

December 5, 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
Post Office Box 1535
Lusby, Maryland 20657

Dear Mr. Tiernan:

SUBJECT: MODIFICATION TO FEDERAL REGISTER NOTICE OF PROPOSED INCREASES 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 "Modified Notice of Consideration of Issuance of
Amendments to Facility Operating Licenses and Opportunity for Hearing" for
your information. This notice relates to your October 25, 1988 request to
modify your June 9, 1988 application to increase the maximum fuel enrichment,
permitted by Technical Specifications 5.6.1, "Critically-Spent Fuel," and
5.6.2, "Critically-New Fuel," to a limit of 5.0 weight percent U-235. The
modification requested on October 25, 1988 proposed the reduction of the
maximum limit for Keff from 0.98 to 0.95 and added the full flood condition to
those scenarios analyzed in verifying the maximum possible value of Keff.

Sincerely,

Robert A. Capra for
Scott Alexander McNeil, Project Manager
Project Directorate I-1
Division of Reactor Projects I/II

Enclosure:
As stated

cc: See next page
[TACS 68146 AND 68147]

capra

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NAME	:CVogan <i>CV</i>	:SMcNeil:vr	:RCapra	:	:	:
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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

D. A. Brune, Esq.
General Counsel
Baltimore Gas and Electric Company
P. O. Box 1475
Baltimore, Maryland 21203

Mr. Jay E. Silberg, Esq.
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Mr. W. J. Lippold, General Supervisor
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Calvert Cliffs Nuclear Power Plant
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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 COMMISSION
BALTIMORE GAS AND ELECTRIC COMPANY
DOCKET NOS. 50-317 AND 50-318
MODIFIED NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO
FACILITY OPERATING LICENSES 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 were originally published in the FEDERAL REGISTER (53 FR 29791) on August 8, 1988 as a "Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for Hearing." Subsequently on October 25, 1988, the licensee requested a modification to the proposed amendment of Technical Specification 5.6.2, "Criticality-New Fuel." Currently, TS 5.6.2 requires that k_{eff} will not exceed 0.98 when the fuel is in place and various densities of unborated water are assumed including aqueous foam moderation. The proposed modification would reduce the maximum k_{eff} limits for TS 5.6.2 from 0.98 to 0.95 and, in addition, would add the full flood condition to the various densities of unborated water conditions that are assumed in determining k_{eff} .

This proposed TS revision is in response to the licensee's application for amendments dated June 9, 1988 as modified on October 25, 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 January 9, 1989, 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 prehearing 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, DC 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, Gelman Building, 2120 L Street, N.W., Washington, DC, 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, DC 20555, and to D. A. Brune, Jr., General Counsel, Baltimore Gas and Electric Company, P. O. Box 1475, Baltimore, Maryland 21203, 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 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, as modified on October 25, 1988, which is

available for public inspection at the Commission's Public Document Room, Gelman Building, 2120 L Street, N.W., Washington, DC 20555, and at the Local Public Document Room, Calvert County Library, Prince Frederick, Maryland.

Dated at Rockville, Maryland, this 5th, day of December, 1988.

FOR THE NUCLEAR REGULATORY COMMISSION

Robert A. Capra

Robert A. Capra, Director
Project Directorate I-1
Division of Reactor Projects I/II

December 5, 1988

Docket Nos. 50-317
and 50-318

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Vice President - Nuclear Energy
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Robert A. Capra for
Scott Alexander McNeil, Project Manager
Project Directorate I-1
Division of Reactor Projects I/II

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NAME	:CVogan	:SMcNeil	:vr	:RCapra	:	:	:	:
DATE	:12/5/88	:12/5/88	:12/5/88	:	:	:	:	:

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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

D. A. Brune, Esq.
General Counsel
Baltimore Gas and Electric Company
P. O. Box 1475
Baltimore, Maryland 21203

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Shaw, Pittman, Potts and Trowbridge
1800 M Street, NW
Washington, DC 20036

Mr. W. J. Lippold, General Supervisor
Technical Services Engineering
Calvert Cliffs Nuclear Power Plant
MD Rts 2 & 4, P. O. Box 1535
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

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Dated at Rockville, Maryland, this 5th, day of December, 1988.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert A. Capra, Director
Project Directorate I-1
Division of Reactor Projects I/II