

September 1, 1988

Docket No. 50-341

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

Dear Mr. Sylvia:

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SUBJECT: FERMI-2 (TAC NO. 68646)

Enclosed is a "Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for Hearing" concerning your application for amendment dated June 29, 1988 (NRC-88-0057). This Notice was forwarded to the Office of the Federal Register for publication.

Sincerely,

Theodore R. Quay, Project Manager
Project Directorate III-1
Division of Reactor Projects - III,
IV, V & Special Projects

Enclosure:
As stated

cc w/enclosure:
See next page

OFFICE: LA/PD31: DRSP
SURNAME: RIngram
DATE: 08/18/88

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555
September 1, 1988

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Project Directorate III-1
Division of Reactor Projects - III,
IV, V & Special Projects

Enclosure:
As stated

cc w/enclosure:
See next page

Mr. B. Ralph Sylvia
Detroit Edison Company

Ferri-2 Facility

cc:

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Michigan Public Service Commission
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Newport, Michigan 48166

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Detroit, Michigan 48226

Nuclear Facilities and Environmental
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P. O. Box 30035
Lansing, Michigan 48909

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Director, Regulatory Affairs
Detroit Edison Company
Ferri Unit 2
6400 North Dixie Highway
Newport, Michigan 48166

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
OPPORTUNITY FOR HEARING

The United States Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-43, issued to the Detroit Edison Company and Wolverine Power Supply Cooperative, Inc. (the licensees), for operation of Fermi-2 located in Monroe County, Michigan.

In accordance with the licensees' application for amendment dated June 29, 1988 (NRC-88-0057), the amendment would revise the Fermi-2 Technical Specifications to provide provisions to reset instrument channels and/or trip systems, which are tripped to comply with Action Statements, in order to restore the operability of the associated instrumentation. In addition, Technical Specification changes have been proposed to remove the requirement to place channels and/or trip systems in the tripped condition when such action is not warranted.

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.

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By October 12, 1988, 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 request for 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, DC 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, NW., 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 Martin J. Virgilio: (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 John Flynn, Esq., Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan 48226, attorney for Detroit Edison Company.

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 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 consideration 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 29, 1988, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, DC 20555, and at the Monroe County Library System, 3700 South Custer Road, Monroe, Michigan 48161.

Dated at Rockville, Maryland, this 1st day of September.

FOR THE NUCLEAR REGULATORY COMMISSION



Thomas V. Wambach, Acting Director
Project Directorate III-1
Division of Reactor Projects - III,
IV, V & Special Projects