

May 24, 1991

Docket No. 50-461

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Mr. Frank A. Spangenberg
 Manager - Licensing and Safety
 Clinton Power Station
 Post Office Box 678
 Mail Code V920
 Clinton, Illinois 61727

Dear Mr. Spangenberg:

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE AND OPPORTUNITY FOR HEARING (TAC NO. 79687)

Enclosed is a "Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for Hearing" concerning your application for amendment dated December 17, 1990. This Notice was forwarded to the Office of the Federal Register for publication.

Sincerely,

Original Signed By:

Allen G. Hansen, Project Engineer
 Project Directorate III-3
 Division of Reactor Projects III/IV/V
 Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc w/enclosure:
See next page

DOCUMENT NAME: 79687 CAT 3 FRN

Office: LA/PDIII-3
 Surname: PKreutzer
 Date: 5/22/91

PE/PDIII-3
 AHansen:rc
 5/22/91

PD/PDIII-3
 JHannon
 5/24/91

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

May 24, 1991

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Mr. Frank A. Spangenberg
Manager - Licensing and Safety
Clinton Power Station
Post Office Box 678
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Sincerely,

A handwritten signature in cursive script, appearing to read "Allen G. Hansen".

Allen G. Hansen, Project Engineer
Project Directorate III-3
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc w/enclosure:
See next page

Mr. Frank A. Spangenberg
Illinois Power Company

Clinton Power Station
Unit No. 1

cc:

Mr. J. S. Perry
Vice President
Clinton Power Station
Post Office Box 678
Clinton, Illinois 61727

Illinois Department
of Nuclear Safety
Office of Nuclear Facility Safety
1035 Outer Park Drive
Springfield, Illinois 62704

Mr. J. A. Miller
Manager Nuclear Station
Engineering Department
Clinton Power Station
Post Office Box 678
Clinton, Illinois 61727

Mr. Donald Schopfer
Project Manager
Sargent & Lundy Engineers
55 East Monroe Street
Chicago, Illinois 60603

Sheldon Zabel, Esquire
Schiff, Hardin & Waite
7200 Sears Tower
233 Wacker Drive
Chicago, Illinois 60606

Resident Inspector
U.S. Nuclear Regulatory Commission
RR#3, Box 229 A
Clinton, Illinois 61727

Ms. K. K. Berry
Licensing Services Manager
General Electric Company
175 Curtner Avenue, M/C 382
San Jose, California 95125

Regional Administrator, Region III
799 Roosevelt Road, Building 4
Glen Ellyn, Illinois 60137

Chairman of DeWitt County
c/o County Clerk's Office
DeWitt County Courthouse
Clinton, Illinois 61727

Mr. Robert Neumann
Office of Public Counsel
State of Illinois Center
100 W. Randolph, Suite 11-300
Chicago, Illinois 60601

UNITED STATES NUCLEAR REGULATORY COMMISSIONILLINOIS POWER COMPANY, ET AL.DOCKET NO. 50-461NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-62, issued to Illinois Power Company and Soyland Power Cooperative, Inc. (the licensee), for operation of the Clinton Power Station, Unit No. 1, located in DeWitt County, Illinois.

The amendment would change Section 3.3.4.1 of the Technical Specifications to more closely reflect the capabilities of the Clinton Power Station Anticipated Transient Without Scram Recirculation Pump Trip (ATWS-RPT) instrumentation design, and to allow use of the ATWS-RPT system test switches during Operational Condition 1 (at power).

Prior to 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.

By July 1, 1991, 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 hearing and a petition for leave to intervene. Requests for a hearing and petitions 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, N.W., Washington, D.C. 20555 and at the Local Public Document Room located at the Vespasian Warner Public Library, 120 West Johnson Street, Clinton, Illinois. 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 a 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 fifteen (15) days prior to

the first pre-hearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (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 that 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.

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, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C., 20555 by the above date. Where petitions are filed during the last ten (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 1-800-325-6000 (in Missouri 1-800-342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to John N. 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, D.C. 20555, and to Sheldon Zabel, Esq., Schiff, Hardin and Waite, 7200 Sears Tower, 233 Wacker Drive, Chicago, Illinois 60606, 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).

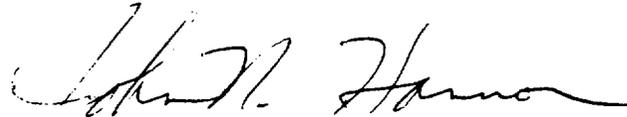
If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice

for public comment of its intent to make a no significant hazards consideration finding in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated December 17, 1990, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D. C. 20555, and at the local public document room, Vespasian Warner Public Library, 120 West Johnson Street, Clinton, Illinois.

Dated at Rockville, Maryland, this 24th day of May 1991.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script, appearing to read "John N. Hannon".

John N. Hannon, Director
Project Directorate III-3
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation