Valves) and ASLBP No. 86-526-04-LA (Containment Isolation)).

On February 12, 1986, FOE, after receiving notice of the issuance of License Amendment No. 1, filed with the Commission a one page request for a stay of the effectiveness of the amendment, and, in that pleading, incorporated by reference its two previous petitions to intervene. On February 15, 1986, FOE filed yet another pleading with the Commission containing eleven "contentions." At the end of this pleading, FOE renewed its request for a stay.

On March 5, 1986, the Secretary of the Commission informed FOE by letter that its stay request of February 12, 1986 had been referred to the NRC staff for consideration pursuant to 10 CFR § 2.206. In addition, the Secretary's letter noted that, to the extent that FOE's February 15, 1986 filing requested a stay, the NRC staff was to consider it in its response pursuant to 10 CFR 2.206. My decision in this matter follows.

DISCUSSION

Pursuant to 10 CFR §2.206, any person may file a request to institute a proceeding pursuant to 10 CFR § 2.202 to modify, suspend or revoke a license, or for such other action as may be proper. The FOE request for a stay in the context of a license amendment proceeding following the effective date of the amendment is, in the context of 10 CFR § 2.206, a request for an order immediately suspending the effectiveness of the amendment and an order to show cause why the amendment should not be revoked. To warrant such an order, substantial health or safety issues must be raised. Consolidated Edison Co. of New York (Indian Point, Units 1, 2, and 3), CLI-75-8, 2 NRC 173, 176 (1975); Washington Public Power Supply System (WPPSS Nuclear Project No. 2), DD-84-7, 19 NRC 899, 923 (1984). Clearly this is not the case here.

The matter at hand involved a modest extension of a surveillance interval for certain valves. The matter has been specifically evaluated by the NRC staff in its Safety Evaluation Supporting Amendment No. 1 to License No. NPF-39 of February 6, 1986, a copy of which is enclosed, supporting issuance of the amendment. There the staff concluded:

> The safety related aspects of extending this surveillance interval on a one time basis for about three months are insignificant for the following reasons. (1) Flow through the valves or from the lines in which they are located will be limited by the small line size and the provision of flow restricting orifices to further reduce potential flow rates. (2) Any leakage from these lines outside of primary containment would be contained in the secondary containment and processed by the standby gas treatment system. The analysis of such an event has already been performed and is included in the Final Safety Analysis Report in Section 15.6.2. As indicated in the FSAR there would likely be a variety of indicators to the operator of a failed instrument line thus alerting plant staff to the need to isolate the line by use of other manual valves in the line. The staff has previously reached the conclusion in section 15.6 of the SER that the Limerick instrument line design is acceptable. (3) The licensee has examined the records of the initial flow testing performed on these valves and found that all valves were tested successfully. The licensee further states that, based on available data,

> the valves are believed to be highly reliable in performing their function of checking flow. The staff concludes that the condition of the valves is not expected to change significantly during the short extension period.
>
> Based on the above, the NRC staff concludes that extension of the interval for the surveillance testing by 14 weeks on a one-time only basis is acceptable because the increased surveillance interval does not significantly increase the possibility that an undetected failure will occur in the instrumentation line excess flow check valves covered by this Technical Specification. Safety Evaluation, Support Amendment No. 1, Facility Operating License No. NPF-39, Philadelphia Electric Company, (Limerick Generating Station, Unit No. 1), at 2, (February 6, 1986.)

FOE presents no sound arguments calling the staff's view into question. While FOE does make reference in its January 30, 1986 filing to the "Independent Design Review of the Limerick Generating Station, Unit No. 1, Core Spray System" (IDVP) performed by Torrey Pines Technology, the Torrey Pines findings have no bearing on the license amendment at hand. In this regard, as mentioned by FOE, the IDVP focused on the effects on instrumentation lines of jet impingement from a postulated core spray line break. No effort is made by FOE to establish a nexus with the subject matter of License Amendment No. 1. The staff notes that the subject of License Amendment No. 1 deals with surveillance tests which would be conducted periodically to determine whether the excess-flow check valves will respond functionally to check the flow of fluid in the instrumentation lines upon being subjected to excessive differential pressure across the valve. The scheduling of such tests, whether performed more or less frequently, would have no effect on whether the instrumentation lines or the systems associated with such instrumentation lines were adequately designed to withstand the effects of ruptured pipes. This latter issue was the subject of the staff's review of the IDVP and was found to be resolved as stated in Supplement No. 4 to the Limerick Safety Evaluation Report, at Section 17 (May 1985).

FOE also makes reference in its February 15, 1986 filing to several reports recently issued by the NRC staff on Probabilistic Risk Assessment (PRA) insights. FOE references these reports as they relate to interfacing systems loss-of-coolant-accidents (LOCAs) attributable to the check valves in the residual heat removal (RHR) or low pressure coolant injection (LPCI) lines. FOE fails to note however that the two plants that it has referred to are pressurized water reactors, not boiling water reactors like Limerick, and fails to provide any connection between the significance of the issue of interfacing system LOCAs for those plants and the Limerick plant. More importantly, FOE fails to note that the valves which are the subject of Amendment No. 1 to the Limerick license are excess-flow check valves which are in instrumentation lines which are designed to accommodate the primary system pressure and which terminate in the secondary containment. Accordingly, these lines are closed systems within the secondary containment and the excess flow check valves do not provide an interface between the high pressure reactor primary system and any low pressure secondary systems as do the valves of concern in the referenced PRA insights reports.

CONCLUSION

In the absence of any substantial health or safety issues associated with the issuance of License Amendment No. 1, I decline to institute proceedings pursuant to 10 CFR § 2.202. Accordingly, I decline to grant FOE its requested

relief pursuant to 10 CFR § 2.206. As provided by 10 CFR 2.206(c), a copy of this decision will be filed with the Secretary for the Commission's review.

Darrell G. Eisenhut, Acting Director
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland
this 13th day of May 1986.

Enclosure

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

SUPPORT AMENDMENT NO. 1 TO FACILITY OPERATING LICENSE NO. NPF-39

PHILADELPHIA ELECTRIC COMPANY

LIMERICK GENERATING STATION, UNIT NO. 1

DOCKET NO. 50-352

1.0 Introduction

By letter dated December 18, 1985, the Philadelphia Electric Company (the licensee) requested a one-time-only approval for temporarily extending certain surveillance requirements in the Technical Specifications, which must be performed nominally every 18 months and which can only be done when the plant is shutdown. The change would extend the 18 month surveillance interval by 14 weeks beyond the maximum 25 percent extension allowed by the Technical Specifications. This would permit the licensee to delay performing this testing until a maintenance and surveillance outage which will begin on or before May 26, 1986.

2.0 Evaluation

Technical Specification (TS) 4.6.3.4 requires that instrumentation line excess flow check valve surveillance tests be performed at a nominal frequency of once per 18 months. Since the Limerick Unit 1 plant has been through an extended startup program schedule, which included relatively little startup testing program activity from about April to early August 1985, the scheduled surveillance tests fall in a period of what would otherwise be a continuation of first fuel cycle power operations. Since the plant must be shutdown for about two weeks to perform these tests and since the licensee plans to shut the plant down on or before May 26, 1986 to perform other surveillance tests and maintenance activities the licensee proposes to extend the surveillance interval for the excess flow checkvalves to allow those tests to also be performed during the outage to begin on or before May 26, 1986.

The 18 month surveillance interval was selected to be consistent with the maximum anticipated interval between refueling outages. However, TS 4.0.2 does allow the time interval between surveillance testing to be extended by 25 percent in order to provide flexibility in operations scheduling. The end of the most limiting surveillance interval, including the allowable 25 percent extension for the excess flow checkvalves in TS 4.6.3.4 (Table 3.6.3-1) is February 19, 1986. Therefore, the temporary TS change would extend the permissible time to perform these tests from approximately 23 months to approximately 26 months.

The requirements of the TS for testing nominally every 18 months for which extensions are proposed and the reason these tests can only be performed while the reactor is shutdown are as follows. The excess flow check valves in TS Table 3.6.3-1 are provided in instrumentation lines for the purpose of checking flow in the line when subjected to an excessive differential pressure.

Testing of the valves to verify that they check flow involves opening of the instrumentation line downstream of the valve with the reactor coolant system cold and pressurized and verifying that the valves check flow. This operation cannot be performed during normal power operation for the following reasons: (1) the performance of the test with the reactor coolant system hot, pressurized and at power would involve potential hazards to testing personnel upon opening of the line in the unlikely event that one of the valves fails to check and releases fluid that is both at a high temperature and radioactive, and (2) the opening of the instrumentation line, since the line may serve an instrumentation manifold with multiple transmitters, would result in multiple engineered safety feature system and/or reactor protection system actuations which would either constitute conditions prohibited by Technical Specifications or result in a shutdown of the reactor.

The safety related aspects of extending this surveillance interval on a one time basis for about three months are insignificant for the following reasons. • (1) Flow through the valves or from the lines in which they are located will be limited by the small line size and the provision of flow restricting orifices to further reduce potential flow rates, (2) Any leakage from these lines outside of primary containment would be contained in the secondary containment and processed by the standby gas treatment system. The analysis of such an event has already been performed and is included in the Final Safety Analysis Report in Section 15.6.2. As indicated in the FSAR there would likely be a variety of indicators to the operator of a failed instrument line thus alerting plant staff to the need to isolate the line by use of other manual valves in the line. The staff has previously reached the conclusion in section 15.6 of the SER that the Limerick instrument line design is acceptable. (3) The licensee has examined the records of the initial flow testing performed on these valves and found that all valves were tested successfully. The licensee further states that, based on available data, the valves are believed to be highly reliable in performing their function of checking flow. The staff concludes that the condition of the valves is not expected to change significantly during the short extension period.

Based on the above, the NRC staff concludes that extension of the interval for the surveillance testing by 14 weeks on a one-time-only basis is acceptable because the increased surveillance interval does not significantly increase the possibility that an undetected failure will occur in the instrumentation line excess flow check valves covered by this Technical Specification.

3.0 Environmental Consideration

This amendment changes some surveillance requirements on a one-time-only basis. The staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that this amendment involves no significant hazards consideration and there has been no public comment on such finding within the time provided by the Federal Register notice of consideration of the licensee's amendment request. Thus, there is no need to make a final determination regarding no significant hazards consideration. Accordingly, this amendment meets the

eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement nor environmental assessment need be prepared in connection with the issuance of this amendment.

4.0 Conclusion

The staff has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (2) such activities will be conducted in compliance with the Commission's regulations and the issuance of this amendment will not be inimical to the common defense and security nor to the health and safety of the public.

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Dated: FEB 06 1986