

JAN 20 1988

Docket No. 50-412

Mr. J. J. Carey  
Senior Vice President  
Nuclear Group  
Post Office Box 4  
Shippingport, Pennsylvania 15077

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Dear Mr. Carey:

SUBJECT: BEAVER VALLEY UNIT 2 - NOTICE OF CONSIDERATION OF  
ISSUANCE OF AMENDMENT (TAC 66946)

The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing." This notice relates to your application for amendment dated January 13, 1988, which would revise the Technical Specifications for Beaver Valley Power Station, Unit No. 2 to incorporate a temporary change to relax the required number of incore detector thimbles from 75% to 50% for the remainder of Cycle 1.

Sincerely,

**"ORIGINAL SIGNED BY"**

Peter S. Tam, Project Manager  
Project Directorate I-4  
Division of Reactor Projects I/II

Enclosure:  
Notice

cc w/enclosure:  
See next page

\*See previous concurrence  
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UNITED STATES NUCLEAR REGULATORY COMMISSION

DUQUESNE LIGHT COMPANY  
OHIO EDISON COMPANY  
THE CLEVELAND ELECTRIC ILLUMINATING COMPANY  
THE TOLEDO EDISON COMPANY

DOCKET NO. 50-412

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO  
FACILITY OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS  
CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The U. S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-73, issued to Duquesne Light Company, Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (the licensee), for operation of the Beaver Valley Power Station, Unit 2, located in Shippingport, Pennsylvania.

The proposed amendment would incorporate a temporary change to Technical Specification 3.3.3.2 to relax the required number of incore detector thimbles from 75% to 50% for the remainder of Cycle 1. In addition, for compensatory measures the peaking factor surveillance requirements would be revised to increase the uncertainty factors applied to the peaking factors when a flux map is performed with less than 75% of the thimbles. These changes are similar to those approved for Beaver Valley Power Station Unit 1 (January 19, 1983), and a number of other plants.

The incore detection system is used for core power distribution measurements. These measurements are used to determine the peak linear heat

generation rate, which helps establish operating limits such that safety analysis assumptions are satisfied. Sufficient coverage of detectors is needed such that the core power distribution is properly monitored. A factor is applied to the measurement to account for uncertainty. With the proposed changes, the core would still have sufficient coverage, and a larger (more stringent) uncertainty factor would be applied.

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.

The Commission has made a proposed determination 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.

This change is requested in order to provide flexibility in plant operation with sufficient data gathering capability to ensure operation within licensed limits. As such, this proposed change would not:

- (1) Involve a significant increase in the probability or consequences of an accident previously evaluated -- This change merely increases the measurement uncertainty for a reduced complement of operable incore neutron detector thimbles. Therefore, the change cannot increase the probability or consequences of an accident, as the core will continue to be adequately monitored by existing fixed incore monitors.

- (2) Create the possibility of a new or different kind of accident from any previously analyzed -- This modification only increases the measurement uncertainty for a reduced complement of operable incore neutron detector thimbles. Therefore, it does not create the possibility of a new or different kind of accident since it does not modify plant operation or components.
- (3) Involve a significant reduction in a margin of safety -- This modification of increasing the measurement uncertainty for a reduced complement of operable incore neutron detector thimbles will add sufficient additional margin to the power distribution measurements such that this change does not impact the safety margins which currently exist. Thus, this change does not involve a significant reduction in a margin of safety.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Rules and Procedures Branch, Division of Rules and Records, Office of Administration and Resources Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of the FEDERAL REGISTER notice. Written comments may also be delivered to Room 4000, Maryland

National Bank Building, 7735 Old Georgetown Road, Bethesda, Maryland, from 8:15 a.m. to 5:00 p.m. Copies of written comments received may be examined at the NRC Public Document Room, 1717 H Street, NW, Washington, DC. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By February 24, 1988 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 petition for leave to intervene. Requests for a hearing and petitions 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. 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 fifteen (15) days prior to the first pre-hearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (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, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. 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.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. 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 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 the issuance of any amendment.

Normally, the Commission will not issue the amendment until the expiration of the 30-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 30-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 a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

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, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W. Washington, D.C., by the above date. Where petitions are filed during the last ten (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 (800) 325-6000 (in Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to John F. Stolz: 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, D.C. 20555, and to Gerald Charnoff, Esq. of Shaw, Pittman, Potts and Trowbridge, 2300 N Street, N.W., Washington, D.C., 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 Atomic Safety and Licensing Board designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be 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 January 13, 1988, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555, and at the B. F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, Pennsylvania 15001.

Dated at Bethesda, Maryland, this 20th day of January 1988.

FOR THE NUCLEAR REGULATORY COMMISSION

*Alexander W. Dromerick*  
Alexander W. Dromerick, Acting Director  
Project Directorate I-4  
Division of Reactor Projects I/II  
Office of Nuclear Reactor Regulation