

August 2, 1988

Docket Nos. 50-317
and 50-318

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Mr. J. A. Tiernan
Vice President-Nuclear Energy
Calvert Cliffs Nuclear Power Plant
MD Rts. 2 & 4
P. O. Box 1535
Lusby, Maryland 20657

Dear Mr. Tiernan:

SUBJECT: PROPOSED INCREASE IN TECHNICAL SPECIFICATION LIMITS FOR THE
MAXIMUM FUEL ENRICHMENT PERMITTED IN THE NEW AND SPENT FUEL
POOLS (TACS 68146 AND 68147)

Enclosed is a copy of a "Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Opportunity for Prior Hearing" for your information. This notice relates to your June 9, 1988 application which proposed to modify the Units 1 and 2 Technical Specifications 5.6.1, "Criticality - Spent Fuel," and 5.6.2, "Criticality - New Fuel," by increasing the maximum fuel enrichment limit to 5.0 weight percent U-235 from the current limit of 4.1 weight percent U-235.

Sincerely,

~~Signature~~

Scott Alexander McNeil, Project Manager
Project Directorate I-1
Division of Reactor Projects, I/II

Enclosure:
As stated

cc: See next page

PDI-1
CVogan
8/1/88

PDI-1 *Sam*
SMcNeil:dlg
8/1/88

PDI-1 *Sam*
RCapra *for*
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Mr. J. A. Tiernan
Baltimore Gas & Electric Company

Calvert Cliffs Nuclear Power Plant

cc:

Mr. John M. Gott, President
Calvert County Board of
Commissioners
Prince Frederick, Maryland 20768

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Baltimore Gas and Electric Company
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Mr. W. J. Lippold, General Supervisor
Technical Services Engineering
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Lusby, Maryland 20657

Resident Inspector
c/o U.S. Nuclear Regulatory Commission
P. O. Box 437
Lusby, Maryland 20657

Department of Natural Resources
Energy Administration, Power Plant
Siting Program
ATTN: Mr. T. Magette
Tawes State Office Building
Annapolis, Maryland 21204

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

UNITED STATES NUCLEAR REGULATORY COMMISSIONBALTIMORE GAS AND ELECTRIC COMPANYDOCKET NOS. 50-317 AND 50-318NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating Licenses Nos. DPR-53 and DPR-69, issued to the Baltimore Gas and Electric Company (the licensee), for operation of the Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, located in Calvert County, Maryland.

The proposed amendments would modify the Units 1 and 2 Technical Specifications 5.6.1, "Criticality-Spent Fuel," and 5.6.2, "Criticality-New Fuel," by increasing the maximum fuel enrichment limit to 5.0 weight percent U-235 from the current limit of 4.1 weight percent U-235.

This proposed TS revision is in response to the licensee's application for amendments dated June 9, 1988.

Prior to 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 September 7, 1988, the licensee may file a request for a hearing with respect to issuance of the amendments to the subject facility operating licenses 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 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 that 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.

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 1-(800) 325-6000 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Robert A. Capra: 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 D. A. Brune, Jr., General Counsel, Baltimore Gas & Electric Company, P.O. Box 1475, Baltimore, Maryland 21203, attorney for the licensee.

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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 considerations in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated June 9, 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 Local Public Document Room, Calvert County Library, Prince Frederick, Maryland.

Dated at Rockville, Maryland, this 2nd day of August, 1988.

FOR THE NUCLEAR REGULATORY COMMISSION



Scott Alexander McNeil, Project Manager
Project Directorate I-1
Division of Reactor Projects I/II