

May 8, 1997

Mr. M. L. Marchi  
Manager - Nuclear Business Group  
Wisconsin Public Service Corporation  
P.O. Box 19002  
Green Bay, WI 54307-9002

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY  
OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION  
DETERMINATION, AND OPPORTUNITY FOR A HEARING - KEWAUNEE NUCLEAR  
POWER PLANT

Dear Mr. Marchi:

Enclosed is a copy of the subject notice related to your application for  
amendment, dated May 2, 1997, to revise the main steam isolation valve closure  
time assumption referenced in the Basis for Technical Specification 4.7.

This notice is being forwarded to the Office of the Federal Register for  
publication.

Sincerely,

Original signed by:

Richard J. Laufer, Project Manager  
Project Directorate III-3  
Division of Reactor Projects III/IV  
Office of Nuclear Reactor Regulation

Docket No. 50-305

Enclosure: Notice

cc w/encl: See next page

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DATE	05/8/97		05/8/97	

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Mr. M. L. Marchi  
Wisconsin Public Service Corporation

Kewaunee Nuclear Power Plant

cc:

Foley & Lardner  
Attention: Mr. Bradley D. Jackson  
One South Pinckney Street  
P. O. Box 1497  
Madison, Wisconsin 53701-1497

Chairman  
Town of Carlton  
Route 1  
Kewaunee, Wisconsin 54216

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

Chairman  
Wisconsin Public Service Commission  
610 N. Whitney Way  
Madison, Wisconsin 53705-2729

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  
801 Warrenville Road  
Lisle, Illinois 60532-4531

Mr. Robert S. Cullen  
Chief Engineer  
Wisconsin Public Service Commission  
610 N. Whitney Way  
Madison, Wisconsin 53705-2829

UNITED STATES NUCLEAR REGULATORY COMMISSIONWISCONSIN PUBLIC SERVICE COMPANYWISCONSIN POWER AND LIGHT COMPANYMADISON GAS AND ELECTRIC COMPANYDOCKET NO. 50-305NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO  
FACILITY OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS  
CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING

The United States Nuclear Regulatory 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 proposed amendment would change the main steam isolation valve (MSIV) closure time assumption referenced in the Basis for Technical Specification (TS) 4.7.

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; (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:

The proposed changes were reviewed in accordance with the provisions of 10 CFR 50.92 to determine that no significant hazards exist. The proposed changes will not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated.

The closure time for the (MSIVs) is not an accident initiator. The surveillance requirement for the MSIVs will remain unchanged. Therefore, this change will not increase the probability of occurrence of an accident previously evaluated.

The main steam line break (MSLB) accident analysis has many conservative input assumptions. The 10 second MSIV closure value is overly conservative. This value can be reduced to a value greater than or equal to the value required by TS 4.7 and will still be a conservative value with regard to actual closure times expected. Changing the analysis input assumptions will result in less severe analytical consequences, but does not change the underlying accident progression. Therefore, this change will not increase the consequences of an accident previously analyzed.

2. Create the possibility of a new or different kind of accident from any accident previously evaluated.

This change revises a specified analysis assumption for MSIV closure in the Basis for TS 4.7. Changing the closure time allowed for analysis purposes will not create a new or different kind of accident from any accident previously evaluated.

3. Involve a significant reduction in the margin of safety.

The MSLB accident analysis employs several conservative input assumptions. The revised assumption for the MSIVs is conservative with respect to actual valve performance. The surveillance test results for the MSIVs over the past 10 years, a total of 53 tests, revealed that the MSIVs close within 3-4 seconds, with them closing between 4-5 seconds on only 4 occasions. The surveillance tests are performed during intermediate or hot shutdown conditions to test in an environment most similar to accident conditions. There is negligible flow through the main steam lines during this test. Since the valves are tested at a condition with negligible flow,

during an accident the valves would close more quickly as the valve disc enters the flow stream. In the past 10 years, one MSIV failed to meet its timing test on one occasion, and the other MSIV failed to meet its timing test on two occasions. The cause of two of the three failures was attributed to sticking limit switches, which were valve indication problems, not valve performance problems. The cause of the remaining failure was not explicitly identified. The MSIVs have been very reliable in meeting their timing tests. Using a closure assumption less than 10 seconds will continue to provide conservatism in the MSLB accident analysis, as long as the value chosen meets the value required by TS 4.7.

Any future MSLB analyses implementing the less conservative MSIV closure assumption must continue to meet the acceptance criteria required by Kewaunee's Updated Safety Analysis Report (USAR), and thereby, demonstrate that adequate margin of safety is maintained.

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 preventing startup 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 Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, 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, MD, from 7:30 a.m. to 4:15 p.m. on 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 June 16, 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 University of Wisconsin, Cofrin Library, 2420 Nicolet Drive, Green Bay, WI. 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. The 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.

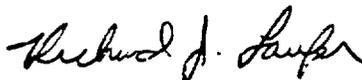
A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last 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 1-800-248-5100 (in Missouri, 1-800-342-6700). The Western Union operator should be given Datagram Identification Number NI023 and the following message addressed to Gail H. Marcus: 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 Bradley D. Jackson, Esq., Foley and Lardner, P.O. Box 1497, Madison, WI 53701-1497, 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 May 2, 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 University of Wisconsin, Cofrin Library, 2420 Nicolet Drive, Green Bay, WI.

Dated at Rockville, Maryland, this 8th day of May 1997.

FOR THE NUCLEAR REGULATORY COMMISSION



Richard J. Laufer, Project Manager  
Project Directorate III-3  
Division of Reactor Projects III/IV  
Office of Nuclear Reactor Regulation