

December 16, 1986

DMB 016

Docket No. 50-255

Mr. Kenneth W. Berry  
Director, Nuclear Licensing  
Consumers Power Company  
1945 West Parnall Road  
Jackson, Michigan 49201

Dear Mr. Berry:

Enclosed is a copy of a "Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing" for your information. This notice relates to that part of your December 2, 1986 application regarding operability requirements for fire pumps, the limit on maximum service water inlet temperature, and the addition of surveillance requirements for service water temperature.

The notice, which affords an opportunity for hearing, has been forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by:  
Ashok Thadani  
Ashok C. Thadani, Director  
PWR Project Directorate #8  
Division of PWR Licensing-B

Enclosure:  
Notice

cc w/enclosure:  
See next page

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Mr. Kenneth W. Berry  
Consumers Power Company

Palisades Plant

cc:

M. I. Miller, Esquire  
Isham, Lincoln & Beale  
51st Floor  
Three First National Plaza  
Chicago, Illinois 60602

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

Mr. Thomas A. McNish, Secretary  
Consumers Power Company  
212 West Michigan Avenue  
Jackson, Michigan 49201

Judd L. Bacon, Esquire  
Consumers Power Company  
212 West Michigan Avenue  
Jackson, Michigan 49201

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

Jerry Sarno  
Township Supervisor  
Covert Township  
36197 M-140 Highway  
Covert, Michigan 49043

Office of the Governor  
Room 1 - Capitol Building  
Lansing, Michigan 48913

Palisades Plant  
ATTN: Mr. Joseph F. Firlit  
Plant General Manager  
27780 Blue Star Memorial Hwy.  
Covert, Michigan 49043

Resident Inspector  
c/o U.S. NRC  
Palisades Plant  
27782 Blue Star Memorial Hwy.  
Covert, Michigan 49043

UNITED STATES NUCLEAR REGULATORY COMMISSIONCONSUMERS POWER COMPANYDOCKET NO. 50-255NOTICE 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. DPR-20, issued to Consumers Power Company (the licensee), for operation of the Palisades Plant located in Covert Township in Van Buren County, Michigan.

The amendment request proposes the addition of operability requirements for the two diesel fire pumps to augment the service water under certain service water pump failure conditions. It also proposes a maximum service water inlet temperature as a limiting condition for operation with respect to post design basis accident cooling for various rooms and necessary components. The attendant surveillance requirement for monitoring service water inlet temperature is also proposed to be added. This amendment request also includes by reference a previous request dated November 24, 1980 regarding a minimum water level to be maintained in the containment spray piping and maximum containment pressure during reactor operation. However, insufficient information was provided to support these latter changes and the licensee provided no evaluation with regard to a no significant hazards finding for these proposals. Therefore, the proposed changes associated with the November 24, 1980 submittal are not being considered by the staff at this time as part of this action but will be processed as part of a future proposed action when the licensee provides the required evaluations.

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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.

That part of the application being considered at this time, i.e., the operability requirements for fire pumps, the limit on maximum service water inlet temperature, and the addition of surveillance requirements for temperature, were evaluated by the licensee with regard to a finding of no significant hazards consideration as follows:

This change to the Technical Specifications imposes additional requirements for containment cooling by limiting service water inlet temperatures and requiring operable diesel fire pumps.

This change does not result in an increase in the probability or consequences of an accident or malfunction. The additional restrictions provided for service water temperature and diesel fire pumps will ensure that the probability or consequences will remain as previously analyzed.

These changes do not create the possibility of an accident or malfunction of a different type. The additional restrictions have been provided to ensure that the Service Water System heat removal will attain the minimum values needed for previously evaluated accidents.

The margin of safety provided by the Technical Specifications will not be reduced by these changes. The additional restrictions for service water inlet temperature and diesel fire pumps results in an enhancement to safety.

The staff concurs in these findings, noting that the use of the fire water pumps to backup service water has always been a design feature of the plant and was previously approved in the Systematic Evaluation Program for Palisades in 1983 for the case of inoperability of two service water pumps. The proposed service water inlet temperature limit, while maintaining the margin of safety on the limiting cooler, provides additional margin of safety with the increased cooling capability on other heat loads.

In addition, the Commission has provided guidance of examples that are considered not likely to involve significant hazards considerations (51 FR 7751, March 6, 1986). This amendment request matches example (ii) in that it involves a change that constitutes an additional limitation, restriction, or control not presently included in the Technical Specifications. Therefore, the staff proposes a preliminary determination that no significant hazards are involved in this amendment request.

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 Rules and Procedures Branch, Division of Rules and Records, 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 4000, Maryland National Bank Building,

7735 Old Georgetown Road, Bethesda, Maryland from 8:15 am to 5:00 pm. Copies of written comments received may be examined at the NRC Public Document Room, 1717 H Street, NW, Washington, DC. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By January 23, 1987, 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. 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. 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 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, 1717 H 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 (800) 325-6000 (in Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Ashok C. Thadani: petitioner's name and telephone

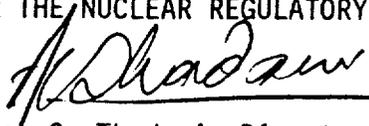
number; date petition was mailed; plant name; and publication date and page number of this FEDERAL REGISTER notice. A copy of the petition should also be sent to the Office of the General Counsel-Bethesda, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Judd L. Bacon, Esq., Consumers Power Company, 212 West Michigan Avenue, Jackson, Michigan 49201, 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 designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be 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 December 2, 1986, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Van Zoeren Library, Hope College, Holland, Michigan.

Dated at Bethesda, Maryland, this 16th day of December 1986.

FOR THE NUCLEAR REGULATORY COMMISSION

  
Ashok C. Thadani, Director  
PWR/Project Directorate #8  
Division of PWR Licensing-B

December 17, 1986

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DOCKET NO. 50-255

MEMORANDUM FOR: Rules and Procedures Branch  
Division of Rules and Records  
Office of Administration

FROM: Office of Nuclear Reactor Regulation

SUBJECT: PALISADES PLANT

One signed original of the *Federal Register* Notice identified below is enclosed for your transmittal to the Office of the Federal Register for publication. Additional conformed copies ( 5 ) of the Notice are enclosed for your use.

- Notice of Receipt of Application for Construction Permit(s) and Operating License(s).
- Notice of Receipt of Partial Application for Construction Permit(s) and Facility License(s); Time for Submission of Views on Antitrust Matters.
- Notice of Consideration of Issuance of Amendment to Facility Operating License.
- Notice of Receipt of Application for Facility License(s); Notice of Availability of Applicant's Environmental Report; and Notice of Consideration of Issuance of Facility License(s) and Notice of Opportunity for Hearing.
- Notice of Availability of NRC Draft/Final Environmental Statement.
- Notice of Limited Work Authorization.
- Notice of Availability of Safety Evaluation Report.
- Notice of Issuance of Construction Permit(s).
- Notice of Issuance of Facility Operating License(s) or Amendment(s).
- Order.
- Exemption.
- Notice of Granting Exemption.
- Environmental Assessment.
- Notice of Preparation of Environmental Assessment.
- Other: Please fill in date on the 4th page 1st paragraph and call Caryn on extension 27258 to inform her of the date inserted.

Office of Nuclear Reactor Regulation  
PWR Project Directorate #8, PWR-B

Enclosure:  
As stated

Contact: T. Wambach  
Phone: 28049

OFFICE	PBD#8						
SURNAME	PKreutzer;cf						
DATE	12/17/86						