

October 27, 1998

Mr. Oliver D. Kingsley, President
Nuclear Generation Group
Commonwealth Edison Company
Executive Towers West III
1400 Opus Place, Suite 500
Downers Grove, IL 60515

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS - BYRON
STATION, UNITS 1 AND 2 AND BRAIDWOOD STATION, UNITS 1 AND 2
(TAC NOS. M97546, M97547, M97548 AND M97549)

Dear Mr. Kingsley:

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 December 13, 1996, to convert the existing Byron and Braidwood Technical Specifications (TS) to the improved TSs based upon NUREG-1431.

Sincerely,

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

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1/21

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

Enclosure: Notice

cc w/encl: See next page

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

October 27, 1998

Mr. Oliver D. Kingsley, President
Nuclear Generation Group
Commonwealth Edison Company
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1400 Opus Place, Suite 500
Downers Grove, IL 60515

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Sincerely,

A handwritten signature in black ink, appearing to read "Ramin R. Assa".

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

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- 2 -

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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 amendments to Facility Operating License Nos. NPF-37 and NPF-66, issued to Commonwealth Edison Company (ComEd, the licensee) 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 ComEd for operation of Braidwood Station, Units 1 and 2, located in Will County, Illinois.

This notification addresses the beyond scope bracketed items identified in the requested amendments dated December 13, 1996. The proposed amendments would revise current Technical Specifications (CTS) of each unit to conform with NUREG-1431, Revision 1, "Standard Technical Specifications - Westinghouse Plants." The following descriptions and proposed no significant hazard analyses cover only those beyond scope bracketed changes. Associated with each change are administrative/editorial changes such that the new or revised requirements would fit the format of NUREG-1431.

1. CTS Limiting Condition of Operation (LCO) 3.2.2 ensures compliance with F_0 fuel design limits by a bounding analysis that is verified in the plant by monitoring a height dependent radial peaking factor $F_{xy}(Z)$. The CTS denotes associated LCOs, Actions, and Surveillance Requirements (SRs) for the $F_{xy}(Z)$ methodology. Improved Technical Specification (ITS) LCO 3.2.1 denotes associated LCOs, Actions, and SRs for a method based on an equilibrium $F_0(Z)$ surveillance ($F_0(Z)W(Z)$ methodology). The proposed

methodology change provides more available margin to the $F_Q(Z)$ limit than is currently available with the $F_{XY}(Z)$ surveillance methodology. The $F_{XY}(Z)$ methodology is based on a 1 dimension-2 dimension synthesis of data whereas the $F_Q(Z)W(Z)$ methodology is a more advanced 3 dimension calculation. ComEd proposes to replace the $F_{XY}(Z)$ method by the $F_Q(Z)W(Z)$ method. NUREG-1431 provides the option for either the $F_{XY}(Z)$ methodology or the $F_Q(Z)W(Z)$ methodology. The revised requirement will be stated as ITS LCO 3.2.1.

2. This beyond scope change applies to Braidwood Station only. CTS SR 4.7.7.d.3 confirms the ability of both trains of the Nonaccessible Area Exhaust Filter Plenum Ventilation System to maintain Emergency Core Cooling System (ECCS) equipment rooms at -0.25 inches (water gauge) relative to the outside atmosphere while operating at a specified flow rate per train and a specified flow rate per bank. ComEd proposes to eliminate the specified bank flow rates. The SR verifies the integrity of the ECCS pump room areas. The ability of the Nonaccessible Area Exhaust Filter Plenum Ventilation System to maintain the ECCS pump room areas at a negative pressure, with respect to potentially uncontaminated adjacent area, is periodically tested to verify proper functioning of the Nonaccessible Area Exhaust Filter Plenum Ventilation System. Verification of the train flow rates is sufficient to satisfy this SR. In addition, several of the CTS 4.7.7 SRs include operating the system at a specified flow rate per train and a specified flow rate per bank. The specified train and bank flow rates are included in ITS Specification 5.5.11.a and 5.5.11.b for surveillances performed after structural maintenance on the high-efficiency particulate air (HEPA) or charcoal adsorber housings. ITS Specifications 5.5.11.a and 5.5.11.b include only train flow rates for other

periodic surveillances. The flow distribution per train (bank flow) is achieved by permanently welded baffle plates and was tested during initial construction and periodically as required by the CTS. These changes were permitted at Byron Station as described in NRC safety evaluation (SE) dated October 22, 1993. The revised requirements will be stated as ITS 3.7.12 and ITS 5.5.11.

3. CTS SR 4.8.1.1.2.a.5, 4.8.1.1.2.f.3, and 4.8.1.1.2.f.7 include requirements associated with loading the diesel generator (DG) to greater than or equal to the continuous rating of the DGs (5500 kW). Consistent with NUREG-1431, ComEd proposes to modify these SRs to include a 90 percent to 100 percent of the continuous rating of the DGs load band (4950 kW to 5500 kW). These revised requirements will be stated as ITS SR 3.8.1.3 (31 day, 60 minute run), ITS SR 3.8.1.10 (full load reject), and ITS SR 3.8.1.14 (24 hour run). In addition, the Note contained in ITS SR 3.8.1.15 (hot restart) includes this load band. Regulatory Guide 1.9, Revision 3, recommends that these tests be conducted at 90 percent to 100 percent of the DG continuous rating. The maximum expected accident load for the worst case DG is 5166 kW (Byron DG 1A - during the first 30 minutes). The footnotes associated with CTS SR 4.8.1.1.2.f.7 include an allowance to load the DG for the first 2-hours of the 24 hour test within a load band of +0 kW, -150 kW of the 2-hour rating of the DG (6050 kW). Consistent with NUREG-1431, ComEd proposes to modify this load band in ITS SR 3.8.1.12 to include a 105 percent to 110 percent of the DG continuous rating (5775 kW - 6050 kW) load band. The 100 percent corresponds to the 2-hour rating, while the 105 percent corresponds to -275 kW from the 2-hour rating. In summary, these revised requirements will be stated as ITS 3.8.1.3, 3.8.1.10, 3.8.1.14, and 3.8.1.15.

4. Consistent with plant specific analyses and current procedural controls, ComEd proposes to raise the minimum steady state voltage acceptance criterion for CTS SR 4.8.1.1.2.a.4, 4.8.1.1.2.f.2, 4.8.1.1.2.f.4.b, 4.8.1.1.2.f.5, and 4.8.1.1.2.f.6.b to 3950 volts. This minimum steady state value ensures that certain low voltage sensitive components can operate properly. This revised requirement will be stated as ITS SRs 3.8.1.2, 3.8.1.7, 3.8.1.9, 3.8.1.11, 3.8.1.12, 3.8.1.15, and 3.8.1.19.

Before issuance of the 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.

The Commission has made a proposed determination that the requested amendments involve 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 amendments 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 for each of the above proposed changes. The NRC staff has reviewed ComEd's analyses against the standards of 10 CFR 50.92(c). The staff's analysis is presented below.

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

In all of the changes described above the answer is "no." The proposed changes will not affect the safety function of the subject systems. There will be no direct effect on the design

or operation of any plant structures, systems, or components. No previously analyzed accidents were initiated by the functions of these systems, and the systems will continue to perform their functions in mitigating consequences of previously analyzed accidents. Therefore, the proposed changes will have no impact of the consequences of any previously evaluated accidents.

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

In all of the changes described above, the answer is "no." The proposed changes would not lead to any design or operating procedure change. Hence, no new equipment failure modes or accidents from those previously evaluated will be created.

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

In all of the changes described above, the answer is "no." Margin of safety is associated with confidence in the design and operation of the plant. The proposed changes to the CTS do not involve any change to plant design, operation, or analysis. Thus, the margin of safety previously analyzed and evaluated is maintained.

Based on the analysis, it appears that the three standards of 10 CFR 50.92(c) are satisfied for each of the proposed changes. Therefore, the NRC staff proposes to determine that the requested 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.

Normally, the Commission will not issue the amendments 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 amendments before the expiration of the 30-day notice period, provided that its final determination is that the amendments involve 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 December 2, 1998, the licensee may file a request for a hearing with respect to issuance of the amendments to the subject facility operating licenses 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: for Byron, 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 ComEd.

Non-timely 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 13, 1996, which is 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: for Byron, 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 27th day of October 1998.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, appearing to read 'Ramin R. Assa', written in a cursive style.

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