

March 19, 1997

14E21

Mr. J. E. Cross
President-Generation Group
Duquesne Light Company
Post Office Box 4
Shippingport, PA 15077

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY
OPERATING LICENSE AND OPPORTUNITY FOR A HEARING, BEAVER VALLEY POWER
STATION, UNIT NO. 1 (TAC NO. M98048)

Dear Mr. Cross:

Enclosed is a copy of the subject notice for your information. This notice relates to your application dated February 27, 1997, for Beaver Valley Power Station, Unit No. 1. Your application proposes to modify Technical Specification (TS) 5.3.1.2.a to increase the maximum allowable U²³⁵ enrichment of new fuel assemblies in the new fuel storage racks to 5 weight percent with a tolerance of +0.05 weight percent, and modify TS 5.3.1.2.c to increase the maximum allowable K_{eff} to less than or equal to 0.98 for moderation by aqueous foam.

This notice will be forwarded to the Office of the Federal Register for publication.

Sincerely,

(original signed by)
Donald S. Brinkman, Senior Project Manager
Project Directorate I-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-334

Enclosure: Notice

cc w/encl: See next page

DISTRIBUTION

Docket File
PUBLIC
PDI-2 Reading
SVarga/JZwolinski
JStolz
TLiu
DBrinkman
MO'Brien
OGC
ACRS
PEselgroth, RGN-I

NRC FILE CENTER COPY

DF 01/1

010049

OFFICE	PDI-2/PM	PDI-2/PM <i>MB</i>	PDI-2/VA <i>MB</i>	PDI-2/D	
NAME	TLiu:rb <i>L</i>	DBrinkman	MO'Brien	JStolz	
DATE	3/17/97	3/18/97	3/19/97	3/19/97	

OFFICIAL RECORD COPY
DOCUMENT NAME: BV98048.IND

9704010576 970319
PDR ADOCK 05000334
P PDR



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 19, 1997

Mr. J. E. Cross
President-Generation Group
Duquesne Light Company
Post Office Box 4
Shippingport, PA 15077

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY
OPERATING LICENSE AND OPPORTUNITY FOR A HEARING, BEAVER VALLEY POWER
STATION, UNIT NO. 1 (TAC NO. M98048)

Dear Mr. Cross:

Enclosed is a copy of the subject notice for your information. This notice relates to your application dated February 27, 1997, for Beaver Valley Power Station, Unit No. 1. Your application proposes to modify Technical Specification (TS) 5.3.1.2.a to increase the maximum allowable U^{235} enrichment of new fuel assemblies in the new fuel storage racks to 5 weight percent with a tolerance of +0.05 weight percent, and modify TS 5.3.1.2.c to increase the maximum allowable K_{eff} to less than or equal to 0.98 for moderation by aqueous foam.

This notice will be forwarded to the Office of the Federal Register for publication.

Sincerely,

A handwritten signature in cursive script that reads "Donald S. Brinkman".

Donald S. Brinkman, Senior Project Manager
Project Directorate I-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-334

Enclosure: Notice

cc w/encl: See next page

J. E. Cross
Duquesne Light Company

Beaver Valley Power Station
Units 1 & 2

cc:

Jay E. Silberg, Esquire
Shaw, Pittman, Potts & Trowbridge
2300 N Street, NW.
Washington, DC 20037

Bureau of Radiation Protection
Pennsylvania Department of
Environmental Resources
ATTN: R. Barkanic
Post Office Box 2063
Harrisburg, PA 17120

R. K. Brosi, Manager
Nuclear Safety Department (BV-A)
Duquesne Light Company
Beaver Valley Power Station
PO Box 4
Shippingport, PA 15077

Mayor of the Borough of
Shippingport
Post Office Box 3
Shippingport, PA 15077

Commissioner Roy M. Smith
West Virginia Department of Labor
Building 3, Room 319
Capitol Complex
Charleston, WVA 25305

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

John D. Borrows
Director, Utilities Department
Public Utilities Commission
180 East Broad Street
Columbus, OH 43266-0573

Resident Inspector
U.S. Nuclear Regulatory Commission
Post Office Box 298
Shippingport, PA 15077

Director, Pennsylvania Emergency
Management Agency
Post Office Box 3321
Harrisburg, PA 17105-3321

Duquesne Light Company
Beaver Valley Power Station
PO Box 4
Shippingport, PA 15077
ATTN: S. C. Jain, Vice President
Nuclear Services (BV-A)

Ohio EPA-DERR
ATTN: Zack A. Clayton
Post Office Box 1049
Columbus, OH 43266-0149

Dr. Judith Johnsrud
National Energy Committee
Sierra Club
433 Orlando Avenue
State College, PA 16803

UNITED STATES NUCLEAR REGULATORY COMMISSIONDUQUESNE LIGHT COMPANYOHIO EDISON COMPANYPENNSYLVANIA POWER COMPANYDOCKET NO. 50-334NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE AND OPPORTUNITY FOR A HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-66, issued to Duquesne Light Company, et al. (the licensee), for operation of the Beaver Valley Power Station, Unit No. 1, located in Shippingport, Pennsylvania.

The proposed amendment would modify Technical Specification (TS) 5.3.1.2.a to increase the maximum allowable U^{235} enrichment of new fuel assemblies in the new fuel storage racks to 5 weight percent with a tolerance of +0.05 weight percent. The proposed amendment would also modify TS 5.3.1.2.c to increase the maximum allowable K_{eff} to less than or equal to 0.98 for moderation by aqueous foam.

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.

By April 24, 1997, 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 may be 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 at the local public document room located at the B. F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, PA 15001. 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 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 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.

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: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last 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) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to John F. Stolz, Director, Project Directorate I-2: 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 20555-0001, and to Jay E. Silberg, Esquire, Shaw, Pittman, Potts & Trowbridge, 2300 N Street, NW., Washington, DC 20037, 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).

If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated February 27, 1997, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the B. F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, PA 15001.

Dated at Rockville, Maryland, this 19th day of March 1997.

FOR THE NUCLEAR REGULATORY COMMISSION



John F. Stolz, Director
Project Directorate I-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation