

February 29, 2000

Mr. Oliver D. Kingsley, President
Nuclear Generation Group
Commonwealth Edison Company
Executive Towers West III
1400 Opus Place, Suite 500
Downers Grove, IL 60515

SUBJECT: LASALLE - NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT
TO FACILITY OPERATING LICENSE, PROPOSED NO SIGNIFICANT
HAZARDS CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A
HEARING (TAC NO. MA8259)

Dear Mr. Kingsley:

Enclosed is a copy of a "Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for Hearing" related to the application dated February 21, 2000, by Commonwealth Edison Company related to LaSalle County Station, Unit 2. The application (pursuant to 10 CFR 50.90) seeks to change the Technical Specifications to defer the required examination of weld RH-2005-29 until the next scheduled refueling outage or December 31, 2000, whichever is earlier.

This notice is being forwarded to the Office of the Federal Register for publication.

Sincerely,

/RA/

Donna M. Skay, Project Manager, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-374

Enclosure: Notice

cc w/encl: See next page

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Commonwealth Edison Company

LaSalle County Station
Units 1 and 2

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Commonwealth Edison Company

- 2 -

LaSalle County Station
Units 1 and 2

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Chicago, Illinois 60690-0767

UNITED STATES NUCLEAR REGULATORY COMMISSIONCOMMONWEALTH EDISON COMPANYDOCKET NO. 50-374NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-18 issued to Commonwealth Edison Company (ComEd, the licensee) for operation of LaSalle County Station Unit 2, located in LaSalle County, Illinois.

The proposed amendment would change the Technical Specifications (TSs) to defer the required examination of weld RH-2005-29 until the next scheduled refueling outage or December 31, 2000, whichever is earlier.

TS Section 3.4.8, "Structural Integrity," requires the structural integrity of American Society of Mechanical Engineers (ASME) Class 1 components to be maintained in accordance with the surveillance requirements of TS Section 4.4.8, "Structural Integrity." TS Section 4.4.8 invokes the surveillance requirements (SR) of TS SR 4.0.5. TS SR 4.0.5.f requires that piping susceptible to intergranular stress corrosion cracking (IGSCC) be examined in accordance with the NRC staff positions on schedule, methods, personnel and sample expansion included in NRC Generic Letter (GL) 88-01, "NRC Position on IGSCC in BWR Austenitic Stainless Steel Piping."

At 1527 hours Central Standard Time (CST) on February 17, 2000, the licensee entered TS SR 4.0.3 due to a missed TS surveillance requirement to examine weld RH-2005-29. TS SR 4.0.3 allows 24 hours to perform the surveillance or pursue enforcement discretion. Without

enforcement discretion, LaSalle County Station Unit 2 would have been required to be in at least STARTUP within the next 7 hours, HOT SHUTDOWN within the following 6 hours, and COLD SHUTDOWN within the subsequent 24 hours, since the action statement of TS Section 3.4.8 could not be complied with due to current plant conditions in accordance with TS Section 3.0.3. The licensee requested enforcement discretion from the requirements of TS 3.4.8 on February 18, 2000. The NRC verbally granted enforcement discretion at approximately 1130 hours CST on February 18, 2000, to be effective until a TS change is approved that would allow the examination of weld RH-2005-29 to be deferred until the next refueling outage. The written Notice of Enforcement Discretion (NOED) was issued by the NRC on February 23, 2000. The licensee requested that this proposed TS change be processed on an exigent basis consistent with the guidance provided in NRC Administrative Letter 95-05, "Revisions to Staff Guidance for Implementing NRC Policy on Notices of Enforcement Discretion, Revision 1." The licensee stated that the circumstances surrounding this request for exigent review were unavoidable and not created by a failure to make a timely application for a license amendment.

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.

Pursuant to 10 CFR 50.91(a)(6), for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment request 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. As required by

10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

The proposed change represents a minimal increase in the probability of a pipe break resulting in a Loss-of-Coolant Accident (LOCA). The proposed change will not impact the source term used in the derivation of the LOCA dose consequences. Therefore, the consequences will remain unchanged since the resulting LOCA is bounded by the current analysis.

Therefore, the proposed change does not involve a significant increase in the probability or consequence of an accident previously evaluated.

Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed change does not introduce a new mode of plant operation and does not involve a physical modification to the plant. The proposed change does not introduce a new failure mode.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

Does the change involve a significant reduction in a margin of safety?

Since the LOCA analysis remains unchanged, the fuel integrity margin, as expressed as Peak Cladding Temperature, is not affected. The change does not impact the Reactor Coolant Pressure Boundary Overpressure Analysis; therefore, the margin of safety for the Reactor Coolant Pressure Boundary is not affected. The blowdown energy, resulting from a LOCA and the ability of the suppression chamber to maintain the margin of safety of the containment barrier are not affected.

Therefore, the changes do not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards considerations.

The Commission is seeking public comments on this proposed determination. Any comments received within 14 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 14-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 amendment before the expiration of the 14-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the FEDERAL REGISTER a notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room 6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By _____ April 5, 2000 _____, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest maybe affected by this proceeding and who wishes to

participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition 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. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>). 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 a 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 the 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 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 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. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. 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 partners 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 the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards

consideration. If a hearing is requested, the final determination will serve to decide when the hearing is held.

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

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

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 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. A copy of the petition should also be sent to the Office of General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Ms. Pamela B. Stroebel, P.O. Box 767, Chicago, Illinois 60690-0767, attorney for the licensee.

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 presiding Atomic Safety and Licensing Board that the petition and/or request should be granted 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 amendment dated February 21, 2000, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and accessible

electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site
(<http://www.nrc.gov>)

Dated at Rockville, Maryland, this 29th day of February 2000.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Donna M. Skay, Project Manager, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation