

April 9, 1990

Docket No. 50-255  
Serial No. PAL-90-20

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

Dear Mr. Berry:

SUBJECT: PALISADES PLANT (TAC 75815)

Enclosed is a "Notice of Consideration of Issuance of an Amendment to Provisional Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing" concerning your application for amendment dated March 6, 1990. This Notice was forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by

Albert W. De Agazio, Sr. Project Manager  
Project Directorate III-1  
Division of Reactor Projects - III,  
IV, V and Special Projects  
Office of Nuclear Reactor Regulation

Enclosure:  
As stated

cc w/enclosure:  
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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

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Sincerely,

*for* *William D. Long*

Albert W. De Agazio, Sr. Project Manager  
Project Directorate III-1  
Division of Reactor Projects - III,  
IV, V and Special Projects  
Office of Nuclear Reactor Regulation

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  
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 Provisional Operating License No. DPR-20, issued to Consumers Power Company (the licensee) for operation of the Palisades Plant (the facility), located in Van Buren County, Michigan.

The proposed amendment would revise the requirement of Technical Specification (TS) 4.14.1 by extending the due date for the periodic steam generator inspections which otherwise would be due not later than July 4, 1990. The licensee's application for amendment is dated March 6, 1990. Specifically, the amendment would add a footnote applicable to TS Section 4.14.1 to permit a one-time extension that would be valid only up to the 1990 refueling outage when the steam generators are scheduled to be replaced. Should the steam generators not be replaced by the end of the refueling outage, the inspections of the steam generators would be required prior to start-up.

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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.

The Commission has evaluated the proposed change against the above standards as required by 10 CFR 50.91(a) and has concluded that:

- A. The change does not involve a significant increase in the probability or consequences of an accident previously evaluated (10 CFR 50.92(c)(1)). The extension of the inspection period from the due date of July 4, 1990 to the planned September 1, 1990, start of the refueling outage does not represent a significant extension of the inspection period; i.e. thirty months vice thirty-two months. (The TS specifies an inspection interval of twenty-four months, but the interval is allowed to extend up to thirty months if the mean increase in tube degradation from the previous inspection is less than 1 percent.) Furthermore, wastage and intergranular attack (IGA) mechanisms appear stable. Recent tube leaks have been due to circumferential cracking in the vicinity of the tube

support plates, and a large percentage of the steam generator tubes have been inspected, since the last TS inspection was conducted in December 1987, in four separate inspections to locate these leaking tubes.

- B. The change does not create the possibility of a new or different kind of accident from any accident previously evaluated (10 CFR 50.92(c)(2)) because the lengthening of the inspection interval by two months is not likely to alter the degradation mechanisms active on the steam tubes or create a new mechanism for failure.
- C. The change does not involve a significant reduction in a margin of safety (10 CFR 50.92(c)(3)) because the licensee has committed to operate the facility at reduced power and with an administrative primary to secondary leak rate limit of 0.05 gpm, considerably lower than the TS limit of 0.3 gpm. Furthermore, during the approximately two month extension any additional tube degradation is not expected to be significant.

Therefore, based on the above considerations, the Commission has made a proposed determination 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. 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, 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 P-223, 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 16 , 1990, 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 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. 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, N.W., Washington, D.C. 20555 and at the Local Public Document Room located at the Van Zoeren Library, Hope College, Holland, Michigan 49423. 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. 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. 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 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 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 O. Thoma: (petitioner's name and telephone number); (date petition was mailed);

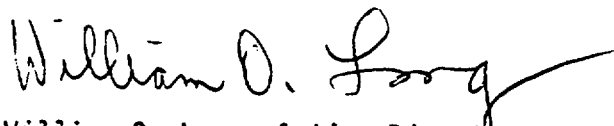
(plant name); and (publication date and page number of this FEDERAL REGISTER notice). A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Judd L. Bacon, Esquire, Consumers Power Company, 212 West Michigan Avenue, Jackson, Michigan 49201.

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 March 6, 1990, 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 Local Public Document Room located at the Van Zoeren Library, Hope College, Holland, Michigan 49423.

Dated at Rockville, Maryland this 9th day of April, 1990.

FOR THE NUCLEAR REGULATORY COMMISSION



William O. Long, Acting Director  
Project Directorate III-1  
Division of Reactor Projects - III,  
IV, V and Special Projects  
Office of Nuclear Reactor Regulation