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SUBJECT: Supersedes 910419 ltr re request for temporary waiver of compliance for Limiting Condition for Operation 3.0.4.

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161-03887-WFC/GEC

April 20, 1991

Docket No. STN 50-530

U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
Mail Station P1-37
Washington, D. C. 20555

Reference: Letter from W. F. Conway (APS) to USNRC Document Control Desk, dated April 19, 1991; Subject: Request for a Temporary Waiver of Compliance for Limiting Condition for Operation 3.0.4

Dear Sirs:

Subject: Palo Verde Nuclear Generating Station (PVNGS)
Unit 3
Request for a Temporary Waiver of Compliance for Limiting Condition for Operation 3.0.4
File: 91-056-026

This letter supersedes the referenced letter. Arizona Public Service Company (APS) requests a temporary waiver of compliance from the requirements of Specification 3.0.4 to allow fuel loading to commence in Unit 3. This temporary waiver of compliance was discussed in conversations with Mr. Charles M. Trammell, NRR, on April 18 and 19, 1991, and Mr. Howard J. Wong, NRC Region V, on April 19, 1991.

REQUIREMENTS FOR WHICH A WAIVER IS REQUESTED

Technical Specification 3.0.4 does not allow entry into an OPERATIONAL MODE unless the conditions of the Limiting Conditions for Operation are met without reliance on provisions contained in the ACTION requirements. As a part of the outage maintenance activities, Train A of the essential spray pond system, essential cooling water system, and essential (emergency) chill water system is currently not functional. Train A of the control room essential filtration system, being dependent on these systems, is therefore not considered operable. Specification 3.7.7 requires that two independent control room essential filtration systems be operable in All MODES.

As currently allowed by the technical specifications, fuel loading (entry into MODE 6) could not begin until completion of the current maintenance activities on these systems and their return to a functional status, as well as the control room essential filtration system returned to an operable status. Therefore, the temporary waiver of compliance from the requirement of Specification 3.0.4, as it relates to entry into MODES 5 and 6 of Specification 3.7.7, is requested to allow entry into MODES 5 and 6, with only one control room essential filtration system operable.

CIRCUMSTANCES SURROUNDING THE SITUATION

The unit currently is defueled with fuel loading (entry into MODE 6) scheduled to begin on April 21, 1991 and entry into COLD SHUTDOWN (MODE 5) currently scheduled to occur on April 29, 1991. In the current, defueled condition (no mode) there is no restriction on the unit resulting from the inoperable Train A control room essential filtration system. However, upon commencement of fuel loading (entry into MODE 6) the unit would enter an Action Statement (ACTION a for MODES 5 and 6) requiring that APS "restore the inoperable system to OPERABLE status within 7 days or initiate and maintain operation of the remaining OPERABLE control room essential filtration system."

NEED FOR PROMPT ACTION

The maintenance activities on the essential spray pond system are currently scheduled to be complete on May 1, 1991. The unit currently is defueled with fuel loading (entry into MODE 6) scheduled to begin on April 21, 1991. If the temporary waiver of compliance is not granted, fuel loading may be delayed to May 1, 1991, a delay of ten days to the outage schedule. This delay will result in a day for day postponement of the scheduled date for return to power operation by Unit 3 following the refueling outage.

DESCRIPTION OF WHY THE SITUATION COULD NOT HAVE BEEN AVOIDED

During planning and scheduling for the Unit 3 outage, the potential for the plant being in the situation described above was not recognized. Although the Technical Specification for the essential chilled water system is not applicable in MODES 5 and 6, PVNGS did recognize the criteria stated in Surveillance Requirement (SR) 4.7.7d.4 to verify the ability of the essential chilled water system to maintain the temperature in the control room at ≤80°F. An interpretation of this requirement had previously been approved in September 1987 and revised in December 1988. This interpretation was based on the requirement of SR 4.7.7d.4 being met by a combination of essential chilled water and control room essential filtration systems being functional. Maintaining control room temperature ≤80°F is also required by Specification 3.7.12 in all MODES and it does not specify which system(s) must be used.

While reviewing plant conditions for anticipated entry into MODE 6, PVNGS determined, by applying stricter criteria for support system operability, that SR 4.7.7d.4 is required to be met by independent trains of control room essential filtration. In order to meet this requirement, both essential chilled water systems would be required to be functional. At the time the determination was made, maintenance of the essential chiller and the essential cooling water systems had progressed to a stage where they could not readily be returned to service. The Train A essential chiller and essential cooling water system had been removed from service and work started on April 16, 1991. The situation described above was determined on April 18, 1991.

Prior to the outage, PVNGS decided to off-load fuel from the Unit 3 reactor vessel since several evolutions were planned which would have required midloop operation. If the unit had not off-loaded the core and had remained in MODE 6, the ACTION would have been entered and this mode change restriction would not have occurred.

COMPENSATORY MEASURES

During the period of this temporary waiver the control room essential filtration system will be operated in conformance with ACTION requirements a and b of Limiting Condition for Operation 3.7.7 for MODES 5 and 6, and will be in conformance with the BASES for the control room essential filtration system.

PRELIMINARY EVALUATION OF THE SAFETY SIGNIFICANCE AND POTENTIAL CONSEQUENCES OF THE PROPOSED REQUEST

The purpose of the ACTION requirements for MODES 5 and 6 in Technical Specification 3.7.7 is to ensure that one train of the control room essential filtration system is operable at all times when the reactor is in MODES 5 and 6 and CORE ALTERATIONS or positive reactivity changes are occurring; and to further ensure that if both control room essential filtration systems are inoperable, that no CORE ALTERATIONS or positive reactivity changes occur during that period. The duration of the ACTION is not limited and once entered can continue indefinitely; consequently, there are no additional safety implications resulting from entering MODES 6 or 5 by relying on the provisions of the ACTION statements.

DURATION OF THE REQUEST

The maintenance activities on the essential spray pond system, essential cooling water system, and essential chill water system are currently scheduled to be complete on May 1, 1991. The unit currently is defueled with fuel loading (entry into MODE 6) scheduled to begin on April 21, 1991 and entry into COLD SHUTDOWN (MODE 5) currently scheduled to occur on April 29, 1991. Therefore, the temporary waiver of compliance is requested during the period from when the reactor would enter MODE 6 (April 21, 1991) until both control room essential filtration systems are OPERABLE (May 1, 1991).

SIGNIFICANT HAZARDS CONSIDERATION

APS has performed a No Significant Hazards Analysis (refer to Enclosure A) and concluded that this temporary waiver of compliance will have no adverse impact on the continued safe operation of the Unit 3. This temporary waiver request has been concurred with by the Plant Review Board.

ENVIRONMENTAL CONSEQUENCES

APS has performed an Environmental Impact Consideration Determination (refer to Enclosure A) and concluded that this temporary waiver of compliance does not involve irreversible environmental damage.

Pursuant to 10 CFR 50.91(b)(1), and by copy of this letter and enclosure, APS has notified the Arizona Radiation Regulatory Agency of this request for a temporary waiver of compliance.

If you should have any questions, please contact Michael E. Powell of my staff at (602) 340-4981.

Sincerely,

James M Levine for WFC

WFC/GEC/gec

Enclosure

cc: C. M. Trammell (all w/enclosure)
J. B. Martin
D. H. Coe
A. C. Gehr
A. H. Gutterman
C. F. Tedford

Enclosure A

Basis for No Significant Hazards Consideration

The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92. A proposed waiver of compliance to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with a proposed waiver of compliance 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.

A discussion of these standards as they relate to this temporary waiver of compliance request follows:

Standard 1: Involve a significant increase in the probability or consequences of an accident previously evaluated.

The waiving of the restriction of Specification 3.0.4 for entry into MODES 6 and 5 of Specification 3.7.7 does not involve an increase in the probability or consequences of an accident previously evaluated.

Specification 3.7.7 requires that two independent control room essential filtration systems be OPERABLE. For MODES 5 and 6, the Action Statement requires that: (a) "With one control room essential filtration system inoperable, restore the inoperable system to OPERABLE status within 7 days or initiate and maintain operation of the remaining OPERABLE control room essential filtration system." The Action Statement also requires that: (b) "With both control room essential filtration systems inoperable, or with the OPERABLE control room essential filtration system, required by ACTION a., not capable of being powered by an operable emergency power source, suspend all operations involving CORE ALTERATIONS or positive reactivity changes."

These Action Statements would be in effect had Unit 3 entered MODE 6 or MODE 5 just before the maintenance activity was started on the essential spray pond system and the unit could continue operation under this condition for an indefinite period performing core alterations or positive reactivity changes associated with refueling. Therefore, temporarily waiving the Specification 3.0.4 restriction on entering MODE 6 or MODE 5 does not result in an increase in the probability or consequences of any accident previously evaluated.

Standard 2: Create the possibility of a new or different kind of accident from any accident previously evaluated.

The waiving of Specification 3.0.4 restricting entry into MODES 6 and 5 does not create the possibility of a new or different kind of accident from any previously evaluated. The change does not affect operation of the plant except to allow entry into these modes with one control room essential filtration system inoperable. Immediately upon entering MODE 6 the applicable Action Statement will be entered and Unit 3 will continue

to operate within the restrictions of the Action Statements for the duration of the temporary waiver period, thus ensuring that no possibility of a new or different kind of accident from any accident previously evaluated will be created.

Standard 3: Involve a significant reduction in a margin of safety.

The waiving of Specification 3.0.4 restricting entry into MODES 6 and 5 does not involve a significant reduction in a margin of safety. The change does not affect operation of the plant except to allow entry into these modes with one control room essential filtration system inoperable. Immediately upon entering MODE 6 the applicable Action Statement will be entered and Unit 3 will continue to operate within the restrictions of the Action Statements for the duration of the waiver period, thus ensuring that no reduction in a margin of safety will occur.

Environmental Impact Consideration Determination

The proposed waiver of compliance request does not involve an unreviewed environmental question because operation of PVNGS Unit 3 in accordance with this change, would not:

1. Result in a significant increase in any adverse environmental impact previously evaluated in the Final Environmental Statement (FES) as modified by the staff's testimony to the Atomic Safety and Licensing Board; or

2. Result in a significant change in effluents or power levels; or

3. Result in matters not previously reviewed in the licensing basis for PVNGS which may have a significant environmental impact.

As discussed above, no significant reduction in safety and no new accidents are introduced by this change. This waiver of compliance does not affect effluents or power levels, and consequently does not involve irreversible environmental consequences.