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DOCKET NO(S). 50-321  
Mr. J. T. Beckham, Jr.  
Vice President - Nuclear Generation  
Georgia Power Company  
P. O. Box 4545  
Atlanta, Georgia 30302

SUBJECT: EDWIN I. HATCH NUCLEAR PLANT, UNIT 1

The following documents concerning our review of the subject facility are transmitted for your information.

- Notice of Receipt of Application.
- Draft/Final Environmental Statement, dated \_\_\_\_\_.
- Notice of Availability of Draft/Final Environmental Statement, dated \_\_\_\_\_.
- Safety Evaluation Report, or Supplement No. \_\_\_\_\_, dated \_\_\_\_\_.
- Notice of Hearing on Application for Construction Permit.
- Notice of Consideration of Issuance of Facility Operating License.
- Application and Safety Analysis Report, Volume \_\_\_\_\_.
- Amendment No. \_\_\_\_\_ to Application/SAR dated \_\_\_\_\_.
- Construction Permit No. CPPR- \_\_\_\_\_, Amendment No. \_\_\_\_\_, dated \_\_\_\_\_.
- Facility Operating License No. \_\_\_\_\_, Amendment No. \_\_\_\_\_, dated \_\_\_\_\_.
- Order Extending Construction Completion Date, dated \_\_\_\_\_.

Other (Specify) **Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing concerning September 29, 1983, amendment application for TS changes to 1) accommodate the replacement of leaking fuel assemblies and 2) extend allowable fuel burnup limit.**

**"ORIGINAL SIGNED BY:"**

Office of Nuclear Reactor Regulation  
George Rivenbark, Project Manager  
Operating Reactors Branch #4  
Division of Licensing

*10/25*  
*multiple changes*  
*decision made*  
*changes made*  
*10/27/83*

Enclosures:  
As stated

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PDR ADDCK 05000321  
PDR

CC:

*10/27/83*

OFFICE	ORB#4:DL	ORB#4:DL	C-ORB#4:DL	C-ORB#3:DL	OELD		
SURNAME	RIngram	GRivenbark:cf	JStolz	JMiller			
DATE	10/11/83	10/11/83	10/11/83	10/11/83	10/11/83		



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

October 27, 1983

DISTRIBUTION  
Docket File  
ORB#4 Rdg  
RIngram

Docket No. 50-321

Docketing and Service Section  
Office of the Secretary of the Commission

SUBJECT: EDWIN I. HATCH NUCLEAR PLANT, UNIT 1

Two signed originals of the Federal Register Notice identified below are enclosed for your transmittal to the Office of the Federal Register for publication. Additional conformed copies ( 6 ) of the Notice are enclosed for your use.

- Notice of Receipt of Application for Construction Permit(s) and Operating License(s).
- Notice of Receipt of Partial Application for Construction Permit(s) and Facility License(s): Time for Submission of Views on Antitrust Matters.
- Notice of Availability of Applicant's Environmental Report.
- Notice of Proposed Issuance of Amendment to Facility Operating License. \*
- Notice of Receipt of Application for Facility License(s); Notice of Availability of Applicant's Environmental Report; and Notice of Consideration of Issuance of Facility License(s) and Notice of Opportunity for Hearing.
- Notice of Availability of NRC Draft/Final Environmental Statement.
- Notice of Limited Work Authorization.
- Notice of Availability of Safety Evaluation Report.
- Notice of Issuance of Construction Permit(s).
- Notice of Issuance of Facility Operating License(s) or Amendment(s).
- Other: \*Please insert date on the 5th page 2nd paragraph of this notice for a 30-day intervention period, and call Caryn on extension 28960 to inform her of the date inserted.

Referenced documents have been provided PDR.

Division of Licensing, ORB#4  
Office of Nuclear Reactor Regulation

Enclosure:

As Stated

**NOTE: Expedited handling is requested. Publication in the FEDERAL REGISTER on an expedited basis no later than November 4, 1983, is required to provide a 30-day notice period as required by the Commission's regulations and to avoid impact on plant schedules.**

OFFICE

SURNAME

DATE

ORB#4:DL  
RIngram;cf  
10/13/83

Hatch 1/2  
Georgia Power Company

50-321/366

cc w/enclosure(s):

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Shaw, Pittman, Potts and Trowbridge  
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Birmingham, Alabama 35202

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Chairman  
Appling County Commissioners  
County Courthouse  
Baxley, Georgia 31513

Mr. L. T. Gucwa  
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Mr. H. C. Nix, Jr. General Manager  
Edwin I. Hatch Nuclear Plant  
Georgia Power Company  
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Regional Radiation Representative  
EPA Region IV  
345 Courtland Street, N.E.  
Atlanta, Georgia 30308

Mr. James P. O'Reilly, Regional  
Administrator  
U. S. Nuclear Regulatory Commission  
Region II  
101 Marietta Street, Suite 3100  
Atlanta, Georgia 30303

Charles H. Badger  
Office of Planning and Budget  
Room 610  
270 Washington Street, S.W.  
Atlanta, Georgia 30334

J. Leonard Ledbetter, Commissioner  
Department of Natural Resources  
270 Washington Street, N.W.  
Atlanta, Georgia 30334

Resident Inspector  
U. S. Nuclear Regulatory Commission  
Route 1, P. O. Box 279  
Baxley, Georgia 31513

UNITED STATES NUCLEAR REGULATORY COMMISSION

GEORGIA POWER COMPANY  
OGLETHORPE POWER CORPORATION  
MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA  
CITY OF DALTON, GEORGIA

DOCKET NO. 50-321

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. DPR-57, issued to Georgia Power Company (GPC), Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, and City of Dalton, Georgia, (the licensees), for operation of the Edwin I. Hatch Nuclear Plant, Unit No. 1 (the facility), located in Appling County, Georgia.

The proposed amendment would revise the Hatch Unit 1 Technical Specifications to 1) accommodate the replacement of leaking fuel assemblies, and 2) extend the allowable fuel burnup limit from 30 gigawatt days per ton (Gwd/t) to 40 Gwd/t. The proposed amendment includes 1) numerical changes

to four curves that specify maximum average planar linear heat generation rate (MAPLHGR) limits to specify allowable MAPLHGR limits for burnup beyond 30 Gwd/t, 2) numerical changes to two curves that specify minimum critical power ratio (MCPR) limits, 3) modification of the nomenclature on two additional MAPLHGR curves to make them consistent with the nomenclature on the other MAPLHGR curves and the listing of an additional type of fuel assembly not previously used in Hatch 1 as being covered by one of these two curves, and 4) the addition of three new MAPLHGR curves that provide limiting values for three more additional types of fuel assemblies that have not been previously used in Hatch Unit 1. These four additional fuel assembly types may be used to replace the leaking fuel assemblies that have been removed from the Hatch Unit 1 core. All four additional fuel assembly types are 8X8 assemblies that have been previously irradiated in the Hatch Unit 2 core and that are available in the fuel storage pool. These changes are in accordance with the licensees' application for amendment dated September 29, 1983, as supplemented October 24, 1983.

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

accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The Commission has provided guidance concerning the application of these standards by providing certain examples (48 FR 14870). One of the examples of actions likely to involve no significant hazards considerations relates to reload amendments involving no fuel assemblies significantly different than those previously found acceptable at the facility in question (example ii). This amendment involves replacement of leaking fuel assemblies. Such a replacement is similar in effect to a limited reload and while some of the fuel assemblies involved in this application are somewhat different from those previously authorized for Hatch Unit No. 1, i.e., some 8X8 replacement assemblies have slightly different dimensions from the 8X8 assemblies currently authorized for use in Hatch Unit 1, the Commission proposes to determine that the application does not involve a significant hazards consideration since fuel elements of this design have been previously reviewed and approved for use in Hatch Unit No. 2. While there are some differences between Hatch Unit No. 1 and Hatch Unit No. 2 operating characteristics which require a plant specific analysis for the use of the new fuel, these differences are not significant.

Another of the examples of actions likely to involve no significant hazards considerations relates to a change which either may result in some increase to the probability or consequences of a previously-analyzed accident or may reduce in some way a safety margin, but where the results of the change are clearly within all acceptable criteria with respect to the system or component specified in the Standard Review Plan: for example, a change resulting from application of a small refinement of a previously used calculational model or design method (example vi).

The NRC staff, in a letter dated February 3, 1982, informed GPC that it would accept General Electric positions that "credit for approved but unapplied Emergency Core Cooling System evaluation model changes be used to offset MAPLHGR penalties on operating reactors due to high burnup fission gas release." GPC has referenced its use of this credit in proposing MAPLHGR limits for fuel burnup in excess of 30 Gwd/<sub>t</sub> and has stated that the results of this proposed change meet the Emergency Core Cooling System criteria specified in 10 CFR 50.46 and 10 CFR 50, Appendix K. These are the criteria for acceptable accident analysis results specified by the Standard Review Plan. We conclude, therefore, that the proposed extension of MAPLHGR curves to fuel burnup beyond 30 Gwd/<sub>t</sub> fits example vi.

Still another of the examples of actions likely to involve no significant hazards considerations relates to a purely administrative change to technical specifications: for example, a change to achieve consistency throughout the technical specifications, correction of an error, or a change in nomenclature (example i). The modification of the nomenclature on two curves fits this example. Accordingly, the Commission proposes to determine that these changes do not involve a significant hazards consideration.

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.

Comments should be addressed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D. C. 20555, ATTN: Docketing and Service Branch.

By December 2, 1983 , the licensees 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. Request 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 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

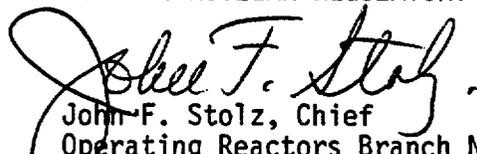
message addressed to John F. Stolz: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this FEDERAL REGISTER notice. A copy of the petition should also be sent to the Executive Legal Director, U. S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to G. F. Trowbridge, Shaw, Pittman, Potts, and Trowbridge, 1800 M Street, NW, Washington, D.C. 20006, attorney for the licensees.

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 which is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C. 20555, and at the Appling County Public Library, 301 City Hall Drive, Baxley, Georgia.

Dated at Bethesda, Maryland this 27th day of October 1983.

FOR THE NUCLEAR REGULATORY COMMISSION

  
John F. Stolz, Chief  
Operating Reactors Branch No. 4  
Division of Licensing

INITIAL  
NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION  
AND NOTICING ACTION

Docket No. 50-321 Facility: Hatch Unit 1  
Licensee: Georgia Power Company Date of application: Sept. 29, 1983, as  
supplemented October 24, 1983  
Request for: T\$ changes to 1) accommodate the replacement of leaking fuel  
assemblies and 2) extend allowable fuel burnup limit.

(See attached notice or press release for more details.)

Initial Determination:

- ( X ) Proposed determination - amendment request involves no significant hazards considerations (NSHC).  
( ) Final determination - amendment request involves significant hazards considerations (SHC).

Basis for Determination

- ( X ) Licensee's NSHC discussion has been reviewed and is accepted. See attached amendment request.  
( X ) Basis for this determination is presented in the attached notice.  
( ) Other (state):

(Attach additional sheets as needed.)

Initial Noticing Action: (Attach appropriate notice or input for monthly FRN)

1. ( ) Monthly FRN. Notice of opportunity for hearing (30 days) and request for comments on proposed NSHC determination - monthly FRN input is attached (Attachment 8).
2. ( X ) Individual FRN (30 days). Same notice matter as above. Time does not allow waiting for next monthly FRN (Attachments 9a and 9b).

(THIS FORM SHOULD BE TYPED EXCEPT FOR UNUSUAL, URGENT CIRCUMSTANCES.)

- 3. ( ) Local media notice. Valid exigent circumstances exist (evaluated below). Local media notice requesting public comments on proposed NSHC determination is attached (Attachment 10).
- 4. ( ) No notice. A valid emergency situation exists (evaluated below) and there is no time for public notice on proposed NSHC determination. (No attachment.)
- 5. ( ) Individual FRN (30-days). Licensee's claim of exigent or emergency circumstances is invalid (evaluated below). Notice of opportunity for hearing (30 days) and request for comments on proposed NSHC determination is attached (Attachments 9a and 9b). Letter of explanation to licensee is also attached.
- 6. ( ) Individual FRN (30-days). The amendment request involves SHC. Notice of opportunity for prior hearing is attached (Attachment 5). Letter to licensee also attached.
- 7. ( ) Individual Short FRN. Valid emergency circumstances exist (evaluated below). There is no time for the usual 30-day FRN. (Attachment 16).

Evaluation of exigent or emergency circumstances (if applicable):

(attach additional sheets as needed)

Approvals:

	<u>Date</u>
1. George W. Rivenbark <u>George W Rivenbark</u> (Project Manager)	<u>10/17/83</u>
2. John F. Stolz <u>John F. Stolz</u> (Branch Chief)	<u>10/17/83</u>
3. <u>du FRN of concurrence</u> (OELD)	<u>10/25/83</u>

Additional approval (for noticing actions types 3, 4, 5, 6 and 7):

4. \_\_\_\_\_  
(Assistant Director)

Additional approval (for noticing action types 4 and 5):

5. \_\_\_\_\_  
(Director, Division of Licensing)

Attachment: as indicated

cc: Original - Docket File (with note "Docket File only")  
Project Manager  
Licensing Assistant  
Branch Files