

January 19, 1994

Mr. D. L. Farrar
Manager, Nuclear Regulatory Services
Commonwealth Edison Company
Executive Towers West III
1400 Opus Place, Suite 500
Downers Grove, IL 60515

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO FACILITY OPERATING LICENSES, PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING - BYRON STATION, UNITS 1 AND 2, AND BRAIDWOOD STATION, UNITS 1 AND 2 (TAC NOS. M87752, M87753, M87754 AND M87755)

Dear Mr. Farrar:

The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing." This notice relates to your application for amendment dated August 31, 1993, as supplemented by letter dated July 19, 1994. This amendment proposal requested a change to the technical specifications to increase the allowed outage time for an inoperable control room chiller from 7 days to 30 days.

Sincerely,

Original signed by:

Ramin R. Assa, Project Manager
Project Directorate III-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-454, STN 50-455,
STN 50-456, STN 50-457

Enclosure: Notice

cc w/encl: see next page

<u>Distribution:</u>	Docket File	PUBLIC	PDIII-2 r/f	J. Roe
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UNITED STATES NUCLEAR REGULATORY COMMISSIONCOMMONWEALTH EDISON COMPANYDOCKET NOS. STN 50-454, STN 50-455, STN 50-456 AND STN 50-457NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO
FACILITY OPERATING LICENSES, 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 Nos. NPF-37, NPF-66, NPF-72 and NPF-77, issued to the Commonwealth Edison Company (the licensee) for operation of the Byron Station, Units 1 and 2, located in Ogle County, Illinois, and the Braidwood Station, Units 1 and 2, located in Will County, Illinois.

The proposed amendments would revise the Byron Station, Unit 1 and 2, and Braidwood Station, Units 1 and 2, Technical Specifications (TS) Section 3/4.7.6 concerning the Control Room Ventilation (VC) System. These changes are consistent with the revised Standard Technical Specifications for Westinghouse Plants. Specifically, the allowed outage time for one train of the system would be changed from 7 to 30 days, if the train was declared inoperable only due to an inoperable chiller unit. An alternative action would also be added to TS 3.7.6.a, requiring the cessation of all core alterations, reactivity additions, and spent fuel movement if one train of the system is inoperable during refueling operations. By letter dated July 19, 1994, the licensee responded to the Commission staff's comments and proposed to revise TS 3/4.7.6 by adding a surveillance requirement to demonstrate the control room ventilation heat load removal capability every 18 months.

Revisions to associated Bases and minor editorial changes would also be made for the purpose of updating and clarifying the TS.

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, which is presented below:

- A. The proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

The first proposed change will increase the allowed outage time (AOT) for a VC chiller from seven days to thirty days in Modes 1 through 4. The thirty day AOT is based on the low probability of an event requiring control room isolation concurrent with failure of the redundant train of VC. Therefore, one train of VC will always be available to remove normal and accident heat loads and provide control room isolation. Consequently, this change will not result in an increase to offsite dose rates or the exposure of control room operators.

Increasing the AOT will allow for more extensive maintenance and should increase overall availability of the VC chillers. This provides additional assurance that a chiller will be operable on at least one train of VC. In the unlikely event that both VC chillers became inoperable, alternate non-safety related means to maintain control room temperature are available. Based on the

above, the proposed increase to the AOT will not increase the probability or consequences of any previously analyzed accident.

The proposed change to the Action a for Modes 5 and 6 adds an alternative to placing the remaining operable VC train in the makeup mode. The alternative would allow the option to suspend CORE ALTERATIONS, positive reactivity changes, and movement of irradiated fuel. In Modes 5 and 6, this greatly reduces the probability of an event that would require control room isolation. The change will have no impact on the consequences of an accident since the remaining train of VC would be capable of isolating the control room on a high radiation signal and providing the necessary temperature control. Based on this review, the proposed Action will not result in an increase in the probability or consequences of a previously analyzed accident.

As noted above, the proposed amendment adds a restriction to suspend movement of irradiated fuel. This change reduces the probability of the occurrence of a fuel handling accident and has no impact on the consequences of any accident. In addition, the wording in Action b was revised to be consistent with the wording in Action a. This change is purely editorial and, therefore, has no impact on the probability or consequences of an accident.

The proposed changes to Section 3/4.7.6 are requested to ensure that surveillances are performed to verify that the Control Room Ventilation System remains capable of performing its design function. Operability of the Control Room Chillers ensures that the ambient air temperature does not exceed the allowable temperature for continuous duty rating for the equipment and instrumentation cooled by the Control Room Ventilation System. The ability of the Control Room Ventilation System to limit the radiation exposure to personnel occupying the control room to 5 rem or less whole body, or its equivalent, is not affected by the addition of this surveillance requirement. The proposed changes do not affect any accident initiators or precursors and do not change or alter the design assumptions for the systems or components used to mitigate the consequences of an accident. Consequently, the changes do not impact any accident previously evaluated in the UFSAR.

Therefore, the proposed changes do not involve an increase in the probability or consequences of an accident previously evaluated.

- B. The proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

The first proposed change will increase the AOT for a VC chiller from seven days to thirty days in Modes 1 through 4. During the time one chiller is inoperable, the redundant train is capable of

handling the heat loads during normal operation and during all accident scenarios. No new operating conditions are created by this change. Therefore, this change will not result in any new or different accident from those previously analyzed.

The proposed change to the Action for Modes 5 and 6 adds an alternative to allow the option to suspend CORE ALTERATIONS, positive reactivity changes, and movement of irradiated fuel. In Modes 5 and 6, this greatly reduces the probability of an event that would require control room isolation. Also, the remaining train of VC would still be capable of temperature control and isolating the control room on a high radiation signal. This change will not create any new plant operating conditions. Based on this review, the proposed Action will not result in a new or different kind of accident.

The additional restriction on the movement of irradiated fuel in Modes 5 and 6 will not create any new condition which has not been previously analyzed. In addition, for consistency with the wording in Action a, the word "changes" was replaced by the word "additions." This change is purely editorial and, therefore, has no potential to create a new kind of accident.

The proposed changes to add a surveillance requirement to Section 3/4.7.6 do not affect the design or operation of any system, structure, or component in the plant. There are no changes to parameters governing plant operation; no new or different type of equipment will be installed. The proposed changes ensure that equipment remains capable of performing its design function.

Therefore, the proposed changes do not create the possibility of a new or different type of accident from any previously evaluated.

- C. The proposed changes do not involve a significant reduction in a margin of safety.

The basis for the VC Technical Specification to ensure that the temperature in the control room does not exceed maximum allowable for the equipment and instrumentation inside. The VC system is also required to limit radiation exposure to control room personnel following an accident. Either of the two redundant trains can perform both of these functions. As long as one train of VC is available, the margin of safety assumed in the bases for this specification is maintained.

Increasing the AOT for one VC chiller unit has no impact on the redundant train of VC. Although one train of VC may be inoperable for a longer period of time, the redundant train can perform all normal and accident functions. The length of the AOT is sufficiently short to assure that a scenario involving an accident

requiring control room isolation concurrent with the failure of the redundant train is not credible. Therefore, one train of VC will remain available and no reduction is made to the margin of safety.

The second change involves adding an alternative Action in Modes 5 and 6 that would restrict CORE ALTERATIONS, positive reactivity additions, and movement of irradiated fuel. The existing Action requires that the operable train of VC be placed in the makeup mode of operation. This Action ensures that any failures are readily detected. The alternate Action reduces the potential of an event that would require control room isolation while maintaining one train of VC operable. In both cases, the Actions assure that one train of VC is available for normal and emergency use. Therefore, the proposed change maintains the margin of safety.

Another proposed change involves the condition with no VC trains operable in Modes 5 and 6. Since VC is not available, alternative means must be used to maintain control room temperature. Since the primary alternative involves utilization of outside air, the most appropriate action is to reduce the probability of an event that would require control room isolation. The proposed additional restriction on the movement of irradiated fuel provides added assurance that such an event will not occur. Therefore, the margin of safety is maintained. Also, for consistency with the wording in Action a, the word "changes" was replaced by the word "additions." This change is purely editorial and, therefore, has no impact on the margin of safety.

The final proposed change to add a surveillance requirement does not affect the margin of safety for any Technical Specification. The initial conditions and methodologies used in the accident analyses remain unchanged, therefore, accident analysis results are not impacted. The addition of a Technical Specification surveillance provides further assurance that the Control Room Ventilation System is operable and capable of maintaining the ambient air temperature below the allowable temperature for the continuous duty rating of the equipment and instrumentation cooled by this system. These changes also provides consistency with Standard Technical Specifications.

Therefore, the proposed change does not involve a 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 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 Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, 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 February 24, 1995 , 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 rooms located at the Byron Public Library, 109 N. Franklin, P. O. Box 434, Byron, Illinois 61010 for the Byron Station; for Braidwood, the Wilmington Township Public Library, 201 S. Kankakee Street, Wilmington, Illinois 60481. 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, 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 Robert A. Capra: 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, and to Michael I. Miller, Esquire; Sidley and Austin, One First National Plaza, Chicago, Illinois 60690, attorney for the licensee.

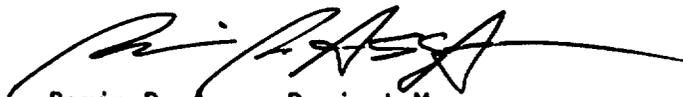
Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should 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 amendments dated August 31, 1993, as supplemented July 19, 1994, 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 Byron Public Library, 109 N. Franklin, P. O. Box 434, Byron, Illinois 61010 for the Byron Station; for Braidwood, the Wilmington Township Public Library, 201 S. Kankakee Street, Wilmington, Illinois 60481.

Dated at Rockville, Maryland, this 19th day of January 1995.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, appearing to read 'Ramin R. Assa', with a long horizontal flourish extending to the right.

Ramin R. Assa, Project Manager
Project Directorate III-2
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation