

February 14, 1990

Docket No. 50-341

Mr. B. Ralph Sylvia  
Senior Vice President - Nuclear  
Operations  
Detroit Edison Company  
6400 North Dixie Highway  
Newport, Michigan 48166

Dear Mr. Sylvia:

SUBJECT: FERMI-2 (TAC NO. 75413)

Enclosed is a "Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing" concerning your application for amendment dated September 27, 1989. This Notice was forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by

John F. Stang, Project Manager  
Project Directorate III-1  
Division of Reactor Projects - III,  
IV, V & Special Projects  
Office of Nuclear Reactor Regulation

Enclosure:  
As stated

cc w/enclosure:  
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JStang  
2/9/90

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

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Sincerely,

A handwritten signature in black ink, appearing to read "John F. Stang", is written over the typed name.

John F. Stang, Project Manager  
Project Directorate III-1  
Division of Reactor Projects - III,  
IV, V & Special Projects  
Office of Nuclear Reactor Regulation

Enclosure:  
As stated

cc w/enclosure:  
See next page

Mr. B. Ralph Sylvia  
Detroit Edison Company

Fermi-2 Facility

cc:

Mr. Ronald C. Callen  
Adv. Planning Review Section  
Michigan Public Service Commission  
6545 Mercantile Way  
P. O. Box 30221  
Lansing, Michigan 48909

Ms. Lynne Goodman  
Supervisor - Licensing  
Detroit Edison Company  
Fermi Unit 2  
6400 North Dixie Highway  
Newport, Michigan 48166

John Flynn, Esq.  
Senior Attorney  
Detroit Edison Company  
2000 Second Avenue  
Detroit, Michigan 48226

Nuclear Facilities and Environmental  
Monitoring Section Office  
Division of Radiological Health  
P. O. Box 30035  
Lansing, Michigan 48909

Mr. Walt Rogers  
U.S. Nuclear Regulatory Commission  
Resident Inspector's Office  
6450 W. Dixie Highway  
Newport, Michigan 48166

Monroe County Office of Civil  
Preparedness  
963 South Raisinville  
Monroe, Michigan 48161

Regional Administrator, Region III  
U.S. Nuclear Regulatory Commission  
799 Roosevelt Road  
Glen Ellyn, Illinois 60137

UNITED STATES NUCLEAR REGULATORY COMMISSIONDETROIT EDISON COMPANYWOLVERINE POWER SUPPLY COOPERATIVE, INCORPORATEDDOCKET NO. 50-341NOTICE 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-43, issued to Detroit Edison Company and Wolverine Power Supply Cooperative, Inc., (the licensees) for operation of Fermi-2 located in Monroe County, Michigan.

The proposed amendment would revise the Technical Specification (TS) to reflect plant modifications to add a remote-manual primary containment isolation valve associated with the installation of enhanced primary containment water level instrumentation. The new valve will now be listed in TS Table 3.6.3-1.

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 request for amendment 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

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

The licensee has evaluated the proposed change against the above standards as required by 10 CFR 50.92.

The proposed action would not involve a significant increase in the probability or consequences of an accident previously evaluated. The proposed primary containment water level instrument line does not connect to the reactor coolant pressure boundary and does not impact any component or systems related to the safe shutdown of the reactor. Containment integrity will be maintained during and following installation of the remote manual isolation valve. The design of the sensing line and the associated containment isolation scheme is consistent with the requirements of General Design Criteria 54, 56 and Regulatory Guide 1.11 for instrument lines penetrating primary containment to ensure primary containment integrity and limit the potential offsite dose below 10 CFR Part 100 limits, therefore, the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed action would not create the possibility of a new or different kind of accident from any accident previously evaluated. The design of the primary containment water level instrument line and associated containment isolation scheme is consistent with the existing design of other instrument lines penetrating primary containment. No new equipment type or installation practice will be introduced. The installation of a blind flange assembly and a remote manual isolation valve ensure primary containment integrity. Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed action would not involve a significant reduction in a margin of safety. The primary containment water level instrument is being designed, fabricated and installed in accordance with all applicable criteria. The modification adds a necessary control room indication to the plant design in order to enhance operator response during emergency situations. Therefore, this modification does not reduce a margin of safety.

Therefore, based on the above considerations, the Commission has made a proposed determination 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. 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 Regulatory Publications Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room P-223, Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland, from 7:30 a.m. to 4:15 p.m. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By March 19, 1990 , 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. 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, N.W., Washington, D.C. 20555 and at the Local Public Document Room located at 3700 South Custer Road, Monroe, Michigan 48161. 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 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 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 amendments 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 request for amendment 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 a 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, the Gelman Building, 2120 L 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

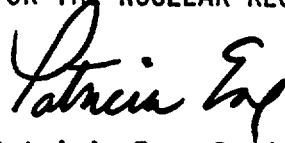
petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 325-6000 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to John O. Thoma: (petitioner's name and telephone 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 John Flynn, Esq., Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan 48226.

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 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 27, 1989, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555 and at the Local Public Document Room located at 3700 South Custer Road, Monroe, Michigan 48161.

Dated at Rockville, Maryland, this 9th day of February 1990.

FOR THE NUCLEAR REGULATORY COMMISSION



Patricia Eng, Project Manager  
Project Directorate III-1  
Division of Reactor Projects - III,  
IV, V & Special Projects  
Office of Nuclear Reactor Regulation