

September 15, 2005

Mrs. Mary G. Korsnick
Vice President R. E. Ginna Nuclear Power Plant
R. E. Ginna Nuclear Power Plant, LLC
1503 Lake Road
Ontario, NY 14519

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY
OPERATING LICENSE AND OPPORTUNITY FOR A HEARING - EXTENDED
POWER UPRATE - R.E. GINNA NUCLEAR POWER PLANT
(TAC NO. MC7382)

Dear Mrs. Korsnick:

Enclosed is a copy of a "Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity For a Hearing" related to the application for amendment dated July 7, 2005, as supplemented on August 15, 2005, requesting authorization to increase the maximum steady-state thermal power level at the R.E. Ginna Nuclear Power Plant from 1520 megawatts thermal (MWt) to 1775 MWt, which is a 16.8 percent increase.

This notice is being forwarded to the Office of the Federal Register for publication.

Sincerely,

/RA/

Patrick D. Milano, Sr. Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-244

Enclosure: Notice

cc w/encl: See next page

September 15, 2005

Mrs. Mary G. Korsnick
Vice President R. E. Ginna Nuclear Power Plant
R. E. Ginna Nuclear Power Plant, LLC
1503 Lake Road
Ontario, NY 14519

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY
OPERATING LICENSE AND OPPORTUNITY FOR A HEARING - EXTENDED
POWER UPRATE - R.E. GINNA NUCLEAR POWER PLANT
(TAC NO. MC7382)

Dear Mrs. Korsnick:

Enclosed is a copy of a "Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity For a Hearing" related to the application for amendment dated July 7, 2005, as supplemented on August 15, 2005, requesting authorization to increase the maximum steady-state thermal power level at the R.E. Ginna Nuclear Power Plant from 1520 megawatts thermal (MWt) to 1775 MWt, which is a 16.8 percent increase.

This notice is being forwarded to the Office of the Federal Register for publication.

Sincerely,

/RA/

Patrick D. Milano, Sr. Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-244

Enclosure: Notice

cc w/encl: See next page

DISTRIBUTION:

PUBLIC	R. Laufer	D. Screnci, R-I	OGC
PDI-1 R/F	P. Milano	DLPM DPR	OCA
L. Marsh/C. Haney	S. Little	T. Alexion	OPA
C. Holden	J. Trapp, R-I		

Accession Number: ML052450452

OFFICE	PDI-1\PM	PDI-1\LA	OGC	PDI-1\SC
NAME	PMilano	SLittle	JBonanno	RLaufer
DATE	09/08/05	09/08/05	09/14/05	09/15/05

Official Record Copy

R.E. Ginna Nuclear Power Plant

cc:

Mr. Michael J. Wallace
President
R.E. Ginna Nuclear Power Plant, LLC
c/o Constellation Energy
750 East Pratt Street
Baltimore, MD 21202

Mr. John M. Heffley
Senior Vice President and
Chief Nuclear Officer
Constellation Generation Group
1997 Annapolis Exchange Parkway
Suite 500
Annapolis, MD 21401

Kenneth Kolaczyk, Sr. Resident Inspector
R.E. Ginna Nuclear Power Plant
U.S. Nuclear Regulatory Commission
1503 Lake Road
Ontario, NY 14519

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

Peter R. Smith, President
New York State Energy, Research,
and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

Carey W. Fleming, Esquire
Senior Counsel - Nuclear Generation
Constellation Generation Group, LLC
750 East Pratt Street, 17th Floor
Baltimore, MD 21202

Charles Donaldson, Esquire
Assistant Attorney General
New York Department of Law
120 Broadway
New York, NY 10271

Ms. Thelma Wideman, Director
Wayne County Emergency Management
Office
Wayne County Emergency Operations
Center
7336 Route 31
Lyons, NY 14489

Ms. Mary Louise Meisenzahl
Administrator, Monroe County
Office of Emergency Preparedness
1190 Scottsville Road, Suite 200
Rochester, NY 14624

Mr. Paul Eddy
New York State Department of
Public Service
3 Empire State Plaza, 10th Floor
Albany, NY 12223

UNITED STATES NUCLEAR REGULATORY COMMISSIONR. E. GINNA NUCLEAR POWER PLANT, LLCR. E. GINNA NUCLEAR POWER PLANTDOCKET NO. 50-244NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE AND OPPORTUNITY FOR A HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-18, issued to R.E. Ginna Nuclear Power Plant, LLC (the licensee), for operation of the R.E. Ginna Nuclear Power Plant (Ginna) located in Wayne County, New York.

The proposed amendment would revise the facility operating license and technical specifications (TSs) to authorize an increase in the maximum steady-state thermal power level at Ginna from 1520 megawatts thermal (MWt) to 1775 MWt, which is a 16.8 percent increase. This increase in power level is generally referred to as an extended power uprate. Specifically, the proposed amendment would change the TSs to revise: (1) the Definition of Rated Thermal Power (RTP), (2) the RTP for the Required Action for Condition O in Limiting Condition for Operation (LCO) 3.3.1, "Reactor Trip System," (3) the Power Range Neutron Flux - High Limiting Safety System Setting, (4) the Reactor Trip System Interlocks - Power Range Neutron Flux, P-8 Limiting Safety System Setting, (5) the RTP reference in Table 3.3.1-1, Footnote (h), (6) the Steam Line Isolation High Steam Flow Limiting Safety System Setting, (7) the Steam Line Isolation High-High Steam Flow Limiting Safety System Setting, (8) decrease the upper lift setting in LCO 3.4.10, "Pressurizer Safety Valves," (9) the required volume in surveillance requirement (SR) 3.7.6.1 for TS 3.7.6, "Condensate Storage Tanks (CSTs)." In addition, the proposed amendment would change the TSs to provide margin improvement, but are not part

of the extended power uprate (EPU), to revise: (1) the Safety Injection Pressurizer Pressure-Low Limiting Safety System Setting, (2) the Containment Spray Containment Pressure-High High Limiting Safety System Settings for narrow range and wide range, and (3) the Steam Line Isolation Coincident with Tavg-Low Limiting Safety System Setting. The proposed amendment also includes a change to the licensing basis for control room dose for the loss-of-coolant accident and the rod ejection accident dose consequences because of the EPU conditions.

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.

Within 60 days after the date of publication of this notice, 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 2.309, which is available at the Commission's public document room (PDR), located at One White Flint North, Public File Area 01F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/doc-collections/cfr/>. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the Chief

Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner/requestor 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 general requirements: 1) the name, address and telephone number of the requestor or petitioner; 2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; 3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and 4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also identify the specific contentions which the petitioner/requestor seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner/requestor shall provide a brief explanation of the bases for 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. The petition must include 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/requestor to relief. A petitioner/requestor who fails to satisfy 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.

Nontimely requests and/or petitions and contentions will not be entertained absent a determination by the Commission or the presiding officer of the Atomic Safety and Licensing Board that the petition, request and/or the contentions should be granted based on a balancing of the factors specified in 10 CFR 2.309(c)(1)(i)-(viii).

A request for a hearing or a petition for leave to intervene must be filed by: 1) first class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; 2) courier, express mail, and expedited delivery services: Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff; 3) E-mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, HEARINGDOCKET@NRC.GOV; or 4) facsimile transmission addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC, Attention: Rulemakings and Adjudications Staff at (301) 415-1101, verification number is (301) 415-1966. A copy of the request for hearing and petition for leave to intervene should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and it is requested that copies be transmitted either by means of facsimile transmission to 301-415-3725 or by email to OGCMailCenter@nrc.gov. A copy of the request for hearing and petition for leave to intervene should also be sent to Mr. Daniel F. Stenger, Ballard Spahr Andrews & Ingersoll, LLP, 601 13th Street, NW., Suite 1000 South, Washington, DC 20005, attorney for the licensee.

For further details with respect to this action, see the application for amendment dated July 7, 2005, as supplemented on August 15, 2005, which are available for public inspection at

the Commission's PDR, located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the ADAMS Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, 301-415-4737, or by e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland, this 15th day of September 2005.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Patrick D. Milano, Sr. Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation