

June 26, 1998

Mr. Nathan L. Haskell
Director, Licensing
Palisades Plant
27780 Blue Star Memorial Highway
Covert, MI 49043

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY
OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING A -
PALISADES NUCLEAR PLANT (TAC NO. MA2112)

Dear Mr. Haskell:

Enclosed is a copy of the subject notice that relates to your application for amendment for the
Palisades Nuclear Plant, dated June 17, 1998, and supplement dated June 23, 1998.

The proposed amendment would revise Section 3.1.1c of the Technical Specifications (TS),
Appendix A of the Operating License for the Palisades Nuclear Plant, to change the minimum
required primary coolant system flow. The currently specified value is 140.7×10^6 lb/hr [pounds
per hour] or greater, when corrected to 532 °F. Your submittal proposed to revise the TS to
specify a value of $\geq 352,000$ gpm [gallons per minute], which is equivalent to approximately
 135×10^6 lb/hr, when corrected to 532 °F.

The notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by:

Robert G. Schaaf, Project Manager
Project Directorate III-1
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-255
Enclosure: Notice
cc w/encl: See next page

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Docket File B. Burgess, RIII ACRS OGC
PUBLIC PD3-1 r/f E. Adensam (EGA1)

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Palisades Plant
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Original signed by:

Robert G. Schaaf, Project Manager
Project Directorate III-1
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-255
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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

June 26, 1998

Mr. Nathan L. Haskell
Director, Licensing
Palisades Plant
27780 Blue Star Memorial Highway
Covert, MI 49043

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY
OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION AND OPPORTUNITY FOR A HEARING -
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Enclosed is a copy of the subject notice that relates to your application for amendment for the Palisades Nuclear Plant, dated June 17, 1998, and supplement dated June 23, 1998.

The proposed amendment would revise Section 3.1.1c of the Technical Specifications (TS), Appendix A of the Operating License for the Palisades Nuclear Plant, to change the minimum required primary coolant system flow. The currently specified value is 140.7×10^6 lb/hr [pounds per hour] or greater, when corrected to 532 °F. Your submittal proposed to revise the TS to specify a value of $\geq 352,000$ gpm [gallons per minute], which is equivalent to approximately 135×10^6 lb/hr, when corrected to 532 °F.

The notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert G. Schaaf".

Robert G. Schaaf, Project Manager
Project Directorate III-1
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-255

Enclosure: Notice

cc w/encl: See next page

Mr. Nathan L. Haskell
Consumers Energy Company

Palisades Plant

cc:

Mr. Thomas J. Palmisano
Site Vice President
Palisades Plant
27780 Blue Star Memorial Highway
Covert, Michigan 49043

U.S. Nuclear Regulatory Commission
Resident Inspector's Office
Palisades Plant
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Covert, Michigan 49043

Mr. Robert A. Fenech, Sr Vice Pres
Nuclear, Fossil, and Hydro Operations
Consumers Energy Company
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Jackson, Michigan 49201

Drinking Water and Radiological
Protection Division
Michigan Department of
Environmental Quality
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P. O. Box 30630 CPH Mailroom
Lansing, Michigan 48909-8130

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Chicago, Illinois 60603

Gerald Charnoff, Esquire
Shaw, Pittman, Potts and Trowbridge
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Washington DC 20037

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Vice President & Secretary
Consumers Energy Company
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Jackson, Michigan 49201

Michigan Department of Attorney
General
Special Litigation Division
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Lansing, Michigan 48909

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

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, Illinois 60532-4351

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

Office of the Governor
P. O. Box 30013
Lansing, Michigan 48909

UNITED STATES NUCLEAR REGULATORY COMMISSIONCONSUMERS ENERGY COMPANYDOCKET NO. 50-255NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TOFACILITY OPERATING LICENSE NO. DPR-20PROPOSED NO SIGNIFICANT HAZARDSCONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A 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 Energy Company (the licensee) for operation of the Palisades Nuclear Plant, located in Van Buren County, Michigan.

The proposed amendment would revise Section 3.1.1c of the Technical Specifications (TS), Appendix A of the Operating License for the Palisades Nuclear Plant, to change the minimum required primary coolant system flow. The currently specified value is 140.7×10^6 lb/hr [pounds per hour] or greater, when corrected to 532 °F. The licensee proposed to revise the TS to specify a value of greater than or equal to 352,000 gpm [gallons per minute], which is equivalent to approximately 135×10^6 lb/hr, when corrected to 532 °F.

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

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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. 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:

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

The proposed change to the minimum reactor vessel flow does not alter the assumed initiators to any analyzed event. Rather, specification of a minimum reactor vessel flow provides assurance that sufficient cooling will take place during normal and accident operating conditions of the reactor. Therefore the probability of an accident previously evaluated has not been increased by this proposed change.

Each of the applicable Palisades FSAR [Final Safety Analysis Report] Chapter 14 accident analyses have been evaluated with respect to the proposed reduction in minimum reactor vessel flow rate. The results of these analyses, which have been incorporated into the Palisades Cycle 14 Disposition and Analysis of Standard Review Plan (SRP) Events, demonstrate that the acceptance criteria for each of the events continues to be met.

Therefore, operation of the facility in accordance with the proposed change to TS section 3.1.1c would not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

The proposed changes provide a reduced requirement for PCS [primary coolant system] flow through the reactor vessel than currently exists in the TS. The change does not, however, involve any alteration in the plant configuration (no new or different type of equipment will be installed) or make changes in the methods governing normal plant operation. However, these changes are consistent with the assumptions in the safety analyses and licensing basis. Therefore, the changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

Therefore, operation of the facility in accordance with the proposed change to TS section 3.1.1c would not create the possibility of a new or different kind of accident from any previously evaluated.

c. Involve a significant reduction in a margin of safety.

The proposed change to the minimum reactor vessel flow has been evaluated against each of the applicable Palisades FSAR Chapter 14 accident analyses. Reducing the assumed minimum reactor vessel flow did not result in a significant change (per 10 CFR 50.46) in the results of the Loss Of Coolant Accident (LOCA) Emergency Core Cooling System (ECCS) analyses. Reducing the assumed minimum reactor vessel flow did not result in penetration of TS DNB [departure from nucleate boiling] limits or additional fuel failures for non-LOCA events. Reducing the assumed minimum reactor vessel flow did not result in a change in the results of the LOCA or Main Steam Line Break containment response analyses. Reducing the assumed minimum reactor vessel flow did not result in a change to the radiological consequences of the SRP events with respect to 10 CFR 100 offsite dose or SRP 6.4 control room habitability requirements. Therefore, operation of the facility in accordance with the proposed change to TS 3.1.1c does not involve a significant reduction in the margin of safety.

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 by close of business 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 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 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 Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room 6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. 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 August 3, 1998, 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 Van Wylen Library, Hope College, Holland, Michigan 49423-3698. 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. 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.

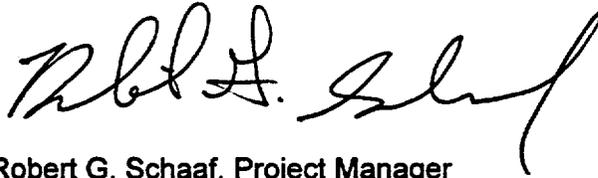
A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by close of business on the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Judd L. Bacon, Esquire, Consumers Energy 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).

For further details with respect to this action, see the application for amendment dated June 17, 1998, and supplement dated June 23, 1998, which are 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 Van Wylen Library, Hope College, Holland, Michigan 49423-3698.

Dated at Rockville, Maryland, this 26th day of June 1998.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, appearing to read "R.G. Schaaf", written in a cursive style.

Robert G. Schaaf, Project Manager
Project Directorate III-1
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation