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UNITED STATES NUCLEAR REGULATORY COMMISSION

COMMONWEALTH EDISON COMPANY

DOCKET NOS. 50-454, 50-455, 50-456 AND 50-457

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. NPF-37 and NPF-66, issued to Commonwealth Edison Company, for operation of Byron Station, Units 1 and 2 located in Ogle County, Illinois and Facility Operating License Nos. NPF-72 and NPF-77, issued to the licensee, for operation of Braidwood Station, Units 1 and 2 located in Will County, Illinois.

This amendment requests dated February 17, 1989, are being made in accordance with Generic Letter 88-06 to change the Administrative Control Section, Section 6.0 of Technical Specifications, to include the removal of the organizational figures, a position change from Radiation Chemistry Technical to Radiation Protection Technician, several position title changes, a clarification to the distribution requirements for Onsite Reviews and typographical or editorial changes.

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

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The Commission has made a proposed determination that these amendment requests involve no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facilities 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.

These proposed Technical Specification (TS) amendments request several changes. The first change involves the removal of organizational Figures 6.2-1 and 6.2-2 and the revision of TS 6.2.1 and 6.2.2 in accordance with the guidance provided in Generic Letter 88-06. The second proposed revision involves a position change from Radiation Chemistry Technician to Radiation Protection Technician in TS 6.2.2 and 6.12. The third proposed revision corrects several position titles that changed due to corporate reorganization. The fourth change clarifies the distribution requirements for onsite review documentation discussed in TS 6.5.2. The fifth and last change are typographical corrections.

In accordance with Generic Letter 88-06, these amendments replace the organizational Figures 6.2-1 and 6.2-2 in Technical Specifications with more general organizational requirements. These general requirements capture the essence of those organizational features depicted on the figures that are necessary for ensuring safe operation.

The proposed revisions to the Technical Specifications will require organizational charts to be maintained in the Quality Assurance Manual. In addition, the important organizational features depicted on the organizational

figures are also contained in other regulatory controlled documents. Chapter 13 of the Updated Final Safety Analysis Report (UFSAR) contains details of the organizational structure and description of the Conduct of Operations. This information is required by 10 CFR 50.71 to be maintained and updated annually. Also a Quality Assurance (QA) program is required for Byron and Braidwood by 10 CFR 50, Appendix B. In addition to the organizational charts, the Quality Assurance Manual and Topical Report CE-1-A contain descriptions of the functional responsibilities and reporting requirements.

None of the proposed changes are initiating events for an accident, therefore, the probability of an occurrence of an accident is not affected. Even though the organizational figures are being removed, TS 6.2.1a is being revised to require the organizational figures be maintained in the Quality Assurance Manual. In addition, TS 6.2.1 proposed revision adds general requirements that capture the essence of the organizational features included in the figures. Also, important organizational features are contained in other regulatory controlled documents. Therefore, safe plant operation is not affected and the consequence of any accidents presented in the UFSAR are not impacted by the changes.

The proposed changes do not revise any functional or design parameters used at the station. These changes do not modify any equipment or systems or cause the unit to be operated in a different manner. Therefore, the possibility of a new or different kind of accident is not created.

All the proposed changes are administrative, editorial or typographical and, as such, do not affect any margins of safety. The proposed organization changes do not affect safe operation of the plant. Creation of a Radiation

Protection Technician position in lieu of a Radiation Chemistry Technician adequately meets the requirements for Health Physics coverage identified in NUREG 0452. Updating position titles, clarifying documentation distribution requirements and typographical and editorial changes, facilitate plant operations but do not affect safe operations.

For the reasons stated above, the staff believes these proposed amendments involve 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 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 the FEDERAL REGISTER notice. Written comments may also be delivered to P-216, Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland from 8:15 a.m. to 5:00 p.m. Copies of written comments received may be examined at the NRC Public Document Room, 2120 L Street, N.W., Washington, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By \_\_\_\_\_, 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 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 of 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 to 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 proceedings 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, 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 Daniel R. Muller: petitioner's name and telephone number; date petition was mailed; plant number; 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 - Rockville, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Michael Miller, Esquire; Sidley and Austin, One First National Plaza, Chicago, Illinois 60603, 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 that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.174(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, 2120 L Street N.W., Washington, D.C., and for Byron Station, the Rockford Public Library, 215 N. Wyman Street, Rockford, Illinois 61101; for Braidwood Station, the Wilmington Township Public Library, 201 S. Kankakee Street, Wilmington, Illinois 60603.

Dated at Rockville, Maryland, this 9th day of March 1989.

FOR THE NUCLEAR REGULATORY COMMISSION

  
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Leonard N. Olshan, Project Manager  
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March 9, 1989

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