

May 16, 1995

Mr. Jerry W. Yelverton  
Vice President, Operations ANO  
Energy Operations, Inc.  
1448 S. R. 333  
Russellville, AR 72801

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY  
OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION  
DETERMINATION, AND OPPORTUNITY FOR HEARING - ARKANSAS NUCLEAR ONE,  
UNIT 1 (TAC NO. M92304)

Dear Mr. Yelverton:

The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for Hearing." This notice relates to your application for amendment dated May 15, 1995. The proposed amendment would authorized a reconfiguration of the cooling water flow to the reactor building emergency cooling system.

Sincerely,

Original signed by:  
George Kalman, Senior Project Manager  
Project Directorate IV-1  
Division of Reactor Projects - III/IV  
Office of Nuclear Reactor Regulation

Docket No. 50-313

Enclosure: Notice

cc w/encl: See next page

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

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Vice President, Operations AND  
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Sincerely,

A handwritten signature in cursive script that reads "George Kalman".

George Kalman, Senior Project Manager  
Project Directorate IV-1  
Division of Reactor Projects - III/IV  
Office of Nuclear Reactor Regulation

Docket No. 50-313

Enclosure: Notice

cc w/encl: See next page

Mr. Jerry W. Yelverton  
Entergy Operations, Inc.

Arkansas Nuclear One, Unit 1

cc:

Mr. Harry W. Keiser, Executive Vice  
President & Chief Operating Officer  
Entergy Operations, Inc.  
P. O. Box 31995  
Jackson, MS 39286-1995

Mr. Jerrold G. Dewease  
Vice President, Operations Support  
Entergy Operations, Inc.  
P. O. Box 31995  
Jackson, MS 39286-1995

Ms. Greta Dicus, Director  
Division of Radiation Control  
and Emergency Management  
Arkansas Department of Health  
4815 West Markham Street  
Little Rock, AR 72205-3867

Mr. Robert B. McGehee  
Wise, Carter, Child & Caraway  
P. O. Box 651  
Jackson, MS 39205

Mr. Nicholas S. Reynolds  
Winston & Strawn  
1400 L Street, N.W.  
Washington, DC 20005-3502

Mr. Robert B. Borsum, Manager  
Rockville Nuclear Licensing  
B&W Nuclear Technologies  
1700 Rockville Pike, Suite 525  
Rockville, MD 20852

Senior Resident Inspector  
U.S. Nuclear Regulatory Commission  
P. O. Box 310  
London, AR 72847

Regional Administrator, Region IV  
U.S. Nuclear Regulatory Commission  
611 Ryan Plaza Drive, Suite 400  
Arlington, TX 76011-8064

County Judge of Pope County  
Pope County Courthouse  
Russellville, AR 72801

Criterion 3: Involve a significant reduction in a margin of safety.

The subject request does not involve a significant reduction in a margin of safety since both trains of the Reactor Building Emergency Cooling system remain operable. The current configuration represents a reduction in available flow; however, this is not considered significant since required heat removal capability is still maintained.

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 15 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 15-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 15-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. The Commission expects that the need to take this action will occur very infrequently.

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 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

UNITED STATES NUCLEAR REGULATORY COMMISSIONARKANSAS NUCLEAR ONE, UNIT 1DOCKET NO. 50-313NOTICE 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. 50-313, issued to Entergy Operations Inc. (the licensee), for operation of Arkansas Nuclear One, Unit 1 (ANO-1) located in Pope County Arkansas.

The proposed amendment would modify the operability requirements related to the reactor building (containment) emergency cooling system. Following failure of one of four reactor building cooling fans, the licensee reconfigured the reactor building cooling air and water flows to ensure that the system could cool the reactor building after a design basis loss of coolant accident. The licensee requested an exigent Technical Specification (TS) change to include the reconfigured reactor building cooling system in the TS as an authorized configuration. NRC granted enforcement discretion on May 12, 1995 to allow the facility to continue operation while this exigent TS is processed.

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.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine 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:

Criterion 1: Involves a significant increase in the probability or consequences of an accident previously evaluated.

The Reactor Building Emergency Cooling system is not an initiator of any accident described in the ANO-1 Safety Analysis Report. The engineering evaluation discussed above verifies that the green train of the Reactor Building Emergency Cooling system remains operable and capable of performing its design function under all postulated accident conditions. Therefore, the probability or consequences of any previously evaluated accident is not increased.

Criterion 2: Create the possibility of a new or different kind of accident from any accident previously evaluated.

The subject request does not create the possibility of a new or different kind of accident from any previously evaluated since the green train of the Reactor Building Emergency Cooling system remains operable and because the reactor building coolers and their associated surveillances are not related to the creation of accidents.

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 June 21, 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 Tomlinson Library, Arkansas Tech University, Russellville, Arkansas 72801. 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

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 the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, 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 [APPROPRIATE PD]:  
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 Nicholas S. Reynolds, Esquire, Winston and Strawn, 1400 L. Street, N.W., Washington, D.C. 20005-3502, 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 May 15, 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 Tomlinson Library, Arkansas Tech University, Russellville, Arkansas 72801.

Dated at Rockville, Maryland, this 16th day of May 1995.

FOR THE NUCLEAR REGULATORY COMMISSION



George Kalman, Senior Project Manager  
Project Directorate IV-1  
Division of Reactor Projects - III/IV  
Office of Nuclear Reactor Regulation