

September 26, 1988

Docket File

Docket No. 50-255

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

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Dear Mr. Berry:

SUBJECT: PALISADES PLANT, MODIFICATION OF PEAKING FACTORS AND LINEAR HEAT RATE LIMITS (TAC NO. 69281)

Enclosed is a "Notice of Consideration of Issuance of Amendment to Provisional Operating License and Opportunity for Hearing" concerning your application for amendment dated September 1, 1988. This Notice was forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by

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

Enclosure:
As stated

cc w/enclosure:
See next page

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

September 26, 1988

Docket No. 50-255

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

Dear Mr. Berry:

SUBJECT: PALISADES PLANT, MODIFICATION OF PEAKING FACTORS AND LINEAR HEAT
RATE LIMITS (TAC NO. 69281)

Enclosed is a "Notice of Consideration of Issuance of Amendment to
Provisional Operating License and Opportunity for Hearing" concerning your
application for amendment dated September 1, 1988. This Notice was forwarded
to the Office of the Federal Register for publication.

Sincerely,

A handwritten signature in cursive script that reads "Thomas V. Wambach".

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

Enclosure:
As stated

cc w/enclosure:
See next page

Mr. Kenneth W. Berry
Consumers Power Company

Palisades Plant

cc:

M. I. Miller, Esquire
Sidley & Austin
54th Floor
One First National Plaza
Chicago, Illinois 60603

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

Mr. Gerald B. Slade
Plant General Manager
Palisades Plant
27780 Blue Star Memorial Hwy.
Covert, Michigan 49043

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

UNITED STATES NUCLEAR REGULATORY COMMISSION
CONSUMERS POWER COMPANY
DOCKET NO. 50-255
NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT
TO PROVISIONAL OPERATING LICENSE AND
OPPORTUNITY FOR HEARING

The United States Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Provisional Operating License No. DPR-20, issued to Consumers Power Company (the licensee), for operation of the Palisades Plant located in Van Buren County, Michigan.

In accordance with the licensee's application for amendment dated September 1, 1988, the amendment would revise the provisions in the Technical Specifications relating to peaking factors and linear heat rate (LHR) limits. The radial peaking factor limits would increase 3.5 percent. The radial peaking factor limits for the "peak rod" and "narrow gap rod" would be deleted since they are bounded by the more limiting interior rods. Finally, the LHR limits would be modified to provide only a peak rod limit and to eliminate the exposure dependence of the LHR limit.

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.

By October 27, 1988, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject provisional operating license and any person whose interest may be affected by this

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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 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.

A request for a hearing or a petition for leave to intervene shall 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, Gelman Building, 2120 L 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 or representative for 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

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General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 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 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 September 1, 1988, which is available for public inspection at the Commission's Public Document Room, Gelman Building 2120 L Street, NW., Washington, DC, and at the Van Zoeren Library, Hope College, Holland, Michigan 49201.

Dated at Rockville, Maryland, this 19th day of September , 1988 .

FOR THE NUCLEAR REGULATORY COMMISSION

Thomas V. Wambach

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