

Mr. Thomas C. Bordine
Manager, Licensing
Palisades Plant
27780 Blue Star Memorial Highway
Covert, MI 49043

September 16, 1996

SUBJECT: PALISADES PLANT - NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT
RE: REVISION OF ADMINISTRATIVE CONTROLS TECHNICAL SPECIFICATIONS
(TAC NO. M94287)

Dear Mr. Bordine:

Enclosed is a copy of a "Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing" concerning your application for amendment dated December 11, 1995, as supplemented by letters dated January 18, 1996, and September 3, 1996. This notice was 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

DISTRIBUTION:

Docket File
PUBLIC
PD31 Reading
JRoe
EAdensam (EGA1)
OGC
ACRS
W. Kropp, RIII

NRC FILE CENTER COPY

DOCUMENT NAME: G:\WPDOCS\PALISADE\PAL94287.IND

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure
"N" = No copy

OFFICE	PM:PD31	E	LA:PD31	E	PD:PD31
NAME	RSchaaf: [Signature]	C	Campson	JHannon	[Signature]
DATE	9/16/96		9/16/96		9/16/96

OFFICIAL RECORD COPY

9609190194 960916
PDR ADOCK 05000255
P PDR

Mr. Thomas C. Bordine
Consumers Power Company

cc:

Mr. Thomas J. Palmisano
Plant General Manager
Palisades Plant
27780 Blue Star Memorial Highway
Covert, Michigan 49043

Mr. Robert A. Fenech
Vice President, Nuclear Operations
Palisades Plant
27780 Blue Star Memorial Highway
Covert, Michigan 49043

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

Mr. Thomas A. McNish
Vice President & 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
801 Warrenville Road
Lisle, Illinois 60532-4351

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

Office of the Governor
Room 1 - Capitol Building
Lansing, Michigan 48913

U.S. Nuclear Regulatory Commission
Resident Inspector's Office
Palisades Plant
27782 Blue Star Memorial Highway
Covert, Michigan 49043

Palisades Plant

Drinking Water and Radiological
Protection Division
Michigan Department of
Environmental Quality
3423 N. Martin Luther King Jr Blvd
P. O. Box 30630 CPH Mailroom
Lansing, Michigan 48909-8130

Gerald Charnoff, Esquire
Shaw, Pittman, Potts and Trowbridge
2300 N Street, N. W.
Washington DC 20037

Michigan Department of Attorney
General
Special Litigation Division
630 Law Building
P.O. Box 30212
Lansing, Michigan 48909

UNITED STATES NUCLEAR REGULATORY COMMISSIONCONSUMERS POWER COMPANYDOCKET NO. 50-255NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION 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 Power Company (the licensee) for operation of the Palisades Plant located in Van Buren County, Michigan.

The proposed amendment would revise the Palisades Technical Specifications (TS) Administrative Controls section (Section 6) to adopt the format of NUREG-1432, "Standard Technical Specifications, Combustion Engineering Plants." The proposed amendment would also revise definition, safety limit, limiting condition for operation, and surveillance requirement TS associated with the revision of the administrative controls section, and would make editorial revisions to references throughout the TS to 10 CFR Part 20 requirements.

The proposed amendment classified the changes as Less Restrictive, More Restrictive, Relocated, or Administrative.

Proposed changes classified as less restrictive include revision of surveillance intervals for inservice inspection (ISI) of the chemical and volume control system regenerative heat exchanger, inspection of containment spray nozzles, and containment integrated leak rate testing; and revision or deletion of several administrative and reporting requirements.

In addition to these less restrictive changes, the proposed amendment would also add new requirements, or revise certain existing requirements to result in additional operational restrictions (classified as "More Restrictive" changes); relocate selected requirements from the TS to other licensee-controlled documents (classified as "Relocated" changes); and move or clarify requirements within the TS without affecting their technical content (classified as "Administrative" changes).

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. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration. The NRC staff has reviewed the licensee's analysis against the three standards of 10 CFR 50.92(c). The staff's review is presented below.

1. Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?

"Less Restrictive" changes:

The proposed changes to surveillance requirements allow longer surveillance testing intervals. Increasing the surveillance interval does not

involve a change to the plant design or operation. Therefore, the proposed changes cannot increase the probability of a previously evaluated accident.

Surveillance intervals established at the time of plant licensing were based on engineering judgement. Reviews of operating experience since that time have found that increases in the surveillance intervals affected by the proposed amendment can be accommodated with minimal increases in overall accident risk. Therefore, the proposed changes in surveillance intervals will not result in a significant increase in the consequences of any accident previously evaluated.

The proposed changes which revise or delete administrative and reporting requirements do not alter plant design or operation. Therefore, they would not increase the probability or consequences of any accident previously evaluated.

"More Restrictive" changes:

These proposed changes add new requirements, or revise existing requirements to result in additional operational restrictions. Since the TS, with all "More Restrictive" changes incorporated, will still contain all of the requirements which existed prior to the changes, "More Restrictive" changes cannot involve a significant increase in the probability or consequences of an accident previously evaluated.

"Relocated" and "Administrative" changes:

These proposed changes relocate requirements from TS to documents controlled in accordance with 10 CFR 50.54(a) or 50.59, or move or clarify requirements within the TS, without affecting their technical content. These changes do not alter plant design or operation. Therefore, they cannot

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

2. Do the proposed changes create the possibility of a new or different kind of accident from any previously evaluated?

"Less Restrictive" changes:

The proposed changes to surveillance requirements allow longer surveillance testing intervals. Increasing the surveillance interval does not involve a change to the plant design or operation. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

The proposed changes which revise or delete administrative and reporting requirements do not alter plant design or operation. Therefore, they do not create the possibility of a new or different kind of accident from any previously evaluated.

"More Restrictive" changes:

These proposed changes add new requirements, or revise existing requirements to result in additional operational restrictions. Since the TS, with all "More Restrictive" changes incorporated, will still contain all of the requirements which existed prior to the changes, "More Restrictive" changes cannot create the possibility of a new or different kind of accident from any previously evaluated.

"Relocated" and "Administrative" changes:

These proposed changes relocate requirements from TS to documents controlled in accordance with 10 CFR 50.54(a) or 50.59, or move or clarify requirements within the TS, without affecting their technical content. These changes do not alter plant design or operation. Therefore, they do not create

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

3. Do the proposed changes involve a significant reduction in a margin of safety?

"Less Restrictive" changes:

The proposed changes to surveillance requirements allow longer surveillance testing intervals. Increasing a surveillance interval does not involve a change to the plant design or operation. The margins of safety which may be impacted by the proposed changes involve the peak containment temperature and pressure and the offsite dose consequences of design-basis accidents. With respect to the regenerative heat exchanger, the proposed testing interval is consistent with the interval required by the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, which is considered adequate to ensure system integrity; the increased probability of system leakage due to the increased testing interval is minimal; and any leakage would be retained within the primary containment. With respect to the containment spray nozzles, the increased probability of spray nozzle blockage due to the increased testing interval is minimal; and the containment air coolers provide a redundant means of controlling containment atmosphere temperature and pressure. With respect to the containment leak rate testing interval, the proposed change does not modify the containment performance criteria. Therefore, operation of the facility in accordance with the proposed changes does not involve a significant reduction in a margin of safety.

The proposed changes which revise or delete administrative and reporting requirements do not alter plant design or operation. Therefore, they do not involve a significant reduction in a margin of safety.

"More Restrictive" changes:

These proposed changes add new requirements, or revise existing requirements to result in additional operational restrictions. Since the TS, with all "More Restrictive" changes incorporated, will still contain all of the requirements which existed prior to the changes, "More Restrictive" changes cannot involve a significant reduction in a margin of safety.

"Relocated" and "Administrative" changes:

These proposed changes relocate requirements from TS to documents controlled in accordance with 10 CFR 50.54(a) or 50.59, or move or clarify requirements within the TS, without affecting their technical content. These changes do not alter plant design or operation. Therefore, they do not involve a significant reduction in a margin of safety.

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 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 Review and Directives Branch, Division of Freedom of Information and Publications 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 6D22, 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 October , 1996, 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. 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: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last 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) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to John Hannon: 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, DC 20555-0001, and to Judd L. Bacon, Esquire Consumers Power Company, 212 West Michigan Avenue, Jackson, Michigan 49201, attorney for the licensee.

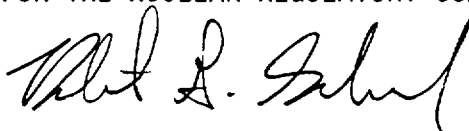
Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be

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).

For further details with respect to this action, see the application for amendment dated December 11, 1995, as supplemented by letters dated January 18, 1996, and September 3, 1996, 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.

Dated at Rockville, Maryland, this 16th day of September 1996.

FOR THE NUCLEAR REGULATORY COMMISSION



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