

UNITED STATES NUCLEAR REGULATORY COMMISSIONCONSUMERS POWER COMPANYNOTICE 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 amendments to Facility Operating License No. DPR-20, issued to Consumers Power Company (the licensee), for the operation of the Palisades Plant, located in Van Buren County, Michigan. The proposed amendment would modify the Palisades Plant Technical Specifications (TS) to change the system name and service size of the existing bottom and surface steam generator blowdown lines. Also, a footnote would be added to the applicable TS pages delineating that only the penetration line size has been changed; the containment isolation valve size remains as is.

The following changes are proposed to Technical Specification Table 3.6.1, Containment Penetrations and Valves:

- ° For Penetrations 5 and 6, change the system name and service lines size from "...BOTTOM BLOWDOWN (2")" to "..BLOWDOWN (4") *," and add footnote "* penetration line size; isolation valves are 2-inch."
- ° For Penetrations 16 and 55, change the system name and service line size from "..SURFACE BLOWDOWN (2") to "..RECIRCULATION (4") *," and add footnote "* penetration line size; isolation valves are 2-inch."

The proposed Technical Specification changes are requested due to modifications being made during the 1990 refueling outage. The existing steam generator bottom blowdown 2-inch piping from the steam generators up to the containment isolation valves, outside containment, is being replaced with 4-inch piping. The existing steam generator surface blowdown 2-inch piping from the steam generators up to the containment isolation valves, outside containment is also being replaced with 4-inch piping. The steam generator's surface blowdown function will no longer be used. The blowdown line will only be used for recirculation during cold shutdown, hence the changes in the line name to steam generator recirculation system. Since the "bottom" blowdown lines will serve as the only steam generator blowdown lines, the "bottom" designation has been removed for clarification.

As noted above, the containment isolation valves will remain at their current 2-inch size. The modifications being performed during the 1990 refueling outage are the initial changes planned to increase the capacity of both the steam generator blowdown and recirculation capabilities. The modifications to these lines extending from the containment isolation valves, outside containment, are presently planned to be made at a future outage.

The changes to the Technical Specifications only affect the system name and line size designations in the containment penetration and valve table. The actual modifications to the plant are being made under Consumers Power Company approved facility changes and 10 CFR 50.59 safety evaluations.

Before issuance of the proposed license amendments, 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.

The licensee provided an analysis that addressed the above three standards in amendment application.

- (1) The proposed changes would not involve a significant increase in the probability or consequences of an accident previously evaluated because the proposed changes to the containment penetration lines are being made under CPGO approved facility changes in accordance with 10 CFR 50.59. Changes to the Technical Specifications are to the system name and service line size and have identified that the isolation valves have not changed size. The containment penetration lines and penetrations are being designed, installed and tested in accordance with existing design and licensing basis requirements, including, but not limited to seismic and High Energy Line Break (HELB) requirements. The operability and surveillance requirements for the containment isolation valves and functional requirements have not changed due

to the modifications. Therefore, the change does not involve a significant increase in the probability of an accident previously evaluated.

The change does not involve a significant increase in the consequences of an accident because a break in the new 4-inch pipe inside or outside containment is no more severe than other breaks that could occur. Also an ILRT will be performed following the modifications to the containment penetrations to ensure 10 CFR 50, Appendix J, requirements are met.

- (2) The proposed changes would not create the possibility of a new or different kind of accident from any accident previously evaluated because the modifications only affect changing the existing piping and penetrations from 2-inches to 4-inches. No new design features or parameters are introduced. The FSAR design consideration including seismic and HELB remain the same. The function of the containment isolation valves remains the same as do the Technical Specifications operability and surveillance requirements. Therefore, a new or different kind of accident has not been created.
- (3) The proposed changes would not involve a significant reduction in the margin of safety because the functional requirements and Technical Specification requirements for the isolation valves remain the same. The design of the lines and penetrations meet the same requirements as specified in the licensing basis. The consequences of a break in the lines are not greater than previously analyzed events. Therefore, the changes does not

involve a significant reduction in the margin of safety.

Therefore, based on the above considerations, the Commission has made a proposed determination 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. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Regulatory Publications Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 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. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building 2120 L Street, N.W., Washington, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By January 25, 1991, 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 may file a written petition for leave to intervene. Requests 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. 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, N.W., Washington, D.C. 20555 and at the local public document room located at the Van Zoeren Library, Hope College, Holland, Michigan 49423. 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 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. 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 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.

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, the Gelman Building, 2120 L 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 1 (800) 325-6000 (in Missouri 1 (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to L. B. Marsh: 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, D.C. 20555, and to Judd L. Bacon, Esq., Consumers Power Company, 212 West Michigan Avenue, Jackson, Michigan 49201, 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 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 September 20, 1990, as revised November 20, 1990, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W. Washington, D.C.

20555, and at the Van Zoeren Library, Hope College, Holland, Michigan.

Dated at Rockville, Maryland, this 18th day of December 1990.

FOR THE NUCLEAR REGULATORY COMMISSION

L B Marsh

L. B. Marsh, Director
Project Directorate III-1
Divisic.. of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation