

September 16, 1986

Docket No. 50-382

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Mr. Jerrold G. Dewease
Senior Vice President for Nuclear Operations
Louisiana Power & Light Company
317 Baronne Street, Mail Unit 17
New Orleans, Louisiana 70160

Dear Mr. Dewease:

SUBJECT: Issuance of Federal Register Notice - Waterford Steam Electric
Station, Unit 3

Enclosed for your information is a copy of a "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 June 24, 1986 application (as supplemented by letters dated August 4, 1986 and September 2, 1986) for an amendment to the Technical Specifications to change the authorized fuel enrichment limit.

The staff has issued this special notice rather than the routine bi-weekly notice because we understand that fuel shipment for Cycle 2 is currently scheduled for October 17, 1986, and your request for the Technical Specification change is the authorized enrichment limit for Cycle 2. The notice was published in the Federal Register on September 11, 1986; it affords an opportunity for hearings and submittal of public comments by October 14, 1986. The staff anticipates completion of its review of your request by October 14, 1986.

If you have any questions in this matter, please let me know.

Sincerely,

James H. Wilson, Project Manager
PWR Project Directorate No. 7
Division of PWR Licensing-B

Enclosure:
As stated

cc: See next page

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JWilson/yt
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Mr. J. Dewease
Louisiana Power & Light Company

Waterford 3

cc:

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President, Police Jury
St. Charles Parrish
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UNITED STATES NUCLEAR REGULATORY COMMISSIONLOUISIANA POWER AND LIGHT COMPANYDOCKET NO. 50-382NOTICE 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-38 issued to Louisiana Power and Light Company (the licensee), for operation of Waterford Steam Electric Station, Unit 3, located in St. Charles Parish, Louisiana. The request for amendment was submitted by letter dated June 24, 1986, as supplemented by letters dated August 4 and September 2, 1986.

According to Technical Specification 5.3.1, the Waterford 3 fuel is presently limited to a maximum enrichment of 3.70 weight percent U-235. Because Cycle 2 is being designed as an approximately 18-month cycle, increased fuel enrichments are needed. For Cycle 2 the maximum nominal enrichment will be 3.90 weight percent U-235; however, it is estimated that later cycles will require a maximum fuel enrichment of approximately 4.0 weight percent U-235. Therefore, the change will increase the level of enrichment for fuel to be loaded into the reactor core from a maximum of 3.70 weight percent U-235 to a maximum of 4.0 weight percent U-235. Analyses have been performed demonstrating the acceptability of storing fuel with a maximum enrichment of 4.0 weight percent in the fuel storage areas (spent fuel pool, new fuel storage vault, and containment temporary storage racks).

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.

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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 amendment follows:

Criterion 1

The proposed change will increase the fuel enrichment limit in order to allow receipt of reload fuel for use in extended cycle operation. Middle South Services, Inc. has performed a criticality analysis for each of the fuel storage areas (new fuel vault, spent fuel pool, and containment temporary storage racks) using KENO, a 3-D monte carlo criticality analysis code. Based upon these analyses, the resultant K-eff for each of these areas is less than the required limit of 0.95 for enrichments up to 4.0 weight percent U-235. Because the calculated K-eff values (including uncertainties) indicate that the fuel storage configurations are substantially sub-critical (i.e. ≤ 0.95) the probability of a criticality event in these areas is not increased. No physical change is being made to the storage areas. Therefore, there are no increased adverse consequences for such a postulated event.

Criterion 2

Because there are no changes being made to trip setpoints or alarm functions, and there will be no change in how the facility is operated, the proposed change will not introduce a new or different kind of accident from those previously evaluated.

Criterion 3

Because the calculated values for K-eff (including uncertainties) are below the regulatory limits and because they reflect a substantial sub-critical configuration for each of the fuel storage areas under adverse conditions, the margin of safety is not reduced by implementing the proposed change.

Therefore, since the application for an amendment appears to satisfy the criteria specified in 10 CFR 50.92, the NRC staff proposed to determine that the requested change does 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 Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

By October 14, 1986, ~~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 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.

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 request for an amendment 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 amendments.

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 George W. Knighton: 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-Bethesda, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Mr. Bruce W. Churchill, Esq., Shaw, Pittman, Potts and Trowbridge, 1800 M 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 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 an 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 University of New Orleans Library, Louisiana Collection, Lakefront, New Orleans, Louisiana 70122.

Dated at Bethesda, Maryland, this 5th day of September, 1986.

FOR THE NUCLEAR REGULATORY COMMISSION



George W. Knighton, Director
PWR Project Directorate No. 7
Division of PWR Licensing-B