

December 12, 1997

Ms. Irene Johnson, Acting Manager  
Nuclear Regulatory Services  
Commonwealth Edison Company  
Executive Towers West III  
1400 Opus Place, Suite 500  
Downers Grove, IL 60515

SUBJECT: RELOCATION OF P-T LIMITS - BRAIDWOOD STATION, UNITS 1 AND 2, AND  
BYRON STATION, UNITS 1 AND 2 (TAC NOS. M98799, M98800, M98801 AND  
M98802)

Dear Ms. Johnson:

The Commission has forwarded the enclosed "Notice of Consideration of Issuance of  
Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration  
Determination and Opportunity for a Hearing" to the Office of the Federal Register for  
publication.

This notice relates to your submittal of May 21, 1997, as supplemented on November 18, 1997,  
and December 3, 1997, regarding Commonwealth Edison Company's request to allow licensee  
control of the reactor coolant system pressure and temperature limits for heatup, cooldown, low  
temperature operation and hydrostatic testing. ComEd also proposed to relocate the reactor  
vessel capsule withdrawal schedule in accordance with Generic Letter 91-01.

Sincerely,

Orig. signed by

George F. Dick, Jr., Senior Project Manager  
Project Directorate III-2  
Division of Reactor Projects - III/IV  
Office of Nuclear Reactor Regulation

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

Enclosure: As stated

cc w/encl: see next page

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R. Capra C. Moore G. Dick OGC, O15B18 ACRS, T2E26  
M. Jordan, RIII

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

December 12, 1997

Ms. Irene Johnson, Acting Manager  
Nuclear Regulatory Services  
Commonwealth Edison Company  
Executive Towers West III  
1400 Opus Place, Suite 500  
Downers Grove, IL 60515

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BYRON STATION, UNITS 1 AND 2 (TAC NOS. M98799, M98800, M98801 AND  
M98802)

Dear Ms. Johnson:

The Commission has forwarded the enclosed "Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination and Opportunity for a Hearing" to the Office of the Federal Register for publication.

This notice relates to your submittal of May 21, 1997, as supplemented on November 18, 1997, and December 3, 1997, regarding Commonwealth Edison Company's (ComEd) request to allow licensee control of the reactor coolant system pressure and temperature limits for heatup, cooldown, low temperature operation and hydrostatic testing. ComEd also proposed to relocate the reactor vessel capsule withdrawal schedule in accordance with Generic Letter 91-01.

Sincerely,

A handwritten signature in cursive script that reads "George F. Dick, Jr.".

George F. Dick, Jr., Senior Project Manager  
Project Directorate III-2  
Division of Reactor Projects - III/IV  
Office of Nuclear Reactor Regulation

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

Enclosure: As stated

cc w/encl: see next page

**I. Johnson  
Commonwealth Edison Company**

**cc:**

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Illinois Emergency Services  
and Disaster Agency  
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Commonwealth Edison Company  
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**Commonwealth Edison Company  
Site Vice President - Braidwood  
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**UNITED STATES NUCLEAR REGULATORY COMMISSION****COMMONWEALTH EDISON COMPANY****DOCKET NOS. STN 50-454, STN 50-455, STN 50-456 AND STN 50-457****NOTICE 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 Nos. NPF-37, NPF-66, NPF-72, and NPF-77 issued to Commonwealth Edison Company (the licensee) for operation of Byron Station, Units 1 and 2, located in Ogle County, Illinois and Braidwood Station, Units 1 and 2, located in Will County, Illinois.

The proposed amendment would allow licensee control of the reactor coolant system pressure and temperature limits for heatup, cooldown, low temperature operation and hydrostatic testing. ComEd also proposed to relocate the reactor vessel capsule withdrawal schedule in accordance with Generic Letter 91-01.

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:

1. **Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?**

The proposed changes relocate RCS [reactor coolant system] P/T [pressure and temperature] limits, LTOP [low temperature overpressure protection] system setpoints, hydrostatic testing requirements, and the reactor vessel capsule withdrawal schedule, along with supporting information, from the Technical Specifications to a PTLR [pressure temperature limits report]. Compliance with these limits will continue to be required by the Technical Specifications. However, the limits themselves will be maintained in a Licensee-controlled document. Changes to the limits will be controlled by Section 6.9.1.11 of the Technical Specifications. Changes to the RCS P/T limits can only be made in accordance with the NRC-approved methodologies listed in the Technical Specifications. The limits and the Technical Specifications will continue to assure the function of the reactor vessel as a pressure boundary. Revision to the LTOP limits can only be made in accordance with the approved methodologies listed in the Technical Specifications, and any resulting setpoint changes are made through the provisions of 10 CFR 50.59. Changes to the specimen withdrawal requirements are governed by Appendix H to 10 CFR 50.

The proposed changes do not impact any accident initiators or analyzed events or assumed mitigation of accident or transient events. They do not involve the addition or removal of any equipment, or any design changes to the facility. Therefore this proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. **Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?**

The proposed changes do not involve a modification to the physical configuration of the plant (i.e., no new equipment will be installed) or change in the methods governing normal plant operation. The proposed changes will not impose any new or different requirements or introduce a new accident or malfunction mechanism. There is no significant change in the types or significant increase in the amounts of any effluent that may be released offsite, and there is no significant increase in individual or cumulative occupational radiation exposure. In addition, the Byron and Braidwood Technical Specifications will continue to require that the reactor is maintained within acceptable operational limits and ensure that the LTOP system meets operability requirements. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

**3. Does the change involve a significant reduction in a margin of safety?**

The proposed changes do not result in any reduction in the margin of safety because they have no impact on safety analysis assumptions. The proposed changes have been shown to ensure that the P/T and LTOP limits in the PTLR continue to meet all necessary requirements for reactor vessel integrity. Any future changes to the RCS P/T, LTOP limits, or supporting information must be performed in accordance with NRC-approved methodologies. Technical Specifications continue to require compliance with the limits in the PTLR. Additionally, any revision to the LTOP limits which result in setpoint changes will be evaluated under the provisions of 10 CFR 50.59. The reactor vessel capsule withdrawal schedule will continue to meet the requirements of Appendix H to 10 CFR 50. Therefore, these changes do not involve a significant reduction in the margin of safety.

ComEd has concluded that the RCS P/T and LTOP limits are no longer required to be located in the Technical Specifications under 10 CFR 50.36 or Section 182a of the Atomic Energy Act, and are not required to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety. Additionally, they do not fall within any of the four criteria set forth in 10 CFR 50.36 (c)(2)(ii) for defining Technical Specification Limiting Condition for Operations.

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 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 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 January 20, 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: for Byron, located at the Byron Public Library District, 109 N. Franklin, P.O. Box 434, Byron, Illinois 61010; for Braidwood, the Wilmington 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 20555-0001, 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 the above date. A copy of the petition should also be sent to the Office of the General

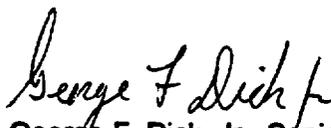
Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Michael I. Miller, Esquire; Sidley and Austin, One First National Plaza, Chicago, Illinois 60603, attorney for the licensee.

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 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 May 21, 1997, as supplemented on November 18, 1997, and December 3, 1997, 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 rooms: for Byron, located at the Byron Public Library District, 109 N. Franklin, P.O. Box 434, Byron, Illinois 61010; for Braidwood, the Wilmington Public Library, 201 S. Kankakee Street, Wilmington, Illinois 60481.

Dated at Rockville, Maryland, this 12<sup>th</sup> day of December, 1997.

FOR THE NUCLEAR REGULATORY COMMISSION



George F. Dick, Jr., Senior Project Manager  
Project Directorate III-2  
Division of Reactor Projects - III/IV  
Office of Nuclear Reactor Regulation