

October 21, 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, as supplemented on October 10, 1997, February 13, 1998, April 13, 1998, June 2, 1998, July 8, 1998, September 25, 1998, and October 1, 1998, 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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PDR ADOCK 05000454
P PDR

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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Docket File PUBLIC PDIII-2 r/f
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Project Directorate III-2
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

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NAME	LBURKHART	<i>MB</i>	CMOORE		RASSA	<i>RA</i>	SRICHARDS	<i>SR</i>		
DATE	10/21/98		10/21/98		10/21/98		10/21/98			

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

October 21, 1998

Mr. Oliver D. Kingsley, President
Nuclear Generation Group
Commonwealth Edison Company
Executive Towers West III
1400 Opus Place, Suite 500
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SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS - BYRON
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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

O. Kingsley
Commonwealth Edison Company

cc:

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Springfield, Illinois 62706

Chairman
Will County Board of Supervisors
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Commonwealth Edison Company
Braidwood Station Manager
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O. Kingsley
Commonwealth Edison Company

- 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 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 beyond scope issues were further supplemented by letters dated October 10, 1997, February 13, 1998, April 13, 1998, June 2, 1998, July 8, 1998, September 25, 1998, and October 1, 1998. The following descriptions and proposed no significant hazard analyses cover only those beyond scope 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) 3.1.3.5 states that "all shutdown rods shall be fully withdrawn" when in MODE 1 and MODE 2 with K_{eff} greater than or equal to 1.0. ComEd proposes to change the applicability to MODE 1 and MODE 2 with any control bank not fully inserted. The revised requirement will be stated as ITS 3.1.5.

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2. CTS 3.1.3.2.a.1 states, "Determine the position of the non-indicating rod(s) indirectly by the movable incore detectors at least once per 8 hours and immediately after any motion of the non-indicating rod which exceeds 24 steps in one direction since the last determination of the rod's position..." ComEd proposes to eliminate the requirement for "immediate" determination of rod position. This is an administrative change. The revised requirement will be stated as ITS 3.1.7.
3. CTS Surveillance Requirement (SR) 4.1.2.7.a requires each Boron Dilution Protection System (BDPS) subsystem to be demonstrated OPERABLE at least every 12 hours. One of the requirements to determine OPERABILITY is to "verify that (each subsystem's) associated nuclear instrumentation source range detector is OPERABLE and indicating greater than or equal to 10 counts per second." OPERABILITY of the source range nuclear instruments is accomplished by satisfactorily completing the SR of CTS Table 4.3-1. The surveillance cannot be performed in the higher MODE without utilizing jumpers or lifting leads, which could result in an undesirable reactor transient. Consequently, ComEd proposes to allow the unit to enter the MODEs of applicability from a higher MODE (i.e., entering MODE 3 from MODE 2) without having performed the SR; however, the surveillance must be completed within 4 hours after entering the mode of applicability. This revised requirement will be stated as ITS SR 3.3.9.7.
4. CTS SR 4.2.3.5 requires the determination of reactor coolant system (RCS) total flow rate by a precision heat balance measurement. No time limit is stated for completion of this SR; however, it must be done prior to the completion of PHYSICS TESTS. ComEd proposes to revise the CTS to limit the period of time (to 7 days) that the SR is not

required to be performed after attaining the required unit status necessary to perform the SR. This revised requirement will be stated as ITS SR 3.4.1.4.

5. CTS 3.4.9.1 Action requires that if any of the limits are exceeded and cannot be restored within 30 minutes, the unit must be in Hot Standby within the next 6 hours and the RCS T_{AVG} and pressure must be reduced to less than 200 degrees Fahrenheit and 500 psig, respectively, within the following 30 hours. ComEd proposes to eliminate the requirement to reduce pressure to less than 500 psig. This revised requirement will be stated as ITS LCO 3.4.3.
6. ComEd proposes to revise CTS LCO 3.4.1.5.2 and CTS SR 4.4.1.5.2.2 to change the standard against which the isolated loop is compared to allow opening of the isolation valves. The revision requires the isolated loop boron concentration to be greater than or equal to the "required shutdown margin boron concentration." This change allows an isolated loop to be unisolated even if the boron concentration of the isolated loop is less than the unisolated portion of the RCS as long as the isolated loop concentration is greater than the required RCS concentration to meet ITS LCO 3.1.1 (when in MODE 5) or ITS LCO 3.9.1 (when in MODE 6). This change prevents unnecessary dilutions under conditions where both the isolated loop and unisolated portion meet the applicable shutdown margin requirements, but the unisolated portion is at a higher concentration than the isolated loop. This revised requirement will be stated as ITS LCO 3.4.18.
7. CTS SR 4.4.1.5.2.2 requires the boron concentration of an isolated loop be determined to be greater than the boron concentration of an operating loop within 2 hours prior to

- opening the valves of an isolated loop. ComEd proposes to revise the time requirement from 2 hours to 4 hours. This revised requirement will be stated as ITS SR 3.4.18.2.
8. CTS LCO 3.4.6.2.e and CTS SR 4.4.6.2.1 require that RCS leakage be limited to "40 gpm CONTROLLED LEAKAGE at a Reactor Coolant System pressure of 2235 plus/minus 20 psig." ComEd proposes to change this leakage requirement from 40 gpm to a value determined as a function of the differential pressure between charging pump discharge header pressure and RCS pressure (as shown on ITS Figure 3.5.5-1). The revised requirement will be stated as ITS LCO 3.5.5 and ITS SR 3.5.5.1.
 9. ComEd proposes an editorial change to CTS LCO 3.6.3.a.2 to allow deactivated remote manual valves to satisfy the required action to isolate the penetration. The revised requirement will be stated as ITS LCO 3.6.3 Required Action A.1.
 10. CTS LCO 3.8.1.1 does not provide an explicit Action for the situation of a diesel generator inoperable and one bus with two required qualified circuits inoperable (under the CTS, this condition would require entry into CTS LCO 3.03). Consistent with the guidance in NUREG-1431, ComEd proposes to add this Condition to provide required actions to either restore the diesel generator within 12 hours or restore the required qualified circuits within 12 hours. The proposed restoration time is consistent with the discussions provided in Regulatory Guide 1.93. The revised requirement will be stated as ITS LCO 3.8.1.
 11. CTS SR 4.8.1.1.1.b, CTS SR 4.8.1.1.2.f.5 and CTS SR 4.8.1.1.2.f.6 require their respective surveillance to be completed while shut down. CTS SR 4.8.1.1.1.b involves transfer of offsite circuits from normal to alternate. CTS SR 4.8.1.1.2.f.5 and CTS SR 4.8.1.1.2.f.6 involves surveillance of the engineered safety feature (ESF) bus electrical

power systems. ComEd proposes to eliminate the shutdown restriction required by the CTS surveillance. The revised requirements will be stated as ITS SR 3.8.1.8, ITS SR 3.8.1.12 and ITS SR 3.8.1.13, respectively.

12. CTS SR 4.8.1.1.2.f.3 states that "...The (diesel) generator voltage shall not exceed 4784 volts during and following the load rejection...." ComEd proposes to add a note which states that momentary transients above voltage immediately following a load rejection do not invalidate the test. Based on plant experience and discussions with the diesel generator manufacturer during a full load reject test, very high voltage spikes may occur during this test with no detrimental impact on generator performance. This revised requirement will be stated as ITS SR 3.8.1.10.
13. CTS SR 4.9.4.1 requires, during CORE ALTERATIONS or movement of irradiated fuel in the containment, the verification that each containment purge isolation valve actuates to the isolation position, but does not require the isolation time for each valve to be verified. ComEd proposes to verify each required containment purge valve actuates to the isolation position on an actual or simulated actuation signal (every 18 months) and to verify the isolation time of each required containment purge valve is within limits with frequency determined in accordance with the inservice test (IST) program. The revised requirement will be stated as ITS SR 3.9.4.2 and 3.9.4.3.
14. Various ventilation filter testing requirements of CTS LCO 3.7.6, 3.7.7 and 3.9.12 specify that testing be performed "in accordance with" the applicable Regulatory Guide or ANSI Standard. ComEd proposes that the required testing be performed "in general conformance with" Regulatory Guide 1.52, Revision 2, and ANSI N510-1980 "with any exception noted in Appendix A of the [Updated Final Safety Analysis Report] UFSAR."

This change provides the capability for justified variances between the applicable Regulatory Guide/ANSI Standard and the implementing procedures. Any future variances will be evaluated in accordance with 10 CFR 50.59 and documented in UFSAR Appendix A consistent with current practice. The revised requirement will be stated as ITS Administrative Control 5.5.11.

15. CTS LCO 3.6.1.2 requires that the containment leakage rates be determined in accordance with 10 CFR Part 50, Appendix J, Option B and Regulatory Guide 1.163, September 1995. In turn, Regulatory Guide 1.163 references NEI 94-01, "Industry Guideline for Implementing Performance-Based Option to 10 CFR Part 50, Appendix J." ComEd proposes to modify conformance to these documents by the addition of an exception which allows the time interval between the first and last tests in a series of consecutive satisfactory Type A tests (where two satisfactory tests are required prior to extending the Type A test interval) to be 18 months vice 24 months as stated in the NEI Guideline. The nominal refueling cycle frequency is 18 months and provides the reasonable time interval. This revised requirement will be stated as ITS Administrative Control 5.5.16.
16. CTS 6.12 provides high radiation area access control alternatives pursuant to 10 CFR 20.203(c)(2) (revised to Section 10 CFR 20.1601(c)). ComEd proposed to revise this specification as a result of the change to 10 CFR Part 20, using the guidance provided in Regulatory Guide 8.38, "Control of Access to High and Very High Radiation Areas in Nuclear Power Plants," and current industry technology in controlling access to high radiation areas. The proposed changes include additional requirements for groups entering high radiation areas, clarification of the need for communication and control of

workers in high radiation areas, clarification of definition of high radiation areas, and the clarification that an equivalent document to a Radiation Work Permit is acceptable. This revised requirement will be stated as ITS Administrative Control 5.7.

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 November 27, 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, as supplemented on October 10, 1997, February 13, 1998, April 13, 1998, June 2, 1998, July 8, 1998, September 25, 1998, and October 1, 1998, 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: 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.

October 21, 1998

Dated at Rockville, Maryland, this 21st 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