



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

RELATED CORRESPONDENCE

August 16, 1985

DOCKETED
USNRC

Dr. Robert M. Lazo, Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Mr. Gustave A. Linenberger⁸⁵ AUG 20 P2:34
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555 BRANCH

Dr. David R. Schink
Administrative Judge
Department of Oceanography
Texas A & M University
College Station, Texas 77840

In the Matter of
PACIFIC GAS AND ELECTRIC COMPANY
(Humboldt Bay Power Plant Unit No. 3)
Docket No. 50-133 OL

Dear Administrative Judges:

On July 16, 1985, the NRC issued an amendment to the Humboldt Bay operating license which changes the license to a "possession-only" license by deleting words and paragraphs pertaining to power operation. A notice of consideration of issuance and opportunity for hearing regarding this action was published in the Federal Register on March 27, 1985 (50 Fed. Reg. 12152) and no comments or requests for hearing were received. A notice of issuance of the amendment was published on July 31, 1985 (50 Fed. Reg. 31079, 31081).

Enclosed for your information is a copy of the amendment, its supporting documentation and the notice of issuance. Copies of the amendment were dispatched to the parties at the time of issuance.

Sincerely,

Mitzi A. Young
Mitzi A. Young
Counsel for NRC Staff

Enclosure: As stated

cc w/ encl: Service list

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PDR ADOCK 05000133
G PDR

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

July 16, 1985

Docket No. 50-133
LS05-85-07-023

Mr. J. D. Shiffer, Vice President
Nuclear Power Generation
c/o Nuclear Power Generation, Licensing
Pacific Gas and Electric Company
77 Beale Street, Room 1451
San Francisco, California 94106

Dear Mr. Shiffer:

SUBJECT: AMENDMENT OF LICENSE NO. DPR-7 TO POSSESS-BUT-NOT-OPERATE STATUS

Re: Humboldt Bay Power Plant, Unit No. 3

The Commission has issued the enclosed Amendment No. 19 to Provisional Operating License No. DPR-7 for the Humboldt Bay Power Plant, Unit No. 3. This amendment modifies license No. DPR-7 to Possess-But-Not-Operate Status in response to your application of July 30, 1984.

A Notice of Consideration of Issuance of Amendment to License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing related to the requested action was published in the Federal Register on March 27, 1985 (50 FR 12152). No comments or requests for hearing were received.

A copy of our related Safety Evaluation is also enclosed. A notice of issuance pertaining to this action will appear in the Commission's next notice publication in the Federal Register. Action on the balance of your application of July 30, 1984 will be taken at a later date.

Sincerely,

A handwritten signature in black ink, appearing to read "J. A. Zwolinski", written over the word "Sincerely,".

John A. Zwolinski, Chief
Operating Reactors Branch #5
Division of Licensing

Enclosures:

1. Amendment No. 19 to License No. DPR-7
2. Safety Evaluation

cc w/enclosures:
See next page

Mr. J. D. Shiffer
Pacific Gas and Electric Company

Humboldt Bay Nuclear Power Plant

cc

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Chairman
Humboldt County Board of Supervisors
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Eureka, California 95501

Director
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U.S. Environmental Protection Agency
Region IX Office
ATTN: Regional Radiation Representative
215 Freemont Street
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Public Affairs Officer
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U.S. Nuclear Regulatory Commission
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Walnut Creek, California 94596

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

July 16, 1985

PACIFIC GAS AND ELECTRIC COMPANY

HUMBOLDT BAY POWER PLANT UNIT NO. 3

DOCKET NO. 50-133

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 19
License No. DPR-7

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Pacific Gas and Electric Company (the licensee) dated July 30, 1984 complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will be maintained in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public:
and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, Facility Operating License No. DPR-7 is hereby amended by revising the indicated license paragraphs as follows:

Revise paragraph B.1 to read:

- "1. Pursuant to Section 104b of the Act and Title 10, CFR, Chapter I, Part 50, "Domestic Licensing of Production and Utilization Facilities," to possess but not operate the reactor as a utilization facility at the designated location in Humboldt County, California."

Revise paragraph B.2 to read:

- "2. Pursuant to the Act and Title 10, CFR, Chapter I, Part 70, "Special Nuclear Material", to possess and use

- (a) 2 grams of uranium-235 in miniature ionization chambers;
- (b) 10 grams of uranium-235 in ionization chambers; and
- (c) 100 grams of plutonium encapsulated as plutonium-beryllium neutron sources;

and to possess

- (d) 1000 kilograms of contained uranium-235 at any one time."

Revise paragraph B.3.(a) to read:

- "(a) 12,000 curies of Antimony-124 in the form of two Antimony cylinders (for use in Antimony-Beryllium neutron sources) and 3000 curies of Antimony-124 in the form of two Antimony cylinders (for use in Antimony-Beryllium neutron sources) in storage awaiting transfer offsite."

Revise paragraph B.4. to read:

- "4. Pursuant to the Act and Title 10, CFR Parts 30 and 70, to possess, but not to separate, such byproduct and special nuclear materials which were produced by operation of the reactor."

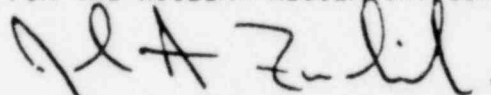
Delete paragraph C.1. Maximum Power Level in its entirety.

And revise paragraph C.2. Technical Specifications to read:

"2. The Technical Specifications contained in Appendix A as revised through Amendment No. 19, are hereby incorporated in the license. The licensee shall maintain the facility in accordance with the Technical Specifications."

3. This license amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in dark ink, appearing to read 'J. A. Zwolinski', is written over the typed name.

John A. Zwolinski, Chief
Operating Reactors Branch #5
Division of Licensing

Date of Issuance: July 16, 1985



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
SUPPORTING AMENDMENT NO. 19 TO FACILITY OPERATING LICENSE NO. DPR-7

PACIFIC GAS AND ELECTRIC COMPANY

HUMBOLDT BAY POWER PLANT

UNIT NO. 3

DOCKET NO. 50-133

1.0 INTRODUCTION

By letter dated July 30, 1984 Pacific Gas and Electric Company (the licensee) proposed: (1) to amend License No. DPR-7 to possess-but-not-operate status; (2) to delete license conditions related to seismic modifications, investigations and analysis required prior to NRC authorization of a return to power operation; (3) to revise the Technical Specifications to reflect the possess-but-not-operate status of license; and (4) to decommission Humboldt Bay Unit No. 3 in accordance with a decommissioning plan submitted with the application. Action on items 2, 3 and 4 will be taken at a later date, estimated to be late 1985. This amendment would only revise License No. DPR-7 to possess-but-not-operate status (Item 1).

A Notice of Consideration of Issuance of Amendment to License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing related to the requested possess-but-not operate status was published in the Federal Register on March 27, 1985 (50 FR 12152). No public comments or requests for hearing were received. Items 2, 3 and 4 above will be noticed separately in the Federal Register.

2.0 DISCUSSION AND EVALUATION

The proposed amendment to possess-but-not-operate status is implemented by changing paragraph B.1. of License No. DPR-7 from "possess, use and operate the reactor as a utilization facility" to "possess but not operate the reactor as a utilization facility." In addition, License No. DPR-7 is changed by: (1) deleting the words "in connection with operation of the reactor" from paragraph B.2.; (2) deleting the words "for use in connection with operation of the reactor" from paragraph B.2.(a); (3) deleting the words "to be used in the reactor" from paragraph B.3.(a); (4) changing the words "as may be" to "which were" in paragraph B.4; (5) deleting paragraph C.1. entitled "Maximum Power Level" in its entirety; and (6) changing paragraph C.2 from "The licensee shall operate the facility in accordance with the Technical Specifications" to "The licensee shall maintain the facility in accordance with the Technical Specifications."

All of the above revisions to license No. DPR-7 constitute additional limitations not presently included in the license in that all of the revisions constitute the deletion of authority to operate the reactor. All current monitoring requirements remain in effect. Therefore, since the effect of each of the revisions is to place more limitations on the licensee the amendment does not result in significant risk to the public health and safety.

3.0 ENVIRONMENTAL CONSIDERATION

This amendment involves a change in the installation or use of facility components located within the restricted area as defined in 10 CFR Part 20. 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. 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 or 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 or to the health and safety of the public.

5.0 ACKNOWLEDGEMENT

This evaluation was prepared by Peter B. Erickson.

Dated: July 16, 1985

in this section to be performed in Mode 6.

Date of publication of individual notice in Federal Register: June 21, 1985 (50 FR 25802).

Expiration date of individual notice: July 22, 1985.

Local Public Document Room location: Crystal River Public Library, 66 NW First Avenue, Crystal River, Florida.

NOTICE OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE

During the period since publication of the last bi-weekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing in connection with these actions was published in the Federal Register as indicated. No request for a hearing or petition for leave to intervene was filed following this notice.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.12(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see: (1) The applications for amendments, (2) the amendments, and (3) the Commission's related letters, Safety Evaluation and/or Environmental Assessments as indicated. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, DC., and at the local public document rooms for the particular facilities involved. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, DC.

20555, Attention: Director, Division of Licensing.

Arkansas Power and Light Company, Docket No. 50-368, Arkansas Nuclear One, Unit 2, Pope County, Arkansas

Date of application for amendment: January 23, 1984.

Brief description of amendment: The amendment added a license condition pertaining to the IAEA safeguards inspection program at ANO-2.

Date of issuance: July 16, 1985.

Effective date: July 16, 1985.

Amendment No.: 67.

Facility Operating License No. NPF-6. Amendment added a license condition.

Date of initial notice in Federal Register: April 25, 1984 (49 FR 17850 at 17853 and 17854).

The Commission's related evaluation of the amendment is contained in a letter dated July 16, 1985.

No significant hazards consideration comments received. No.

Local Public Document Room location: Tomlinson Library, Arkansas Tech University, Russellville, Arkansas 72801.

Carolina Power & Light Company, Docket Nos. 50-325 and 50-324, Brunswick Steam Electric Plant, Units 1 and 2, Brunswick County, North Carolina

Date of application for amendment: March 6, 1985.

Brief description of amendment: The amendments change the Technical Specifications (TS) for Unit 1 with regard to Tables 3.3.5.3-1 and 4.3.5.3-1 (Accident Monitoring Instrumentation) and Section 3/4.6.2.1 (Suppression Chamber) to incorporate the inclusion of a suppression pool temperature monitoring system (SPTMS) which meets the acceptance criteria of NUREG-0061, Appendix A. The channel check for Items 4.3.5.3-1.4 is being changed from monthly to daily to provide consistency with TS 4.6.2.1.d.1 for Unit 1 and Unit 2. In addition, TS sections 3/4.6.2.1 and 3/4.6.4.1 (Drywell-Suppression Chamber Vacuum Breakers) have been modified to more closely conform to the guidance of the BWR-4 Standard Technical Specifications (STS), NUREG-0129. The other Unit 2 change is made to eliminate redundancy in Surveillance Requirement 4.6.2.1.b.2.b.

Date of issuance: July 8, 1985.

Effective date: July 8, 1985.

Amendment Nos.: 85 and 111.

Facility Operating License Nos. DPR-71 and DPR-62. Amendments revised the Technical Specifications.

Date of initial notice in Federal Register: April 23, 1985 (50 FR 15999).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated July 8, 1985.

No significant hazards consideration comments received. No.

Local Public Document Room location: Southport, Brunswick County Library, 109 W. Moore Street, Southport, North Carolina 28461.

Duke Power Company, Dockets Nos. 50-269, 50-270 and 50-287, Oconee Nuclear Station, Units Nos. 1, 2 and 3 Oconee County, South Carolina

Date of application for amendment: March 19, 1985, as supplemented May 1, 1985.

Brief description of amendments: These amendments revise the Station's common Technical Specifications to allow a one-time extension of the allowable period of inoperability from 24 hours to 10 days per battery for the installation of new batteries and battery racks used to start the two Keowee Hydro Station power units, which units serve as the on-site emergency power source for the Oconee Nuclear Station.

Date of issuance: July 17, 1985.

Effective date: July 17, 1985.

Amendments Nos.: 141, 141 and 138.

Facility Operating Licenses Nos. DPR-38, DPR-47 and DPR-55. Amendments revised the Technical Specifications.

Date of initial notice in Federal Register: June 4, 1985 (50 FR 23547).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated July 17, 1985.

No significant hazards consideration comments received. No.

Local Public Document Room location: Oconee County Library, 501 West Southbroad Street, Walhalla, South Carolina.

Duquesne Light Company, Docket No. 50-334, Beaver Valley Power Station, Unit No. 1, Shippingport, Pennsylvania

Date of application for amendment: March 21, 1985.

Brief description of amendment: The amendment changes the Technical Specifications for Beaver Valley Unit No. 1 as follows: (1) Section 3.5.5, "Refueling Water Storage Tank", is deleted and the same requirements are incorporated into Section 3.1.2.2.b, "Borated Water Sources"; (2) Table 4.12-1 is revised to correct an editorial error, and (3) Section 5.1.3, "Environmental Qualification", is deleted to comply with the Commission's final rule for removal of the June 30, 1983 deadline for qualification of all safety-related electrical equipment.

Georgia Power Company, Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, City of Dalton, Georgia, Docket No. 50-366, Edwin I. Hatch Nuclear Plant, Unit No. 2, Appling County, Georgia

Date of application for amendment: February 5, 1981.

Brief description of amendment: The amendment revised the TSs for Hatch Unit 2 to clarify the definition of the term Operable and to specify certain conditions under which a system, subsystem, train, component or device may be considered operable when the normal or emergency power source providing power to the system, subsystem, etc. is Inoperable.

Date of issuance: July 16, 1985.

Effective date: July 16, 1985.

Amendment No.: 49.

Facility Operating License No. NPF-5. Amendment revised the Technical Specifications.

Date of initial notice in Federal Register: October 26, 1983 (48 FR 49586).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated July 16, 1985.

No significant hazards consideration comments received: No.

Local Public Document Room
Location: Appling County Public Library, 301 Hall Drive, Baxley, Georgia.

Iowa Electric Light and Power Company, Docket No. 50-331, Duane Arnold Energy Center, Linn County, Iowa

Date of application for amendment: February 20, 1985.

Brief description of amendment: The amendment revises the DAEC operating license, extending the effectiveness of the licensee's Integrated Scheduling Plan for plant modifications from the current expiration date of May 3, 1985 to May 3, 1987.

Date of issuance: July 9, 1985.

Effective date: July 9, 1985.

Amendment No.: 125.

Facility Operating License No. DPR-49. Amendment revised the license.

Date of initial notice in Federal Register: April 23, 1985 (50 FR 16006).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated July 9, 1985.

No significant hazards consideration comments received: No.

Local Public Document Room
Location: Cedar Rapids Public Library, 500 First Street, S. E., Cedar Rapids, Iowa 52401.

Northern States Power Company, Docket Nos. 50-282 and 50-306, Prairie Island Nuclear Generating Plant, Unit Nos. 1 and 2, Goodhue County, Minnesota

Date of application for amendment: April 5, 1985.

Brief description of amendment: The amendment changed the Technical Specifications by including the operability and surveillance requirements associated with the automatic actuation of the shunt trip attachment and the manual reactor trip circuits.

Date of issuance: June 26, 1985.

Effective date: Unit 1, June 26, 1985. Unit 2—Cycle 10 startup scheduled for November 1985.

Amendment No.: 75 and 68.

Facility Operating License Nos. DPR-42 and DPR-60. Amendments revised the Technical Specifications.

Date of initial notice in Federal Register: May 21, 1985 (50 FR 20967).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated June 26, 1985.

No significant hazards consideration comments received: No.

Local Public Document Room
Location: Environmental Conservation Library, Minneapolis Public Library, 300 Nicollet Mall, Minneapolis, Minnesota.

Pacific Gas and Electric Company, Docket No. 50-133, Humboldt Bay Power Plant, Unit No. 3, Humboldt, California

Date of Application for amendment: July 30, 1984.

Brief description of amendment: This amendment modifies Facility Operating License No. DPR-7 to possess-but-not-operate status. Action on the balance of the above application will be taken at a later date.

Date of issuance: July 16, 1985.

Effective date: July 16, 1985.

Amendment No.: 19.

Facility Operating License No. DPR-7. This amendment revised the license.

Date of initial notice in Federal Register: March 27, 1985 (50 FR 12152).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated July 16, 1985.

No significant hazards consideration comments received: No.

Local Public Document Room
Location: Eureka-Humboldt County Library, 421 I Street (County Courthouse), Eureka, California 95501.

Philadelphia Electric Company, Public Service Electric and Gas Company, Delmarva Power and Light Company, and Atlantic City Electric Company, Dockets Nos. 50-277 and 59-278, Peach Bottom Atomic Power Station, Units Nos. 2 and 3, York County, Pennsylvania

Date of application for amendments: January 4, 1985.

Brief description of amendments: These amendments make the reporting requirements in the Technical Specifications (TSs) consistent with 10 CFR 50.72 and 50.73. These changes: (1) Add the definition of Reportable Events to the Definition Section 1.0. (2) delete the prompt and 30-day reporting specifications because these requirements have been superseded by 10 CFR 50.72 and 50.73, (3) revise specific nomenclature to conform with 10 CFR 50.73 and (4) delete from the TSs the reporting requirement for failures of a safety or relieve valve because 10 CFR 50.73 now requires reporting such failures.

Date of issuance: July 17, 1985.

Effective date: July 17, 1985.

Amendments Nos.: 110 and 113.

Facility Operating Licenses Nos. DPR-44 and DPR-56. Amendments revised the Technical Specifications.

Date of initial notice in Federal Register: February 27, 1985 (50 FR 7999).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated July 17, 1985.

No significant hazards consideration comments received: No.

Local Public Document Room
Location: Government Publications Section, State Library of Pennsylvania, Education Building, Commonwealth and Walnut Streets, Harrisburg, Pennsylvania.

Public Service Electric and Gas Company, Docket Nos. 50-272 and 50-311, Salem Nuclear Generating Station, Units Nos. 1 and 2, Salem County, New Jersey

Date of application for amendment: February 8, 1985.

Brief description of amendments: The amendments provide four additional modifications to the Technical Specifications previously issued as part of the Radiological Effluent Technical Specifications in Amendment Nos. 59 and 28 for Salem Units 1 and 2, respectively.

Date of issuance: May 28, 1985.

Effective date: May 28, 1985.

Amendments Nos.: 63 and 65.

Facility Operating Licenses Nos. DPR-70 and DPR-75. Amendments revised the Technical Specifications.