September 16, 1985

Docket No. 50-416

Mr. J. B. Richard
Senior Vice President, Nuclear
Mississippi Power & Light Company
P.O. Box 23054
Jackson, Mississippi 39205

Dear Mr. Richard:

DISTRIBUTION:
Docket No. 50-416
NRC PDR
Local PDR
PRC System
LB #4 r/f
EAdensam
LKintner
MDuncan
Attorney, OELD
JPartlow
BGrimes
EJordan
ACRS (16)

Subject Issuance of Proposed No Significant Hazards Consideration Determination

Enclosed for your information 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" related to your submittal dated May 6, 1985. The proposed amendment relates to reracking of the spent fuel pool. The Notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

Original Signed by

L. L. Kintner
Elinor Adensam, Chief
Licensing Branch #4
Division of Licensing

Enclosure:
F. R. Notice

cc: w/encl:
See next page

LA:DL:LB #4	DL:LB #4	DL:LB #4
MDuncan/ml	LKintner	EAdensam
7/16/85	7/16/85	8/30/85

Mr. Jackson B. Richard
Mississippi Power & Light Company

Grand Gulf Nuclear Staiton

cc:
Robert B. McGehee, Esquire
Wise, Carter, Child, Steen and Caraway
P.O. Box 651
Jackson, Mississippi 39205

Nicholas S. Reynolds, Esquire
Bishop, Liberman, Cook, Purcell
and Reynolds
1200 17th Street, N.W.
Washington, D. C. 20036

Mr. Ralph T. Lally
Manager of Quality Assurance
Middle South Services, Inc.
P.O. Box 61000
New Orleans, Louisiana 70161

Mr. Larry F. Dale, Director
Nuclear Licensing and Safety
Mississippi Power & Light Company
P.O. Box 23054
Jackson, Mississippi 39205

Mr. R. W. Jackson, Project Engineer
Bechtel Power Corporation
15740 Shady Grove Road
Gaithersburg, Maryland 20760

Mr. Ross C. Butcher
Senior Resident Inspector
U.S. Nuclear Regulatory Commission
Route 2, Box 399
Port Gibson, Mississippi 39150

Regional Administrator, Region II
U.S. Nuclear Regulatory Commission,
101 Marietta Street, N.W., Suite 2900
Atlanta, Georgia 30323

Mr. J. E. Cross, General Manager
Grand Gulf Nuclear Station
Mississippi Power & Light Company
P.O. Box 756
Port Gibson, Mississippi 39150

The Honorable William J. Guste, Jr.
Attorney General
Department of Justice
State of Louisiana
Baton Rouge, Louisiana 70804

Mr. Oliver D. Kingsley, Jr.
Vice President, Nuclear Operations
Mississippi Power & Light Company
P.O. Box 23054
Jackson, Mississippi 39205

Office of the Governor
State of Mississippi
Jackson, Mississippi 39201

Attorney General
Gartin Building
Jackson, Mississippi 39205

Mr. Jack McMillan, Director
Solid Waste
Mississippi State Board of Health
880 Lakeland
Jackson, Mississippi 39206

Alton B. Cobb, M.D.
State Health Officer
State Board of Health
P.O. Box 1700
Jackson, Mississippi 39205

President
Claiborne County Board of Supervisors
Port Gibson, Mississippi 39150

UNITED STATES NUCLEAR REGULATORY COMMISSION

MISSISSIPPI POWER & LIGHT COMPANY

MIDDLE SOUTH ENERGY, INC.

SOUTH MISSISSIPPI ELECTRIC POWER ASSOCIATION

DOCKET NO. 50-416

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. NPF-29, issued to Mississippi Power & Light Company, Middle South Energy, Inc., and South Mississippi Electric Power Association (the licensees), for operation of the Grand Gulf Nuclear Station (GGNS), Unit 1, located in Claiborne County, Mississippi.

The GGNS Unit 1 is a boiling water reactor with a Mark III containment. The spent fuel pool is located in the auxiliary building, similar to spent fuel pool arrangements for pressurized water reactors. Above the GGNS reactor, and within the containment, there is an upper containment pool with racks for holding new fuel to be placed in the reactor and spent fuel removed from the reactor during refueling; however, before reactor startup after refueling, all spent fuel is transferred to the spent fuel pool for storage.

The amendment would revise Section 5.6 "Fuel Storage" of the Technical Specifications to allow increased upper containment pool capacity and increased spent fuel storage capacity. This increased capacity would be obtained by replacing the fuel racks in the upper containment pool and in the spent fuel

storage pool with high density fuel racks. This reracking would increase the upper containment pool capacity from 170 to 800 fuel assemblies in order to hold a complete core unloading, if necessary, and increase the spent fuel pool storage capacity from 1270 to 4348 fuel assemblies. These changes were requested in the licensees' application for amendment dated May 6, 1985.

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. Our evaluation of the reracking of the spent fuel pool and of the upper containment pool are considered separately.

A. SPENT FUEL POOL

The technical evaluation of whether or not an increased spent fuel pool storage capacity involves significant hazards considerations is centered on three standards: (1) does increasing the spent fuel pool storage capacity significantly increase the probability or consequences of accidents previously evaluated? Reracking to allow closer spacing of fuel assemblies does not significantly increase the probability or consequences of accidents previously analyzed; (2) does increasing the spent fuel pool storage capacity create the

possibility of a new or different kind of accident from any accident previously analyzed? With respect to Grand Gulf Nuclear Station (GGNS) Unit 1, the staff has not identified any new categories or types of accidents as a result of reracking to allow closer spacing for the fuel assemblies. The proposed reracking does not create the possibility of a new or different kind of accident previously evaluated for the spent fuel pool. In all reracking reviews completed to date, all credible accidents postulated have been found to be conservatively bounded by the evaluations cited in the Safety Evaluation Report (SERs) supporting each amendment; and (3) does increasing the spent fuel pool storage capacity significantly reduce a margin of safety? The staff has not identified significant reductions in safety margins due to increasing the storage capacity of the spent fuel pool. The expansion results in an increased heat load, but this heat load increase is generally well within the design limitations of the installed cooling systems. In some cases it may be necessary to increase the heat removal capacity by relatively minor changes in the cooling system, i.e., by increasing a pump capacity. But in all cases, the temperature of the pool will remain below design values. The small increase in the total amount of fission products in the pool is not a significant factor in accident considerations. The increased storage capacity may result in an increase in the pool reactivity as measured by the neutron multiplication factor (K_{eff}). However, after extensive study, the staff determined in 1976 that as long as the maximum neutron multiplication factor was less than or equal to 0.95, then any change in the pool reactivity would not significantly reduce a margin of safety regardless of the storage capacity of the pool. The licensee has indicated that the K_{eff} would not exceed 0.95. The techniques utilized to calculate K_{eff} have been bench-marked against experimental

data and are considered very reliable. Reracking to allow a closer spacing between fuel assemblies can be done by proven technologies.

In summary, replacing existing racks with a design which allows closer spacing between stored spent fuel assemblies is considered not likely to involve significant hazards consideration if two conditions are met. First, no new technology or unproven technology may be utilized in either the construction process or in the analytical techniques necessary to justify the expansion. Second, the K_{eff} of the pool must be maintained less than or equal to 0.95. Reracking to allow closer spacing satisfies these conditions.

The licensee's submittal included a discussion of the proposed action with respect to the issue of no significant hazards consideration. This discussion has been reviewed and the Commission finds it acceptable. Pertinent portions of the licensee's discussion, addressing each of the three standards, is provided herein.

The licensee has stated that its analysis of the proposed reracking was accomplished using currently acceptable codes and standards and conforms to staff guidance of April 1978. The results of the licensee's analysis in relation to the three standards is as follows:

First Standard

Involve a significant increase in the probability or consequences of an accident previously evaluated.

In the course of the analysis the licensee identified the following potential accident scenarios:

1. A spent fuel assembly drop in the spent fuel pool.

2. Loss of spent fuel pool cooling system flow.

3. A seismic event.

4. A spent fuel cask drop.

The probability of any of the four accidents is not affected by the racks themselves; thus reracking cannot increase the probability of these accidents. The installation of the high density racks will be completed prior to the storage of any spent fuel in the present racks; thus, a construction accident involving spent fuel is not possible. Accordingly, the proposed rerack will not involve a significant increase in the probability of an accident previously evaluated.

The consequences of (1) a spent fuel assembly drop in the spent fuel pool are discussed in the licensee's submittal. For this accident condition, the criticality acceptance criterion is not violated. The radiological consequences of a fuel assembly drop are not changed from the previous analysis. The results of the staff's evaluation were transmitted to the licensee in September 1981. The licensee's analysis of the reracked design indicates a dropped fuel assembly would not penetrate through the base plate or distort the racks so they would not perform their safety function. Thus, the consequences of this type accident will not be significantly increased from previously evaluated spent fuel assembly drops, and have been found acceptable by the NRC.

The consequences of (2) loss of spent fuel pool cooling system flow have been evaluated for the existing spent fuel pool cooling system design as described in the GGNS FSAR. There are two spent fuel pool cooling system pump and heat exchanger trains. One train will be operating and the other train will be maintained in an operable condition per Technical Specifications in the event of

a failure in the cooling system. The service water system that transports heat from the spent fuel pool cooling system to the ultimate heat sink is being upgraded in accordance with License Condition 2.C.(20). If additional cooling capacity is required for the storage of a larger number of elements, such additional capacity will be provided or the license will be appropriately conditioned. The structural integrity of the spent fuel pool will be maintained and no new means of losing cooling water or flow have been identified. Thus, the consequences of this type accident will not be significantly increased from previously evaluated loss of cooling system flow accidents.

The consequences of (3) a seismic event have been evaluated. The new racks will be designed and fabricated to satisfy the NRC staff accepted design criteria. The racks are designed to Seismic Category I criteria. The racks are neither anchored to the pool floor nor are they attached to the pool side walls. The racks are structurally adequate to resist normal and accident load combinations. The racks are designed so that the floor loading from the racks filled with spent fuel assemblies does not exceed the structural capacity of the auxiliary building. Therefore, the integrity of the pool will be maintained and no new means of losing cooling water or flow have been identified. Thus, the consequences of a seismic event will not be significantly increased from previously evaluated events.

The consequences of (4) a spent fuel cask drop accident are unchanged by the requested modification. The spent fuel cask handling crane rails do not extend over the spent fuel pool and the crane is designed to be single failure proof in accordance with the requirements of NUREG-0554 to preclude a drop on safety related equipment. In addition, the crane meets the guidelines of NUREG-0612. Accordingly, the consequences of a cask drop accident are not significantly increased from previously evaluated events.

Therefore, it is concluded that the proposed amendment to rerack the spent fuel pool will not involve a significant increase in the probability or consequences of an accident previously evaluated.

Second Standard

Create the possiblity of new or different kind of accident from any accident previously evaluated.

The proposed reracking was evaluated by the licensee in accordance with the guidance of the NRC position paper entitled, "OT Position for Review and Acceptance of Spent Fuel Storage and Handling Applications," NRC Regulatory Guides, NRC Standard Review Plans, and Industry Codes and Standards as listed in the licensee's submittal. In addition, several previous NRC SERs for rerack applications similar to this proposal have been reviewed. Neither the licensee nor the NRC staff could identify a credible mechanism for breaching the structural integrity of the spent fuel pool which could result in loss of cooling water such that cooling flow could not be maintained. As a result of this evaluation and these reviews, it is concluded that the proposed reracking does not, in any way, create the possibility of a new or different kind of accident from any accident previously evaluated for the GGNS spent fuel storage racks.

Third Standard

Involve a significant reduction in a margin of safety.

The NRC staff safety evaluation review process has established that the issue of margin of safety, when applied to a reracking modification, will need to address the following areas:

1. Nuclear criticality considerations.

2. Thermal-hydraulic considerations.

3. Mechanical, material and structural considerations.

The established acceptance criteria for criticality is that the neutron multiplication factor in spent fuel pools shall be less than or equal to 0.95, including all uncertainties, under all conditions. This margin of safety has been adhered to in the criticality analysis methods for the new rack design as discussed in the licensee's submittal. The methods to be used in the criticality analysis conform with the applicable portions of the codes, standards, and specifications listed in the submittal. In meeting the acceptance criteria for criticality in the spent fuel pool, such that K_{eff} is always less than 0.95, including uncertainties of 95/95 probability confidence level, the proposed amendment to rerack the spent fuel pool will not involve a significant reduction in the margin of safety for nuclear criticality.

The licensee has stated in its analysis of the reracked pool that conservative methods were used to calculate the maximum fuel temperature and the increase in temperature of the water in the spent fuel pool. The calculated maximum fuel cladding temperature of 166°F is substantially less than the temperature at which local boiling would be initiated and sustained (243°F). The calculated maximum water temperature of 140°F for a normal refueling operation and 148°F for an abnormal unloading of the complete core are slightly higher than temperatures calculated for the present fuel racks; however, the temperatures for the new racks still meet the NRC staff's acceptance criteria of 140°F for normal refueling and 150°F for an abnormal unloading. Thus, there is no significant reduction in the margin of safety for thermal-hydraulic or spent fuel cooling concern.

The main safety function of the spent fuel pool and the racks is to maintain the spent fuel assemblies in a safe configuration through all normal and

abnormal loadings, such as an earthquake, impact due to a spent fuel cask drop, drop of a spent fuel assembly, or drop of any other heavy object. The mechanical, material, and structural considerations of the proposed rerack are described in the licensee's submittal. The proposed racks are to be designed in accordance with applicable portions of the "NRC Position for Review and Acceptance of Spent Fuel Storage and Handling Applications," dated April 14, 1978, as modified January 18, 1979; and Standard Review Plan 3.8.4. The rack materials used are compatible with the spent fuel pool and the spent fuel assemblies. The structural considerations of the new racks address margins of safety against tilting and sliding, including impact on each other or the pool walls, damage of spent fuel assemblies, and criticality concerns. As previously stated, neither the licensee nor the NRC staff could identify a credible mechanism for breaching the structural integrity of the spent fuel pool which could result in loss of cooling water such that cooling flow could not be maintained. Thus, the margins of safety are not significantly reduced by the proposed rerack.

B. UPPER CONTAINMENT POOL

The technical evaluation of whether or not the reracking of the upper containment pool involves significant hazards considerations is also based on the three standards in 10 CFR 50.92.

First Standard:

Involve a significant increase in the probability or consequences of an accident previously evaluated.

For the upper containment pool, the licensee identified the following potential accidents:

1. A spent fuel assembly drop in the pool
2. Loss of pool cooling system flow
3. A seismic event
4. Drop of a heavy load.

The probability of any of these accidents is not affected by the racks themselves; thus reracking cannot increase the probability of these accidents. The installation of the high density racks will be completed prior to unloading any fuel from the reactor; thus a construction accident involving spent fuel is not possible. Accordingly, the proposed rerack will not involve a significant increase in the probability of an accident previously evaluated.

The considerations of the structural damage of (1) a spent fuel assembly drop in the upper containment pool are the same as the considerations for a drop in the spent fuel pool because the same design is used for the pool liner and the cells in the racks in both pools. The offsite radiological consequences of a fuel assembly drop inside primary containment are much less than for a drop of a fuel assembly in the spent fuel pool, which is inside secondary containment. Staff's evaluation of radiological consequences provided in the SER, September 1981, is not changed by the reracking. Accordingly, the consequences of this type accident will not be significantly increased by the reracking.

The consequences of loss of upper containment pool cooling system flow have been evaluated. The cooling of spent fuel in the upper containment pool is accomplished by the spent fuel pool cooling system, supplemented by one train of the residual heat removal RHR system. Both the spent fuel pool cooling system and the RHR system have redundant pumps and heat enchangers, so that the inoperability of one component in the systems would be compensated by use of a redundant

component. Reracking does not affect this capability. The structural integrity of the upper containment pool will be maintained and no new means of losing cooling water or flow have been identified. Thus, consequences of (2) loss of cooling flow will not be significantly increased from previously evaluated accidents of this type.

The consideration of the consequences of (3) a seismic event is the same as the consideration for the spent fuel pool because the rack design is the same. The upper containment pool rack modules are lighter than modules in the spent fuel pool (121 cells versus 304 cells). Therefore, the shear stress in the upper containment pool liner for a seismic event is bounded by the analysis for the spent fuel pool liner. The pool floor loading from the racks filled with spent fuel assemblies does not exceed the structural capacity of the floor. The portion of the upper containment pool which is used to store spent fuel during refueling is designed similar to the spent fuel pool to preclude drainage below a safe shielding level to assure no accidental loss of pool water. Therefore, the integrity of the pool will be maintained and no new means of losing cooling water or flow have been identified. Thus, the consequences of a seismic event will not be significantly increased from previously evaluated events.

The consequences of (4) drop of a heavy load on spent fuel in the upper containment pool were considered by the licensee. The containment polar crane and critical components of the fuel handling system are designed to seismic category I requirements so that they will not fail in a manner which results in unacceptable fuel damage or damage to safety-related equipment. Heavy load handling equipment inside containment meets the guidelines of NUREG-0612 "Control

of Heavy Load at Nuclear Power Plants." The licensee has analyzed the consequences of a dropped fuel transfer canal gate on the fuel racks inside containment. The analysis showed that there would be no gross buckling of fuel cells in the racks and consequently the geometry of the active fuel in a fuel assembly would be preserved. Accordingly, the consequences of dropped heavy load are not significantly increased from previously evaluated accident analysis.

Second Standard:

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

The proposed reracking in the upper containment pool was evaluated by the licensee in accordance with the guidance of the NRC position paper "OT Position for Review and Acceptance of Spent Fuel Storage and Handling Applications," NRC Regulatory Guides, NRC Standard Review Plans, and Industry Codes and Standards as listed in licensee's submittal. In addition, the staff has made a preliminary review of the proposal. Neither the licensee nor the staff could identify a credible mechanism for breaching the structural integrity of the upper containment fuel pool which could result in a loss of cooling water such that cooling flow could not be maintained. Accordingly, it is concluded that the proposed reracking does not create the possibility of a new or different kind of accident from any accident previously evaluated for the upper containment fuel pool racks.

Third Standard:

Involve a significant reduction in a margin of safety.

The consideration of the margin of safety of the proposed reracking modification for the upper containment pool addressed the same three areas that were

found necessary to be addressed in reracking of the spent fuel pool:

1. Nuclear criticality considerations
2. Thermal-hydraulic considerations
3. Mechanical, material and structural considerations.

As in the spent fuel pool, the neutron multiplication factor will be less than or equal to 0.95 including all uncertainties under all conditions. Methods used to calculate criticality are the same as those used for the spent fuel pool. Accordingly, the proposed reracking of the upper containment fuel pool will not involve a significant reduction in the margin of safety for nuclear criticality.

The licensee's analysis of maximum fuel and maximum pool temperature considered the interconnection of the spent fuel pool and the upper containment pool during refueling and the use of the spent fuel pool cooling system supplemented by the RHR system. The results of that analysis, which are described above for the spent fuel pool rerack considerations, show that NRC staff's acceptance criteria would be met. Accordingly, there is no significant reduction in the margin of safety for thermal hydraulic or upper containment fuel pool cooling concerns.

The mechanical, material and structural considerations of the proposed rerack in the upper containment pool are the same as those described above for the spent fuel pool. Accordingly, the margins of safety for these considerations in the upper containment pool are not significantly reduced by the proposed rerack.

C. SUMMARY

The licensee's request to expand GGNS spent fuel storage pool and upper containment pool capacities satisfies the following conditions: (1) The storage

capacity expansion method consists of modifying a portion of the existing racks with a design which allows closer spacing between stored spent fuel assemblies; (2) the storage capacity expansion method does not involve rod consolidation or double tiering; (3) the K_{eff} of the pools are maintained less than or equal to 0.95; and (4) no new technology or unproven technology is utilized in either the construction process or the analytical techniques necessary to justify the expansion. Consequently, the request does not involve signficant hazards consideration in that it: (1) does not involve a significant increase in the probability or consequences of an accident previously evaluated, (2) does not create the possiblity of a new or different kind of accident from any accident previously evaluated, and (3) does not involve a significant reduction in a margin of safety.

Accordingly the Commission proposes to determine that these changes do not involve a 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. The Commission will not normally make a final determination unless it receives a request for a hearing.

Comments should be addressed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attn: Docketing and Service Branch.

By OCT 15 1985 , 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 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.

The Commission hereby provides notice that this proceeding is on an application for a license amendment falling within the scope of Section 134 of the Nuclear Waste Policy Act of 1982 (NWPA), 42 U.S.C. §10154. Under Section 134 of the NWPA, the Commission, at the request of any petitioner or party to the proceeding, is required to employ hybrid hearing procedures with respect to "any matter which the Commission determines to be in controversy among the parties." Section 134 procedures provide for oral argument on those issues "determined to be in controversy," preceded by discovery under the Rules of Practice, and the designation, following argument, of only those factual issues that involve a genuine and substantial dispute, together with any remaining questions of law to be resolved at an adjudicatory hearing. Actual adjudicatory hearings are to be held only on those issues found to meet the criteria of Section 134 and set for hearing after oral argument on the proposed issues. However, if no petitioner or party requests the use of the hybrid hearing procedures, then the usual 10 CFR Part 2 procedures apply.

At this time, the Commission does not have effective regulations implementing Section 134 of the NWPA although it has published proposed rules. See Hybrid

Hearing Procedures for Expansion of Onsite Spent Fuel Storage Capacity at Civilian Nuclear Power Reactors, 48 Fed. Reg. 54,499 (December 5, 1983).

Subject to the above requirements, and any limitations in the order granting leave to intervene, those permitted to intervene become parties to the proceeding, 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.

If the final determination is that the amendment involves a significant hazards consideration, any hearing held would take place before the issuance of any 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, 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 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, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W., 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 Elinor G. Adensam: 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, Esquire, Bishop, Liberman, Cook, Purcell and Reynolds, 1200 17th Street, N.W., Washington, D.C. 20036, 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 Atomic Safety and Licensing Board designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be 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 which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Hinds Junior College, McLendon Library, Raymond, Mississippi 39154.

Dated at Bethesda, Maryland, this 10th day of September 1985.

FOR THE NUCLEAR REGULATORY COMMISSION

Carl R. Stahle, Acting Chief
Licensing Branch #4
Division of Licensing