

April 18, 1989

Docket No. 50-305

Mr. Clark R. Steinhardt
Manager - Nuclear Power
Wisconsin Public Service
Corporation
P.O. Box 19002
Green Bay, Wisconsin 54037-9002

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Dear Mr. Steinhardt:

SUBJECT: KEWAUNEE NUCLEAR POWER PLANT (TAC NO. 61593)

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 May 23, 1986 to extend the expiration date of the Kewaunee Operating License from August 6, 2008 to December 21, 2013.

Sincerely,

/s/

Joseph G. Gitter, Project Manager
Project Directorate III-3
Division of Reactor Projects - III,
IV, V and Special Projects
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc: See next page

Office: LA/PDIII-3
Surname: PKreutzer
Date: 4/16/89

PM/PDIII-3
JGitter/tg
4/18/89

PD/PDIII-3
JHannon
4/17/89

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cc

Mr. Clark R. Steinhardt
Wisconsin Public Service Corporation

Kewaunee Nuclear Power Plant

cc:

David Baker, Esquire
Foley and Lardner
P. O. Box 2193
Orlando, Florida 32082

Glen Kunesh, Chairman
Town of Carlton
Route 1
Kewaunee, Wisconsin 54216

Mr. Harold Reckelberg, Chairman
Kewaunee County Board
Kewaunee County Courthouse
Kewaunee, Wisconsin 54216

Chairman
Public Service Commission of Wisconsin
Hill Farms State Office Building
Madison, Wisconsin 53702

Attorney General
114 East, State Capitol
Madison, Wisconsin 53702

U.S. Nuclear Regulatory Commission
Resident Inspectors Office
Route #1, Box 999
Kewaunee, Wisconsin 54216

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

Mr. Robert S. Cullen
Chief Engineer
Wisconsin Public Service Commission
P.O. Box 7854
Madison, Wisconsin 53707

UNITED STATES NUCLEAR REGULATORY COMMISSION
WISCONSIN PUBLIC SERVICE CORPORATION, ET AL.

DOCKET NO. 50-305

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 Regulation Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-43, issued to Wisconsin Public Service Corporation, Wisconsin Power and Light Company, and Madison Gas and Electric Company (the licensee), for operation of the Kewaunee Nuclear Power Plant, located in Kewaunee County, Wisconsin.

The amendment would change the expiration date for the Kewaunee Plant Operating License from August 6, 2008, to December 21, 2013. The Technical Specifications for the plant would not be affected.

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. The basis for this proposed determination is provided below.

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The current term of the KNPP Operating License is 40 years commencing with the issuance of the construction permit (August 6, 1968). Accounting for the time required for plant construction, this represents an effective operating license term of only 35 years. Current NRC practice is to issue an operating license with a term of 40 years from the date of issuance. This amendment proposes to extend the operating license in accordance with current practices.

The licensee's request for extension of the Operating License is based primarily on the fact that the facility is designed for 40 years of operation at a load factor of 0.85. Although this does not mean that some components will not wear out during the plant lifetime, design features were incorporated to maximize the inspectability of structures, systems and equipment. Surveillance and maintenance practices which have been implemented in accordance with the ASME code and the facility Technical Specifications provide assurance that any unexpected degradation in plant equipment will be identified and corrected.

The design of the reactor vessel and its internals considered the effects of 40 years of operation at a load factor of 0.85 and a comprehensive vessel material surveillance program is maintained in accordance with 10 CFR Part 50, Appendix H. Analyses showing compliance with the NRC pressurized thermal shock screening criteria have demonstrated that expected cumulative neutron fluences will not be a limiting consideration. In addition to these calculations, surveillance capsules placed inside the reactor vessel provide a means of monitoring the cumulative effects of power operation.

Aging analyses have been performed for all safety-related electrical equipment in accordance with 10 CFR 50.49, "Environmental qualification of electrical equipment important to safety for nuclear power plants," identifying qualified lifetimes for this equipment. These lifetimes have been incorporated into a plant preventative maintenance program and replacement practices will ensure that all safety-related electrical equipment remains qualified and available to perform its safety function regardless of the overall age of the plant.

The environmental impacts associated with a 40-year operating period were considered in the licensing of the Kewaunee Plant. The population estimates, as provided in the 1970 census data and used for licensing projections, were only carried out for 2010, three years less than the 40 year period. However, overall population has declined in the area and within the limits of projecting future populations, the 2013 plant area forecast population will be smaller than the originally forecast 2010 plant area population. Modifications to the plant and its surroundings, since the Operating License was issued in 1973, have resulted in improving the reliability of plant safety and reducing the environmental impact of plant operations.

The NRC staff concludes that extension of the operating license for the Kewaunee Nuclear Power Plant to allow a 40-year service life is consistent with the safety analysis in that all issues associated with plant aging have already been addressed. Since the proposed amendment involves no changes in the Technical Specifications or safety analyses, the staff concludes that the proposed amendment would not: (1) involve

any significant increase in the probability or consequences of an accident previously evaluated; or (ii) create the possibility of a new or different kind of accident from any accident previously evaluated; or (iii) involve any reduction in the margin of safety.

Accordingly, the Commission proposes to determine that the proposed amendment 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 and Resources Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of the FEDERAL REGISTER notice. Written comments may also be delivered to Room P-216, 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 May 25, 1989 , 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 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 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 request 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

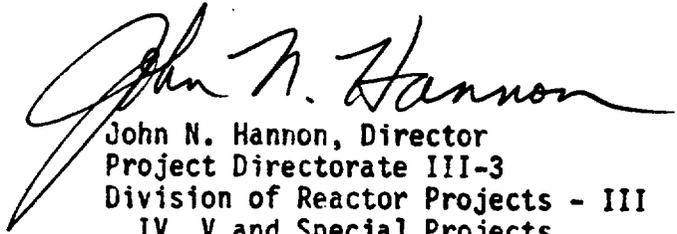
operator should be given Datagram Identification Number 3737 and the following message addressed to John N. Hannon: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this FEDERAL REGISTER notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to David Baker, Esq., Foley and Lardner, P. O. Box 2193, Orlando, Florida 31082, 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 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 May 23, 1986, 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 University of Wisconsin Library Learning Center, 2420 Nicolet Drive, Green Bay, Wisconsin 54301.

Dated at Rockville, Maryland, this 18th day of April 1989.

FOR THE NUCLEAR REGULATORY COMMISSION


John N. Hannon, Director
Project Directorate III-3
Division of Reactor Projects - III
IV, V and Special Projects
Office of Nuclear Reactor Regulation