

September 5, 1997

Mr. D. N. Morey  
Vice President - Farley Project  
Southern Nuclear Operating  
Company, Inc.  
Post Office Box 1295  
Birmingham, Alabama 35201-1295

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT - JOSEPH M. FARLEY  
NUCLEAR PLANT, UNIT 1 (TAC NO. M99505)

Dear Mr. Morey:

The U.S. Nuclear Regulatory Commission has forwarded the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for A Hearing" to the Office of the Federal Register for publication.

This notice is related to your September 3, 1997, application that would allow a reduction in the number of required available movable detector thimbles (flux map paths) for Cycle 15. Currently, Farley Unit 1 Technical Specification 3.3.3.2 requires at least 75 percent of the 50 movable detector thimbles (38 flux map paths) available with two per quadrant. The proposed change will allow a reduction in the available paths to a minimum of 25 with three per quadrant.

Sincerely,  
ORIGINAL SIGNED BY:  
Jacob I. Zimmerman, Project Manager  
Project Directorate II-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket No. 50-348

Enclosure: Notice

cc w/encl: See next page

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

September 5, 1997

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Sincerely,

A handwritten signature in cursive script, appearing to read "Jacob I. Zimmerman".

Jacob I. Zimmerman, Project Manager  
Project Directorate II-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket No. 50-348

Enclosure: Notice

cc w/encl: See next page

Joseph M. Farley Nuclear Plant

cc:

Mr. R. D. Hill, Jr.  
General Manager -  
Southern Nuclear Operating Company  
Post Office Box 470  
Ashford, Alabama 36312

Mr. Mark Ajluni, Licensing Manager  
Southern Nuclear Operating Company  
Post Office Box 1295  
Birmingham, Alabama 35201-1295

Mr. M. Stanford Blanton  
Balch and Bingham Law Firm  
Post Office Box 306  
1710 Sixth Avenue North  
Birmingham, Alabama 35201

Mr. J. D. Woodard  
Executive Vice President  
Southern Nuclear Operating Company  
Post Office Box 1295  
Birmingham, Alabama 35201

State Health Officer  
Alabama Department of Public Health  
434 Monroe Street  
Montgomery, Alabama 36130-1701

Chairman  
Houston County Commission  
Post Office Box 6406  
Dothan, Alabama 36302

Regional Administrator, Region II  
U.S. Nuclear Regulatory Commission  
Atlanta Federal Center  
61 Forsyth Street, S.W., Suite 23T85  
Atlanta, Georgia 30303

Resident Inspector  
U.S. Nuclear Regulatory Commission  
7388 N. State Highway 95  
Columbia, Alabama 36319

UNITED STATES NUCLEAR REGULATORY COMMISSION  
SOUTHERN NUCLEAR OPERATING COMPANY, INC., ET AL.  
DOCKET NO. 50-348  
NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO  
FACILITY OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS  
CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-2, issued to the Southern Nuclear Operating Company, Inc., et al. (the licensee) for operation of the Joseph M. Farley Nuclear Plant, Unit 1, located in Houston County, Alabama.

The proposed amendment would allow a reduction in the number of required available movable detector thimbles (flux map paths) for Cycle 15. Currently, Farley Unit 1 Technical Specification 3.3.3.2, requires at least 75 percent of the 50 movable detector thimbles (38 flux map paths) available with two per quadrant. The proposed change would allow a reduction in the available paths to a minimum of 25 with three per quadrant.

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. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

No. The movable detector thimble reduction does not significantly increase the probability or consequences of an accident previously evaluated in the FSAR [Final Safety Analysis Report]. This modification does not directly initiate an accident. The consequences of accidents previously evaluated in the FSAR are unaffected by this proposed change because no change to any equipment response or accident mitigation scenario has resulted. There are no additional challenges to fission product barrier integrity.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

No. The movable detector thimble reduction does not create the possibility of a new or different kind of accident than any accident already evaluated in the FSAR. No new accident scenarios, failure mechanisms, or limiting single failures are introduced as a result of this proposed change. The proposed Technical Specification modification does not challenge the performance or integrity of any safety-related systems. Therefore, the possibility of a new or different kind of accident is not created.

3. Does the proposed amendment involve a significant reduction in a margin of safety.

No. The proposed change to the technical specifications does not involve a significant reduction in a margin of safety. The margin of safety associated with the acceptance criteria for any accident is unchanged.

The movable thimble reduction will have no affect on the availability, operability or performance of the safety-related systems and components. The movable detector thimble number reduction does require a change to the Technical Specifications but does not reduce the number or frequency of inspections or surveillances required by the Technical Specifications. Therefore, the movable detector thimble reduction will not reduce the margin of safety, as described in the Bases to any Technical Specification.

The Bases of the Technical Specifications are founded on the ability of the regulatory criteria being satisfied assuming the limiting

conditions for operation for various systems. Conformance to the regulatory criteria for operation with the movable detector thimble reduction is demonstrated, and the regulatory limits are not exceeded, the margin of safety as defined in the Technical Specifications is not reduced.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no 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.

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 in the FEDERAL REGISTER 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.

Written comments may be submitted by mail to the Chief, Rules and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission,

Washington, DC 20555-0001, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By October 10, 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 Houston-Love Memorial Library, 212 W. Burdeshaw Street, Post Office Box 1369, Dothan, Alabama. 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 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.

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 immediately 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.

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: Rulemakings and

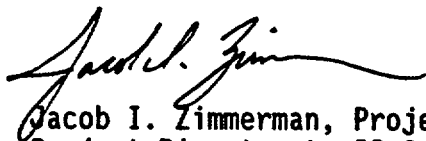
Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; and to M. Stanford Blanton, Esq., Balch and Bingham, Post Office Box 306, 1710 Sixth Avenue North, Birmingham, Alabama 35201, 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).

For further details with respect to this action, see the application for amendment dated September 3, 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 Houston-Love Memorial Library, 212 W. Burdeshaw Street, Post Office Box 1369, Dothan, Alabama.

Dated at Rockville, Maryland, this 5th day of September 1997.

FOR THE NUCLEAR REGULATORY COMMISSION



Jacob I. Zimmerman, Project Manager  
Project Directorate II-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation