

July 19, 1993

Docket No. 50-458

Gulf States Utilities
ATTN: Mr. Philip D. Graham
Vice President (RBNG)
Post Office Box 220
St. Francisville, Louisiana 70775

Dear Mr. Graham:

SUBJECT: NOTICES OF CONSIDERATION OF ISSUANCE OF AMENDMENT - PROPOSED
NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION, AND
OPPORTUNITY FOR HEARING - RIVER BEND STATION (TAC NOS. M86954
AND M86955)

The Commission has requested the Office of the Federal Register to publish the two enclosed "Notice of Consideration of Issuance of Amendment, Proposed No Significant Hazards Consideration Determination, and Opportunity for Hearing." These notices relate to (1) your application for amendment dated July 2, 1993, which requested a change to the Technical Specifications to indicate that for Cycle 5 the impact on the operating limit minimum critical power ratio from a misoriented fuel bundle need not be considered due to extensive core verifications, and (2) your application for amendment dated July 2, 1993, which requested a change to the Technical Specifications to extend the Radioactive Effluent Release Report submittal frequency from semiannual to annual, to extend the preparation period from 60 days to 90 days, and to change the listed reference for acceptable calculation methods contained in Radiological Effluents Bases sections.

Sincerely,

Original Signed By

Edward T. Baker, Senior Project Manager
Project Directorate IV-2
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

Enclosure:
Notice (2)

cc w/enclosure:
See next page

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Mr. Philip D. Graham

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July 19, 1993

cc w/enclosure:
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UNITED STATES NUCLEAR REGULATORY COMMISSIONGULF STATES UTILITIES COMPANYDOCKET NO. 50-458NOTICE 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-47 issued to Gulf States Utilities Company (the licensee) for operation of the River Bend Station, Unit 1, located in West Feliciana Parish, Louisiana.

The proposed amendment would change the Technical Specifications to indicate that for Cycle 5 the impact on the operating limit minimum critical power ratio from a misoriented fuel bundle need not be considered due to extensive core verification.

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. The NRC staff has reviewed the licensee's analysis against the standards of 10 CFR 50.92(c). The NRC staff's review is presented below:

1. The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

A River Bend Station (RBS) calculation has been performed to estimate the probability of operation with a misoriented fuel bundle given the current core verification procedures. This calculation estimated the probability to be $7.36E-07$ per cycle. In addition, independent verification has been performed by General Electric to show all fuel bundles are properly oriented in the Cycle 5 core. This additional verification reduces the probability lower than $7.36E-07$ per cycle. Therefore, the probability of operation with a misoriented fuel bundle is insignificant. The probability is well below that for moderate frequency and infrequent events and is even below the probability for limiting faults such as a large LOCA. Therefore, there is no increase in the probability of any previously analyzed accidents.

2. The proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

All analyses of anticipated operational occurrences required to be performed for reload cores, including a misoriented fuel bundle accident, are identified in GESTAR. The anticipated operational occurrences are analyzed and the results reported in the Cycle 5 Supplemental Reload Licensing Report. With the extensive and independent verification of fuel bundle alignment, no possibility of a previously unanalyzed accident is created.

3. The proposed change does not involve a significant reduction in the margin of safety.

It has been shown that with the extensive RBS core verification as mentioned above, the probability of operation with a misoriented fuel bundle during any cycle is extremely small. Because of the increased awareness and extra care taken during refuel 4, there is no misoriented bundle for operation during Cycle 5. Essentially, the extra attention paid to fuel orientation during refuel 4 has decreased the probability of operating with a misoriented fuel bundle during Cycle 5 to $7.36E-07$, which is so small that it can be considered zero. Since there is no misoriented fuel bundle, there is no effect on the margin of safety created by this request.

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 P-223, Phillips Building, 7920 Norfolk Avenue, Bethesda, 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 20555.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By August 23, 1993, 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 20555 and at the local public document room located at the Government Documents Department, Louisiana State University, Baton Rouge, Louisiana 70803. 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 20555, 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 Suzanne C. Black: 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 Mark Wetterhahn, Esq., Bishop, Cook, Purcell and Reynolds, 1401 L Street, N.W., Washington, D.C. 20005, 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 July 2, 1993, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555 and at the local public document room located at the Government Documents Department, Louisiana State University, Baton Rouge, Louisiana 70803.

Dated at Rockville, Maryland, this 19th day of July 1993.

FOR THE NUCLEAR REGULATORY COMMISSION



Edward T. Baker, Senior Project Manager
Project Directorate IV-2
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

UNITED STATES NUCLEAR REGULATORY COMMISSIONGULF STATES UTILITIES COMPANYDOCKET NO. 50-458NOTICE 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-47 issued to Gulf States Utilities Company (the licensee) for operation of the River Bend Station, Unit 1, located in West Feliciana Parish, Louisiana.

The proposed amendment would change the Technical Specifications to extend the Radioactive Effluent Release Report submittal frequency from semiannual to annual and to extend the preparation period from 60 days to 90 days. Additionally, the proposed amendment would change the listed reference for acceptable calculation methods contained in Radiological Effluents Bases sections.

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. The NRC staff has reviewed the licensee's analysis against the standards of 10 CFR 50.92(c). The NRC staff's review is presented below:

1. The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The change being implemented is an administrative alteration of River Bend Station (RBS) technical specifications (TS) and does not cause a significant increase in the probability or consequences of a previously evaluated accident. This change involves a decrease in the frequency of the effluent release report from twice a year to once per year; additionally, the report preparation time is extended from 60 days to 90 days in accordance with the change in Title 10, Code of Federal Regulations, Section 50.36, effective October 1, 1992. Also, due to acquiring new effluent tracking software, the reference for acceptable methods of calculating liquid and gaseous effluents is being changed from Regulatory Guide 1.109, "Calculation of Annual Doses to Man from Routine Releases of Reactor Effluents for the Purpose of Evaluating Compliance with 10 CFR Part 50, Appendix I," to NUREG-0133, "Preparation of Radiological Effluent Technical Specifications for Nuclear Power Plants."

2. The proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

This change does not create any possible new accidents or variations of accidents previously evaluated. This change is administrative only. This change alters the frequency of and preparation time for the effluent report.

Additionally, this change notes that due to new computer software, NUREG-0133 will be referenced as the source of acceptable methods of calculating liquid and gaseous effluents.

3. The proposed change does not involve a significant reduction in the margin of safety.

This change does not present any reduction in any margin of safety because this change is administrative. The administrative section of RBS TS is being changed to adopt the NRC's new annual frequency for effluent reports and concurrently, to extend the preparation time from 60 days to 90 days. Additionally, the reference listed for acceptable methods of calculating liquid and gaseous effluents is being changed from Regulatory Guide 1.109 to NUREG-0133.

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.

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Dated at Rockville, Maryland, this 19th day of July 1993.

FOR THE NUCLEAR REGULATORY COMMISSION



Edward T. Baker, Senior Project Manager
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Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation