

May 12, 1987

Mr. T. Gene Campbell
Vice President, Nuclear
Operations
Arkansas Power and Light Company
P. O. Box 551
Little Rock, Arkansas 72203

Dear Mr. Campbell:

Enclosed is a copy of the "Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing." This notice relates to your application for amendment dated May 6, 1987 to modify the Technical Specifications (TS) to allow a one time exception from TS 3.8.15 to allow the Auxiliary Building Crane to handle a spent fuel shipping cask.

The notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

(s)

Jose A. Calvo, Director
Project Directorate - IV
Division of Reactor Projects - III,
IV, V and Special Projects

Enclosure:
As stated

cc w/enclosure:
See next page

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Mr. G. Campbell
Arkansas Power & Light Company

Arkansas Nuclear One, Unit 1

cc:

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Mr. Frank Wilson, Director
Division of Environmental Health
Protection
Department of Health
Arkansas Department of Health
4815 West Markham Street
Little Rock, Arkansas 72201

Honorable William Abernathy
County Judge of Pope County
Pope County Courthouse
Russellville, Arkansas 72801

7590-01

UNITED STATES NUCLEAR REGULATORY COMMISSION

ARKANSAS POWER AND LIGHT COMPANY

DOCKET NO. 50-313

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-51 issued to Arkansas Power and Light Company (the licensee), for operation of the Arkansas Nuclear One, Unit 1, located in Pope County, Arkansas. The request for amendment was submitted by letter dated May 6, 1987.

The proposed amendment would revise ANO-1 Technical Specification (TS) to allow a one-time waiver from TS 3.8.15 and the related Basis to allow the Auxiliary Building crane to handle a spent fuel shipping cask. The waiver would allow the licensee to ship up to 16 spent fuel pins in a spent fuel shipping cask licensed by the U.S. Department of Energy (DOE) for hot cell examination as a part of the DOE Extended Burnup Program. TS 3.8.15 presently states that the spent fuel shipping cask shall not be carried by the Auxiliary Building crane pending the evaluation of the spent fuel cask drop accident and the crane design by Arkansas Power and Light (AP&L) and NRC review and approval.

TS 3.8.15 assures that the spent fuel cask drop accident cannot occur prior to completion of the NRC staff's review of this potential accident

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and the completion of any modifications that may be necessary to preclude the accident or mitigate the consequences. NRC review of this particular issue was incorporated into the staff's resolution of the generic issue (A-36) related to control of heavy loads near spent fuel. AP&L has completed all actions and submittals required by the issuance of NUREG-0612, "Control of Heavy Loads at Nuclear Power Plants", and a Safety Evaluation (SE) dated October 11, 1984 was issued by the staff.

The licensee states in its application while the licensee believes that sufficient justification exists for deletion of the TS restriction, a one-time waiver would permit the licensee to work with the DOE since the DOE has only one licensed spent fuel shipping cask available for a limited time (April 15 thru June 15) while allowing the NRC staff additional time to consider the licensee's request of April 7, 1987 to delete TS 3.8.15.

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.

A discussion of these standards as they relate to the proposed change follows:

(1) Consideration of Probability and Consequences of Accident:

AP&L's procedures, load paths, crane equipment certification and operator training and other related heavy load handling topics were evaluated as part of the control of heavy loads issue and found acceptable. Further, the spent fuel cask handling is discussed in Section 9.6.2.6 of the ANO-1 FSAR, and that the cask will never travel over spent fuel. This restriction is not changed by the requested amendment which would permit the cask to be carried by the Auxiliary Building crane.

Although cask handling is presently prohibited by TS 3.8.15, ANO-1 FSAR Section 9.6.2.6 further evaluates the event of a cask drop accident. The analysis indicates that the consequences are acceptable. The cask drop evaluation in ANO-1 FSAR Section 9.6.2.6 assumes 15 full fuel assemblies, 100 days after shutdown, are involved. Although the DOE extended burnup fuel assemblies have longer operation than the three cycles assumed in the FSAR evaluation, they have been stored in the ANO-1 fuel pool much longer than the assumed 100 days, thus the iodine and noble gas inventory available for release has decreased substantially due to isotopic decay. The proposed amendment will allow shipment of at most 16 spent fuel pins, a very small fraction of the number of pins in 15 full assemblies. Each fuel assembly has 208 fuel pins, therefore, the offsite doses resulting from a cask drop would be much lower than those presented in the FSAR. Additionally, with a one-time waiver request only

one-time movement of the cask coupled with the modifications made for conformance to NUREG-0612 would make the probability of a dropped cask very low. The proposed change, therefore, would not involve a significant increase in the probability or consequences of an accident previously evaluated.

(2) Consideration of Possibility of a New or Different Kind of Accident:

The cask handling methods and cask drop accident are discussed and evaluated in ANO-1 FSAR Section 9.6.2.6. Additionally, the NRC performed an independent evaluation of the radiological consequences of a cask drop accident, as documented in the ANO-1 licensing SER dated June 6, 1973. The evaluations of the cask drop accident has concluded that the consequences would be within acceptable bounds. No new accident scenarios have been identified related to the proposed amendment request, therefore, this change is bounded by the current analysis. The proposed amendment request will therefore not create the possibility of a new or different kind of accident from any accident previously evaluated.

(3) Consideration of a Reduction in a Margin of Safety:

The spent fuel cask has been issued and continues to hold an NRC Certificate of Compliance for radioactive materials packages, and the procedures, load paths and equipment to be used for cask handling have been reviewed and approved by the NRC with the resolution of the control of heavy loads issue. Further, the cask will contain only 16 fuel pins as opposed to the 15 assemblies assumed in the accident analysis. Therefore, the proposed amendment request will not involve a significant reduction in a margin of safety.

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. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should cite the publication date and page number of the FEDERAL REGISTER notice. Written comments may also be delivered to Room 4000, Maryland National Bank Building, 7735 Old Georgetown Road, Bethesda, Maryland from 8:15 a.m. to 5:00 p.m. Copies of written comments received may be examined at the NRC Public Document Room, 1717 H Street, NW, Washington, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By June 15, 1987, 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 petition for leave to intervene. Request 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. 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

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 prehearing 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 which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. 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 effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

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 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 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.

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, Att: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, NW Washington, D.C., 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 (800) 325-6000 (in Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Jose A. Calvo, Director, Project Directorate-IV, Division of Reactor Projects - III, IV, V and Special Projects: 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 Executive Legal Director, U. S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Nicholas S. Reynolds, Esq., Bishop, Liberman, Cook, Purcell and Reynolds, 1200 Seventeenth Street, N.W., Washington, D.C., 20036, an 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 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 which is available for public inspection at the Commission's Public

Document Room, 1717 H Street, NW, Washington, D.C. 20555, and at the Tomlinson Library, Arkansas Tech. University, Russellville, Arkansas 72801.

Dated at Bethesda, Maryland, this 11th day of May 1987.

FOR THE NUCLEAR REGULATORY COMMISSION

George Dick
George Dick, Project Manager
Project Directorate-IV
Division of Reactor Projects - III,
IV, V and Special Projects