

May 15, 2003

MEMORANDUM TO: Biweekly Notice Coordinator

FROM: John F. Stang, Senior Project Manager, Section 1 */RA/*
Project Directorate III
Division of Licensing Project Management

SUBJECT: REQUEST FOR PUBLICATION IN BIWEEKLY FR NOTICE -
NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT
TO FACILITY OPERATING LICENSE, PROPOSED NO
SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION,
AND OPPORTUNITY FOR A HEARING (TAC NO. MB8120)

Detroit Edison Company, Docket No. 50-341, Fermi 2, Monroe County, Michigan

Date of amendment request: February 13, 2003

Description of amendment request: The proposed amendment would revise the Technical Specification (TS) Section 5.5.10, "Technical Specification (TS) Bases Control Program," to be consistent with changes made to 10 CFR 50.59, which were published in the *Federal Register* on October 4, 1999 (64 FR 53582), and which became effective March 13, 2001.

Basis for proposed no significant hazards consideration determination: 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:

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

The proposed change deletes the reference to "unreviewed safety question" as defined in 10 CFR 50.59. Deletion of the definition of "unreviewed safety question" was approved by the NRC with the revision of 10 CFR 50.59. This change is administrative in nature. Consequently, the probability of an accident previously evaluated is not significantly increased. Changes to the TS Bases are still evaluated in accordance with 10 CFR 50.59. As a result, the probability or consequences of any accident previously evaluated are not significantly affected. There is no increase in the radiological dose at the site boundary for any previously evaluated accident. Therefore, this change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

The proposed change does not involve a physical alteration of the plant (i.e., no new or different types of equipment will be installed) or a change to the methods governing normal plant operation. These changes are considered administrative in nature and do not modify, add, delete, or relocate any technical requirements in the TS. Therefore, this change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

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

The proposed change will not reduce a margin of safety because it has no direct effect on any of the safety analysis assumptions. Changes to the TS Bases that result in meeting the criteria in paragraph 10 CFR 50.59(c)(2) continue to require NRC approval pursuant to 10 CFR 50.59. This change is administrative in nature based on the revision to 10 CFR 50.59. Therefore, the proposed change does not involve a significant reduction in the margin of safety.

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.

Attorney for licensee: Peter Marquardt, Legal Department, 688 WCB, Detroit Edison Company, 2000 2nd Avenue, Detroit, Michigan 48226-1279

NRC Section Chief: L. Raghavan

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

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