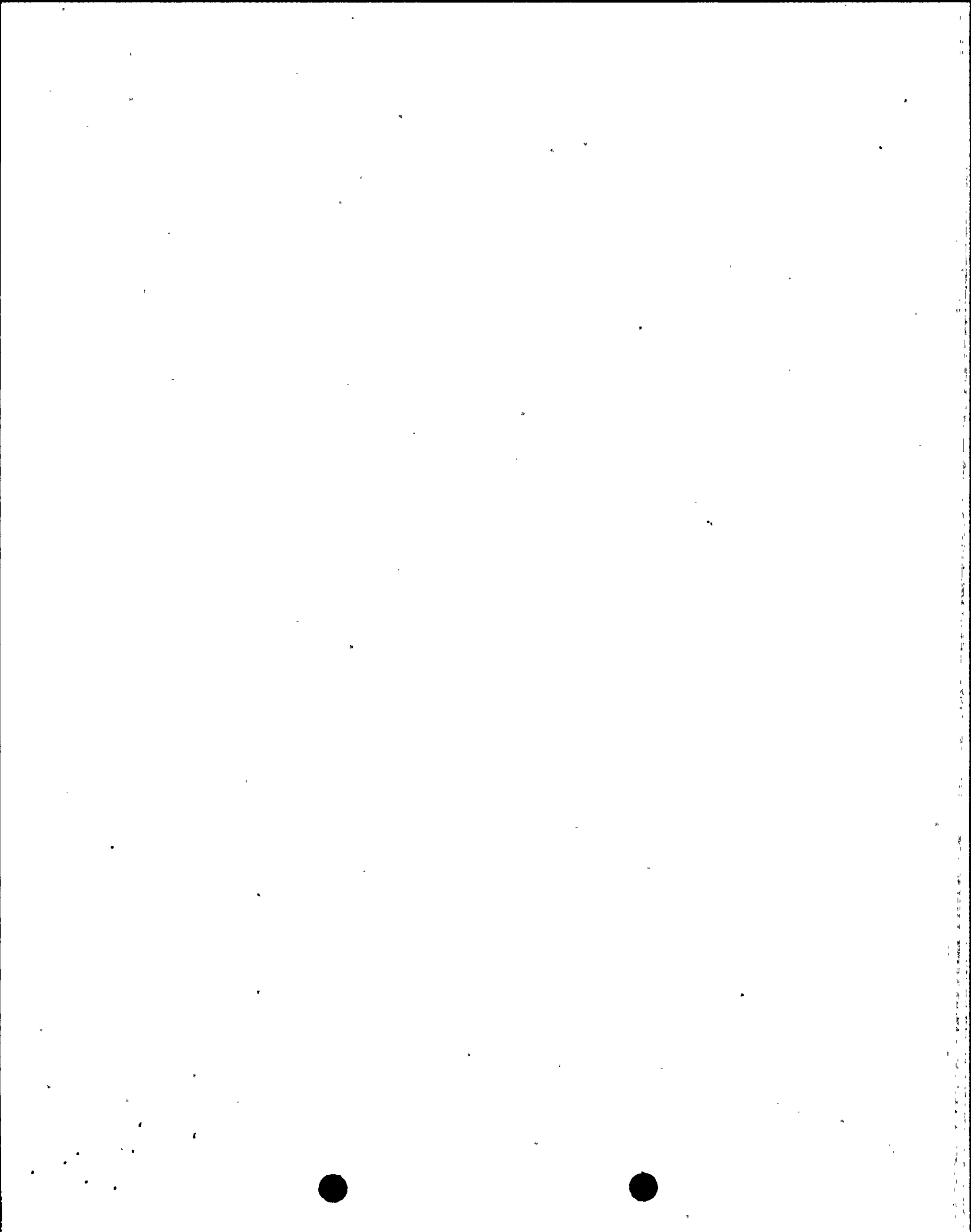


UNITED STATES NUCLEAR REGULATORY COMMISSIONWASHINGTON PUBLIC POWER SUPPLY SYSTEMDOCKET NO. 50-397NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO  
FACILITY OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS  
CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-21, issued to Washington Public Power Supply System (the licensee) for operation of the Washington Nuclear Project No. 2 (WNP-2) located in Benton County, Washington.

The proposed amendment would revise the Minimum Critical Power Ratio (MCPR) limits in Technical Specification (TS) 2.1.1.2 to indicate that for ATRIUM-9X fuel the MCPR limit shall be greater than or equal to 1.13 for two loop operation and greater than or equal to 1.14 for single loop operation. The limits for all other fuel would remain the same. The proposed amendment would also add a new reference to Section 5.6.5 "Core Operating Limits Report" of the TS. This change reflects new ATRIUM-9X additive constant uncertainty calculations. The respective BASES have also been modified accordingly.

The exigent circumstances for this TS amendment request exist in order to avoid an unnecessary delay in restart of the facility. Siemens Power Corporation provided revised MCPR limits to the licensee for ATRIUM-9X fuel by letter dated May 20, 1997, therefore, the exigent circumstances could not have been avoided.



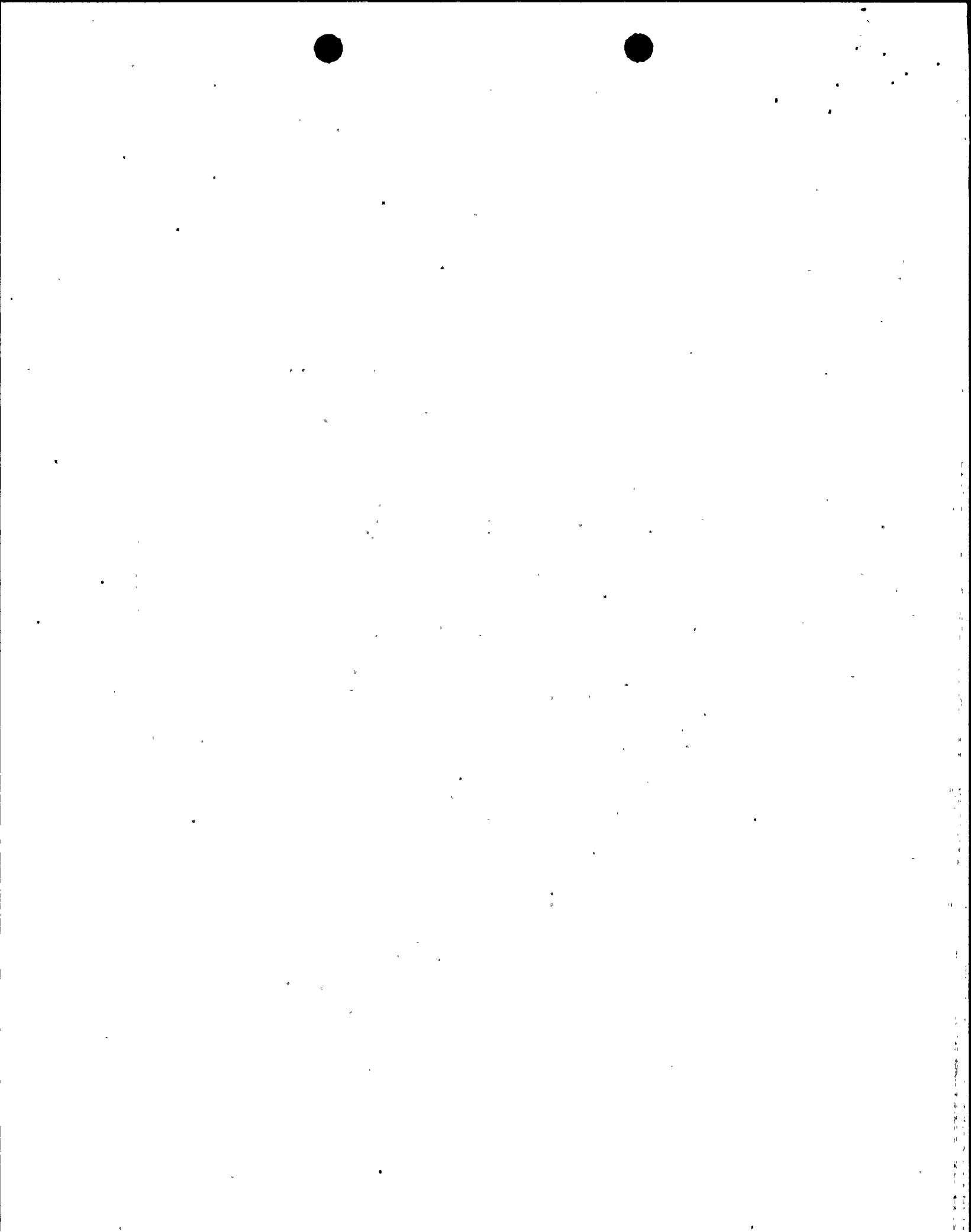
Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine 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, 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 probability of an evaluated accident is derived from the probabilities of the individual precursors to that accident. The consequences of an evaluated accident are determined by the operability of plant systems designed to mitigate those consequences. Limits have been established consistent with NRC approved methods to ensure that fuel performance during normal, transient, and accident conditions is acceptable. The proposed Technical Specifications amendment conservatively establishes the ATRIUM-9X MCPR safety limit for WNP-2 such that the fuel is protected during normal operation as well as during plant transients or anticipated operational occurrences.

The probability of an evaluated accident is not increased by increasing the ATRIUM-9X MCPR safety limit to [greater than or equal to] 1.13 (two loop operation) or [greater than or equal to]



1.14 (single loop operation). The change does not require any physical plant modifications, physically affect any plant component, or entail changes in plant operation. Therefore, no individual precursors of an accident are affected.

This Technical Specification amendment proposes to change the MCPR safety limit for ATRIUM-9X fuel to protect the fuel during normal operation as well as during plant transients or anticipated operational occurrences. The method that is used to determine the ATRIUM-9X additive constant uncertainty is conservative, such that the resulting ATRIUM-9X MCPR safety limit is high enough to ensure that less than 0.1% of the fuel rods are expected to experience boiling transition if the limit is not violated. Operational limits will be established based on the proposed ATRIUM-9X MCPR safety limits to ensure that the safety limits are not violated. This will ensure that the fuel design safety criteria (more than 99.9% of the fuel rods avoid transition boiling during normal operation as well as anticipated operational occurrences) is met. In addition, since the operability of plant systems designed to mitigate any consequences of accidents have not changed, the consequences of an accident previously evaluated are not expected to increase.

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

Creation of the possibility of a new or different kind of accident would require the creation of one or more new precursors of that accident. New accident precursors may be created by modifications of the plant configuration, including changes in allowable modes of operation. This Technical Specification submittal does not involve any modifications of the plant configuration or allowable modes of operation. This Technical Specification change results in added conservatism in the ATRIUM-9X MCPR safety limits due to analytical changes and use of an expanded database. Therefore, no new precursors of an accident are created and no new or different kinds of accidents are created.

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

The MCPR safety limit provides a margin of safety by ensuring that less than 0.1% of the rods are expected to be in boiling transition if the MCPR limit is not violated. The proposed Technical Specification amendment is based on conservative calculations by SPC [Siemens Power Corporation] using the new ATRIUM-9X additive constant uncertainty. These new ATRIUM-9X additive constant uncertainty calculations are based on a larger pool of data than previous calculations (527 data points versus 82 data points). Additionally, the revised additive constant uncertainty is being



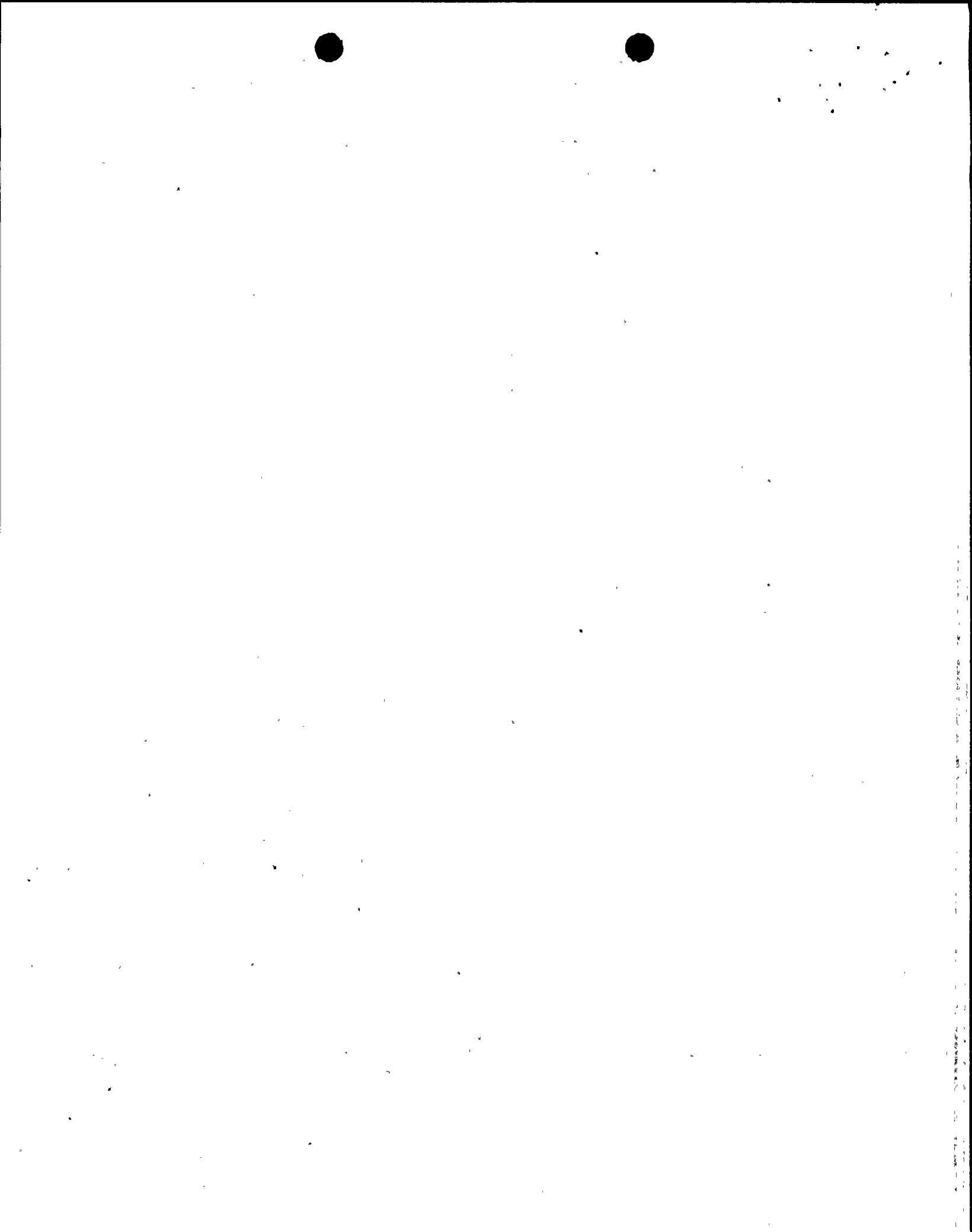
conservatively applied to calculate a new ATRIUM-9X MCPR safety limit which is more restrictive than the current limit.

Because more conservative methods are being used to calculate and apply the additive constant uncertainty to the ATRIUM-9X MCPR safety limit calculation, a decrease in the margin of safety will not occur due to changing the ATRIUM-9X MCPR safety limit. The revised safety limit will continue to ensure that an appropriate level of fuel protection exists. Additionally, operational limits will be established based on the proposed ATRIUM-9X MCPR safety limit to ensure that the ATRIUM-9X MCPR safety limit is not violated. This will ensure that the fuel design safety criteria of more than 99.9% of the fuel rods avoiding transition boiling during normal operation as well as anticipated operational occurrences is met.

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.

The Commission is seeking public comments on this proposed determination. Any comments received within 14 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 14-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, shutdown or failure to restart the facility, the Commission may issue the license amendment before the expiration of the 14-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



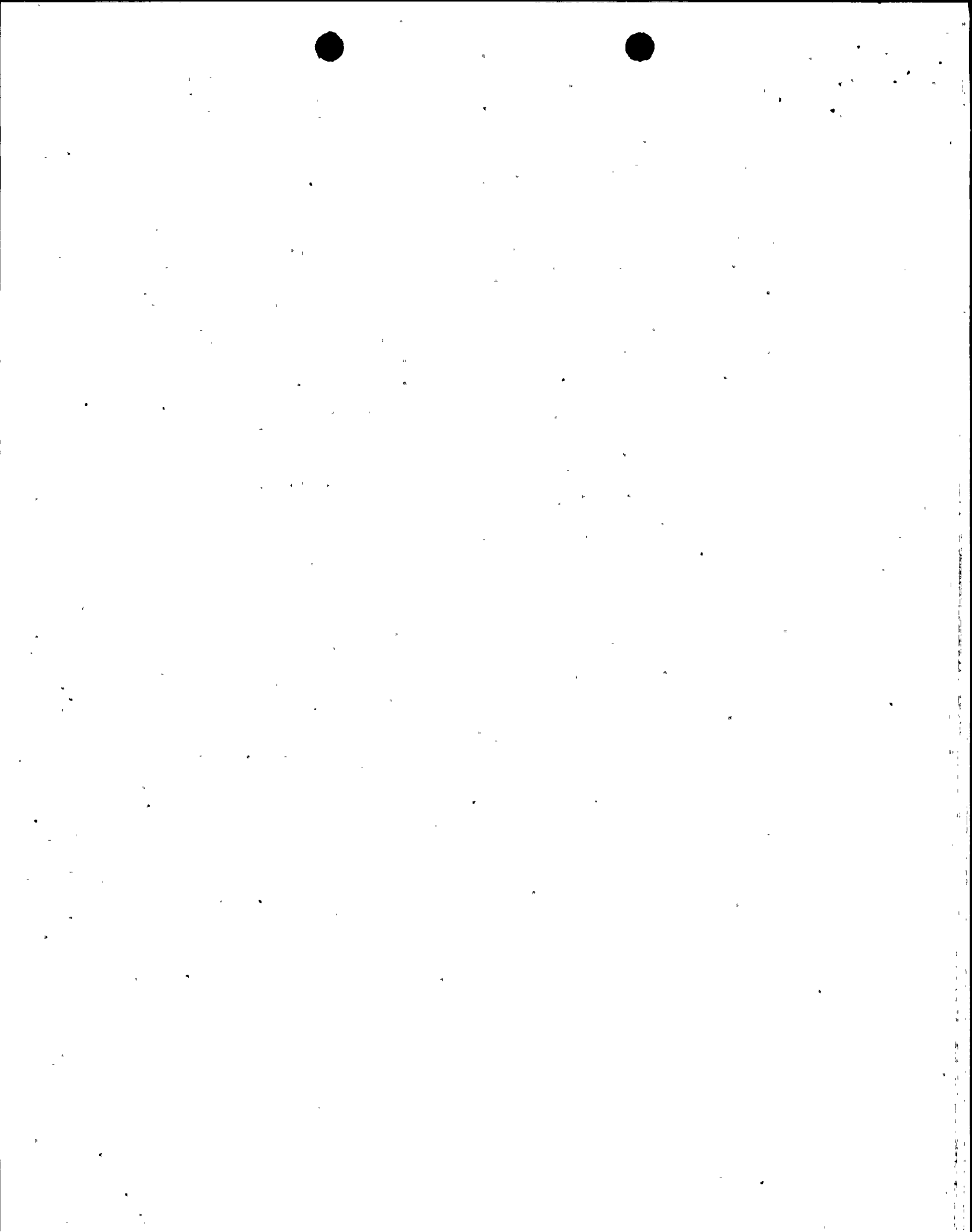


notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, 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.

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

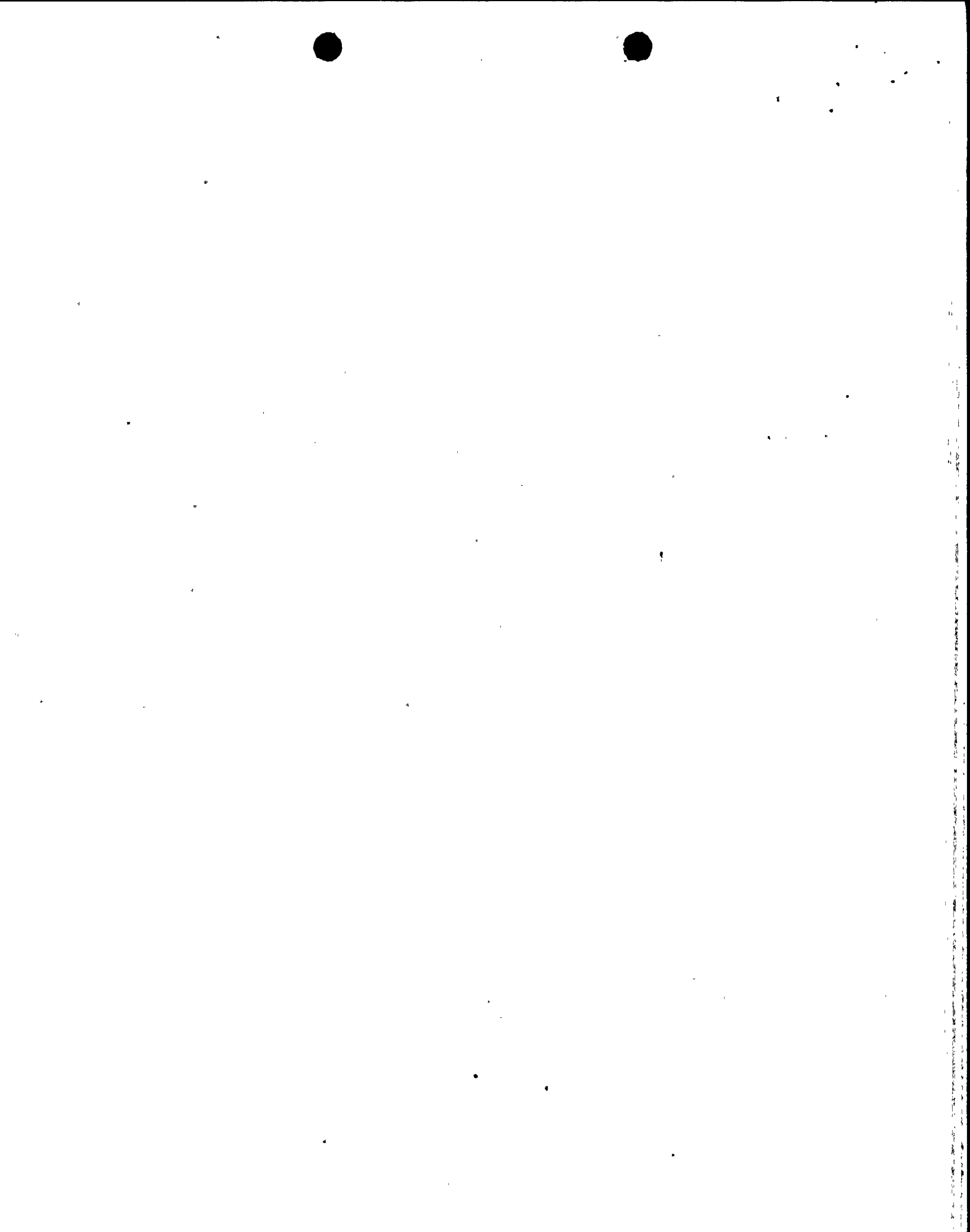
By June 30, 1997, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for 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, and at the NRC's Local Public Document Room located at the Richland Public Library, 955 Northgate Street, Richland, Washington 99352. 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 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

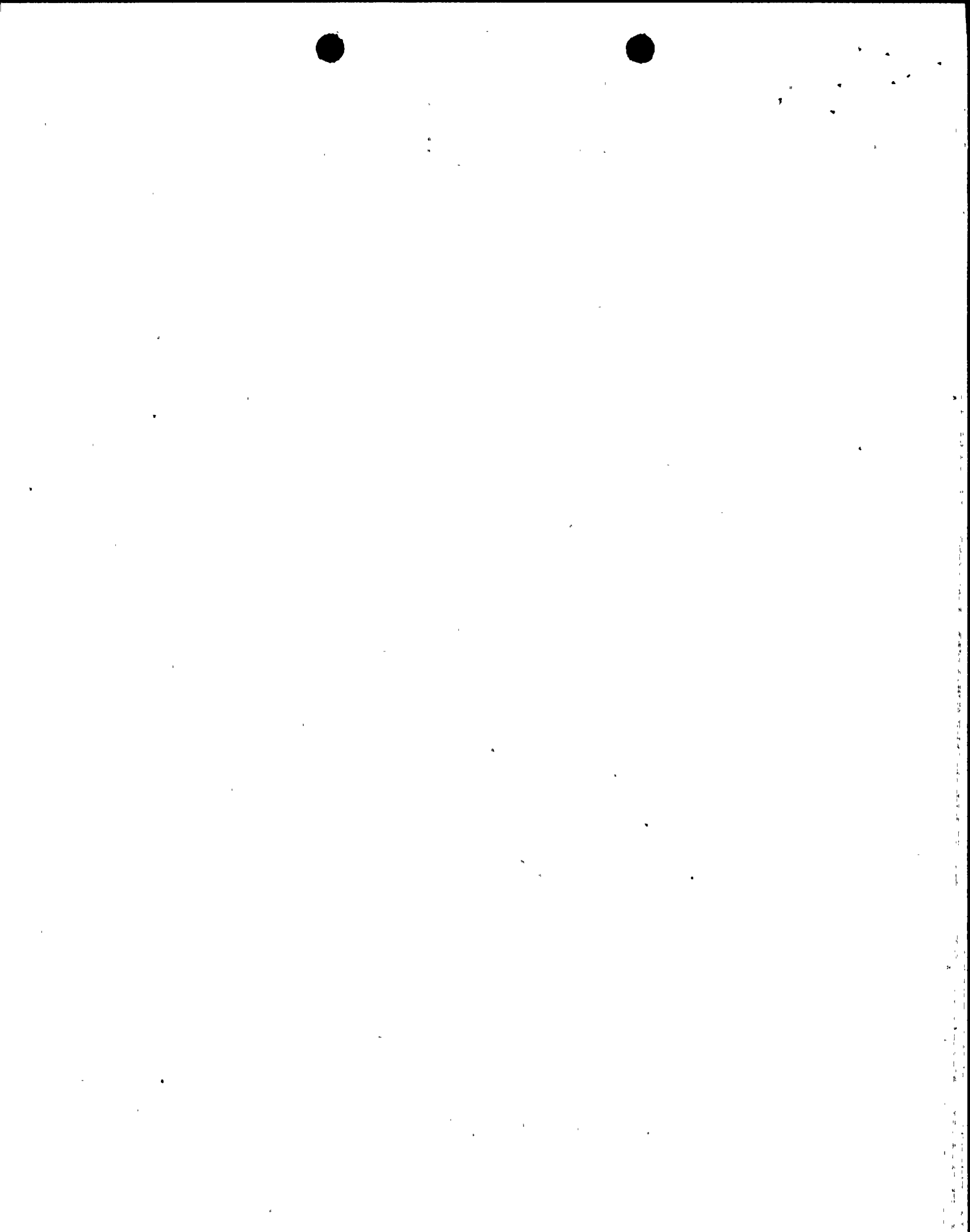
Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which



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.

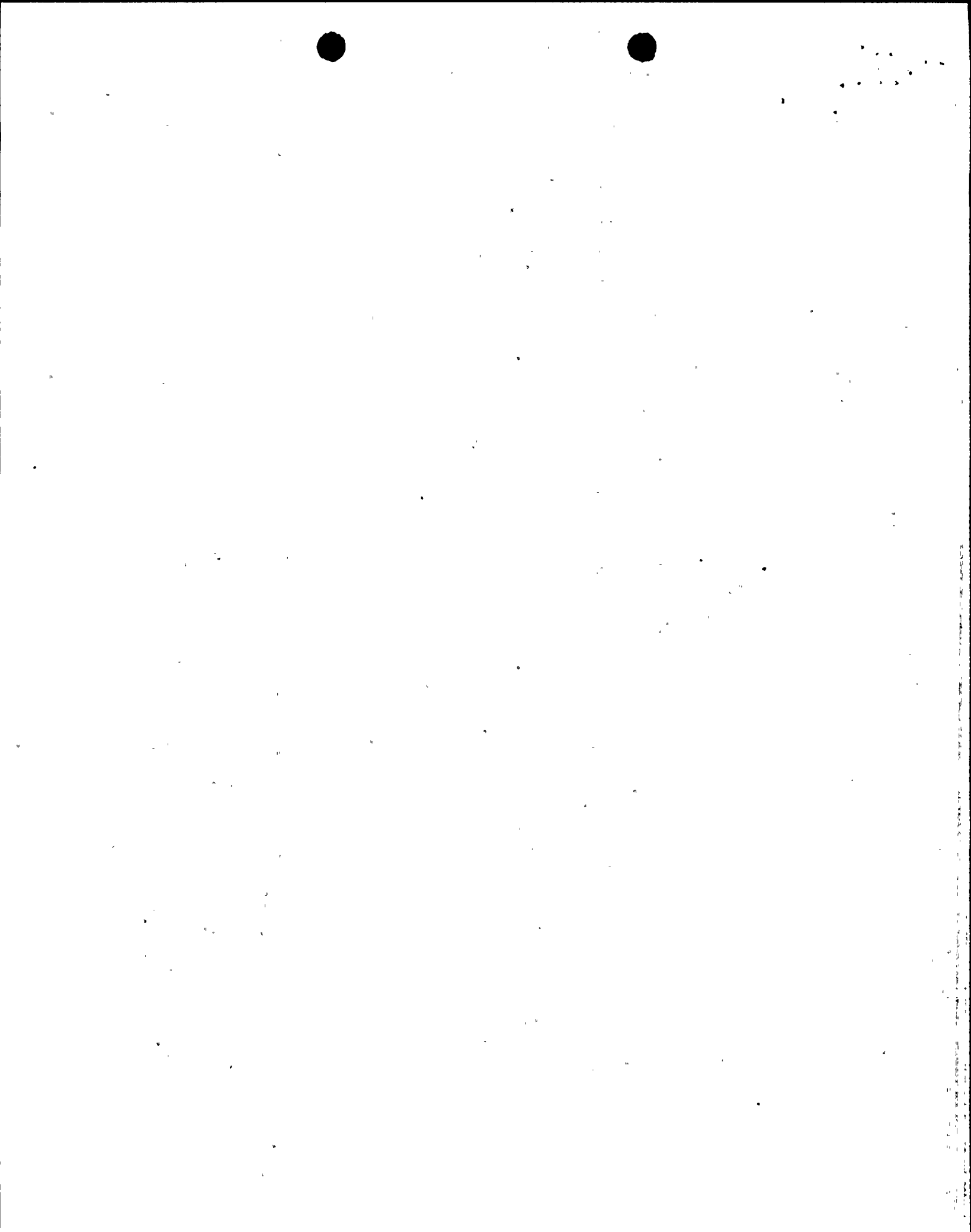
If the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, the final determination will serve to decide when the hearing is held.



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 20555-0001, 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, 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 William H. Bateman, Director, Project Directorate IV-2: 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 20555-0001, and to Perry D. Robinson, Esq., Winston & Strawn, 1400 L Street, N.W., Washington, DC 20005-3502, 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 May 20, 1997, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the NRC's Local Public Document Room located at the Richland Public Library, 955 Northgate Street, Richland, Washington 99352.

Dated at Rockville, Maryland, this 22nd day of May 1997.

FOR THE NUCLEAR REGULATORY COMMISSION

  
Timothy G. Colburn, Senior Project Manager  
Project Directorate IV-2  
Division of Reactor Projects III/IV  
Office of Nuclear Reactor Regulation

