

February 15, 1995

Ms. Martha Girard, Director,  
Executive Agencies  
Office of the Federal Register  
Washington, D.C. 20001

SUBJECT: REQUEST FOR EXPEDITED PUBLICATION OF NOTICE OF CONSIDERATION  
OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE, PROPOSED  
NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION, AND OPPORTUNITY  
FOR A HEARING - CLINTON POWER STATION, UNIT NO. 1

Dear Ms. Girard:

We request publication of the enclosed individual Federal Register notice no later than Friday, February 17, 1995. The Notice contains a "No Significant Hazards Determination" for a technical specification change submitted to the NRC from Illinois Power Company.

The need for the technical specification change was recently identified during outage planning in preparation for the fifth refueling outage, scheduled to begin March 12, 1995, at the Clinton Power Station. The change significantly affects "critical path" work activities during the outage and will prevent unnecessary delays in plant startup. Any unnecessary delays would result in a significant financial impact on the utility.

Should you have additional questions, please contact Mr. Douglas Pickett of my staff at 301-415-1364.

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PDIII-3 Reading

Sincerely,  
Original signed by Leif J. Norrholm  
Leif J. Norrholm, Director  
Project Directorate III-3  
Division of Reactor Projects - III/IV  
Office of Nuclear Reactor Regulation

Enclosure: Federal Register Notice

Docket No. 50-461

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UNITED STATES NUCLEAR REGULATORY COMMISSIONILLINOIS POWER COMPANYDOCKET NO. 50-461NOTICE 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 No. NPF-62, issued to the Illinois Power Company (the licensee) for operation of the Clinton Power Station, Unit 1, located in DeWitt County, Illinois.

The proposed amendment would modify Technical Specifications (TSs) 3.8.2, "AC Sources-Shutdown;" 3.8.5, "DC Sources-Shutdown;" and 3.8.8, "Inverters-Shutdown." The proposed changes revise the operability requirements for the Division 3 diesel generator and the Division 3 and 4 batteries, battery chargers, and inverters to apply only when the high pressure core spray system is required to be OPERABLE.

The onsite Class 1E safety-related power systems at the Clinton Power Station include AC, DC and uninterruptible AC bus power systems. The Class 1E AC power system supplies power to the unit Class 1E loads and consists of 4160-V switchgear, 480-V unit substations, and 480-V motor control centers (some of which include 480-120/208-V transformers and distribution panels). The system includes diesel generators that serve as standby power sources, independent of any other onsite or offsite source. The onsite system is divided into three divisions, each with its own independent distribution network, diesel generator (DG), and redundant load group. Each division is

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capable of being supplied by one onsite (DG) and two offsite sources of electrical power for serving the unit Class 1E AC loads.

The Class 1E DC power system supplies 125 VDC power to unit Class 1E loads. The primary sources are battery chargers. The system includes batteries, battery chargers, motor control centers, and DC distribution panels. The system is divided into four divisions, each with its own independent distribution network, battery, battery charger and redundant load group.

The Class 1E uninterruptible AC bus power system supplies 120 VAC power to the nuclear system protection system (NSPS) and miscellaneous Class 1E loads. The system is also divided into four divisions and includes uninterruptible power supplies and buses. The uninterruptible AC bus power supply system is designed to provide adequate uninterruptible power to all the NSPS loads during all modes of operation including abnormal and accident conditions. Loads include NSPS logic power, neutron monitoring, process radiation monitoring, portions of the leak detection system, reactor water cleanup and residual heat removal system sample line valves, and scram discharge volume controls and indication. The Division 4 Class 1E power system components, which require AC power to operate are supplied by the Division 2 Class 1E AC power system.

Since safety-related loads supplied power by electrical power distribution subsystems that are "fail-safe" or otherwise do not need an electrical power source to perform their intended safety functions, Illinois Power believes that the technical specification requirements are overly restrictive as related to Division 3 and 4, and place unnecessary constraints on when certain work can be performed or when certain systems can be removed

from service relative to an optimal refueling outage work schedule. The applicable loads are primarily supplied by the Division 3 and 4 electrical power systems. Thus, Illinois Power is requesting a relaxation from the technical specification requirements associated with Division 3 and 4 electrical power system requirements that are applicable during plant shutdown conditions.

The need for the technical specification change was recently identified during outage planning in preparation for the fifth refueling outage, scheduled to begin March 12, 1995, at the Clinton Power Station. The change significantly affects "critical path" work activities during the outage and will prevent unnecessary delays in plant startup. Any unnecessary delays would result in a significant financial impact on the utility.

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) The proposed changes do not involve a change to plant design and are limited to requirements for operability of electrical power sources when the plant is not operating in MODES 1, 2, or 3. The proposed changes will still ensure that sufficient electrical power is required to be operable to mitigate the consequences of postulated accidents. As described previously, and except for the source range monitors (SRMs), the reduced redundancy of electrical power sources to non-high pressure core spray (HPCS) system loads is not safety significant due to the fail-safe nature of those loads. With respect to the SRMs, the SRMs are not assumed to function to mitigate any design basis accidents or transients. The SRMs provide monitoring during plant startup and refueling operations. In addition, there are no accidents postulated to occur as a result of a malfunction of electrical power sources with the plant shut down. As a result, the proposed changes will not result in an increase in the probability or consequences of any accident previously evaluated.
- (2) The proposed changes do not involve a change to plant design and are limited to requirements for operability of electrical power sources when the plant is not operating in MODES 1, 2, or 3. In addition, there are no accidents postulated to occur as a result of a malfunction of electrical power sources with the plant shut down. As discussed above, the components which receive power from the Division 3 and 4 electrical power distribution subsystems do not require electrical power to perform their safety functions when the HPCS System is not required to be operable for compliance with Limiting Condition for Operation (LCO) 3.5.2, "ECCS-Shutdown." As a result, the proposed changes cannot create the possibility of a new or different kind of accident from any accident previously evaluated.
- (3) As described in the Bases for LCO 3.8.2, "AC Sources-Shutdown," the technical specification requirements ensure that the unit has the capability to mitigate the consequences of postulated accidents. However, as also described in those Bases, a single failure and a concurrent loss of all offsite power or loss of all onsite power is not required to be assumed. The proposed changes only affect the requirements for electrical power sources when the plant is operating outside MODES 1, 2, and 3 and only affect the requirements for the electrical power sources for Divisions 3 and 4. Except when the HPCS System is operable for compliance with LCO 3.5.2, the requirements for the Division 1 and 2 electrical power sources are adequate to mitigate postulated accidents, assuming a single failure or loss of offsite or onsite power. The proposed changes will ensure that both Division 3 and 4 inverters, batteries, battery chargers, and a second qualified offsite circuit or the Division 3 diesel generator is operable when the HPCS System is required operable for compliance with LCO 3.5.2. As a result, the proposed changes do not result in a significant 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 March 20, 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 room located at the Vespasian Warner Public Library, 120 West Johnson Street, Clinton, Illinois, 61727. 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 Leif Norrholm, Director,

Project Directorate III-3: 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 Leah Manning Stetzner, Vice President, General Counsel, and Corporate Secretary, 500 South 27th Street, Decatur, Illinois, 62525, 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 February 14, 1995, 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 the Vespasian Warner Public Library, 120 West Johnson Street, Clinton, Illinois 61727.

Dated at Rockville, Maryland, this <sup>5<sup>th</sup></sup> day of February 1995.

FOR THE NUCLEAR REGULATORY COMMISSION

*Douglas V Pickett*

Douglas V. Pickett, Project Manager  
Project Directorate III-3  
Division of Reactor Projects - III/IV  
Office of Nuclear Reactor Regulation