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( CORRECTION ON PAGE 4 )

7590-01

UNITED STATES NUCLEAR REGULATORY COMMISSION

TENNESSEE VALLEY AUTHORITY

DOCKET NOS. 50-259, 50-260, AND 50-296

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 Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License Nos. DPR-33, DPR-52 and DPR-68 issued to Tennessee Valley Authority (TVA or the licensee), for the operation of the Browns Ferry Nuclear Plant, Units 1, 2, and 3, located in Limestone County, Alabama.

The licensee proposes to temporarily remove certain operability requirements for the Control Room Emergency Ventilation System (CREVS). This is TS change 253 in the licensee's application dated August 17, 1988. The proposed change would denote limiting conditions for operations (LCOs) 3.7.E.1, 3.7.E.3, and 3.7.E.4 by an asterisk and would define them as not being applicable until the withdrawal of the first control rod for the purpose of making the reactor critical from the Unit 2, Cycle 5 outage.

Before issuance of the proposed amendment, the Commission will have made findings required by the Atomic Energy Act of 1954 (the Act), as amended, and the Commission's regulations.

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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. The basis for this proposed determination is provided by the licensee in its submittal and is given below.

NRC has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92(c). A proposed amendment to an operating license involves no significant hazards consideration if 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 an accident previously evaluated, or (3) involve a significant reduction in the margin of safety.

- (1) The proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. The proposed temporary changes to the technical specifications involve relaxations to system operability requirements for the CREVS during those activities leading to and just before withdrawal of the first control rod for the purpose of making the reactor critical from the unit 2, cycle 5 outage. The fuel that will be moved from the spent fuel pool to the reactor vessel has decayed for approximately three years, thus reducing the need for this system to be operable by the technical specifications for postaccident iodine removal.

The fuel handling accident evaluated in the Final Safety Analysis Report (FSAR), Section 14.6.4, represents the most severe event in the terms of radioactive release and dose consequences that are applicable. The movement of the fuel from the fuel pool to the reactor vessel is a typical refueling operation in which the current FSAR analysis is still valid. The current conditions of the fuel are well within the bounds of the FSAR analysis. The FSAR calculations used freshly irradiated fuel (unloaded from the core 24 hours after reactor shutdown) which contains large amounts of fission products, specifically iodine. The irradiated fuel presently being handled has decayed approximately three years and the only remaining volatile fission product of any significance is Kr-85, which is an inert gas. Because of this decay time, there is essentially no iodine present

and therefore no need for the operability of this system with iodine removal capability.

The proposed temporary changes to the technical specifications do not affect the precursors for any accident analysis and therefore do not involve a significant increase in the probability of an accident previously evaluated. The present required availability of systems in the technical specifications is based on FSAR accident analysis assumptions and limitations. The present condition of the fuel in the spent fuel pool is such that over 300 assemblies would have to fail before the FSAR limiting assumptions for releases and dose consequences could be reached, thus allowing a reduction in the number of systems required to mitigate such a limiting event. The requested relaxation in system operability for the CREVS has been evaluated and a determination reached that the present FSAR assumptions and limitations will be maintained. Therefore, the proposed temporary changes do not involve a significant increase in the consequences of an accident previously evaluated.

2. The proposed amendment does not create the possibility of a new or different kind of accident from an accident previously evaluated. The proposed temporary changes will relax present system operability requirements, however, no new modes of plant operations are introduced which could contribute to the possibility of a new or different kind of accident. The fuel handling accident is the most severe event that could occur during fuel load or any other activity being conducted just before withdrawal of the first control rod for the purpose of making the reactor critical from the unit 2, cycle 5 outage.
3. The proposed amendment does not involve a significant reduction in a margin of safety. The proposed temporary technical specification changes will reduce the operability requirements of the CREVS during fuel load and those activities leading to the withdrawal of the first control rod for the purpose of making the reactor critical from the current outage. However, the irradiated fuel has decayed for approximately three years and the only remaining volatile fission product of any significance is Kr-85. Essentially, no iodine is present in the decayed fuel. Because of the "scrubbing" effect of the fuel pool water and since Kr-85 is the only radioisotope of any significance, virtually no radioactive particulates would be present in the CREVS intake ductwork. Since essentially no iodine is currently present in the fuel, the filtration function that CREVS provides would not be needed until after reactor [criticality] critically in which the production of iodine would begin. Thus, the relaxation in the system operability requirements for CREVS until just before the withdrawal of the first control rod for the purpose of making the reactor critical from the current outage allows restart work to be completed and does not reduce the margin of safety.

The proposed temporary changes will ensure that the appropriate safety-related systems needed to mitigate the fuel handling accident are operable and will be able to perform their intended safety function if called upon. Therefore, the proposed changes do not represent a significant reduction in a margin of safety.

The staff has reviewed the licensee's no significant hazards consideration determination and agrees with the licensee's analysis. Therefore, the staff proposes to determine that the application for amendments 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.

Comments should be addressed 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.

By October 3, 1988, 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 the 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 must 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 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 must 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 proceedings; (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 the petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or 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, the 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 should 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 request for amendment 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 request for amendment involves a significant hazards consideration, any hearing held would take place before the issuance of the 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 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 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 Suzanne C. Black: 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 Newman & Holtzinger, P.C., 1615 L Street, N.W., Washington, D. C. 20036, attorneys for the Licensee.

Nontimely filings of the petition 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 designated to rule on the petition and/or requests, that the 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 which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., 20555, and at the Local Public Document Room located at the Athens Public Library, South Street, Athens, Alabama 35611.

Dated at Rockville, Maryland, this 25th day of August 1988.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by

Suzanne C. Black, Assistant Director  
for Projects  
TVA Projects Division  
Office of Special Projects

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