UNITED STATES NUCLEAR REGULATORY COMMISSION

COMMONWEALTH EDISON COMPANY

AND

MIDAMERICAN ENERGY COMPANY

DOCKET NOS. 50-237, 50-249, 50-254, 50-265, 50-373, AND 50-374

NOTICE 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 Nos. DRP-19, DRP-25, DRP-29, DRP-30, NPF-11, and NPF-18 issued to Commonwealth Edison Company (ComEd, the licensee) for operation of the Dresden Nuclear Power Station, Units 2 and 3, located in Grundy County, Illinois, Quad Cities Nuclear Power Station, Units 1 and 2, located in Dixon County, Illinois, and LaSalle County Station, Units 1 and 2, located in LaSalle County, Illinois.

The proposed amendment would change the technical specifications of these plants to incorporate 10 CFR Part 50, Appendix J, "Primary Reactor Containment Leakage Testing For Water-Cooled Power Reactors", Option B.

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.

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. 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) Involve a significant increase in the probability or consequences of an accident previously evaluated because of the following:

   10 CFR 50, Appendix J has been amended to include provisions regarding performance-based leakage testing requirements (Option B). Option B allows plants with satisfactory Integrated Leak Rate Testing (ILRT) performance history to reduce the Type A testing frequency from three tests in ten years to one test in ten years. For Type B and Type C tests, Option B allows plants to reduce testing frequency based on the leak rate test history of each component. In addition, Option B establishes controls to ensure continued satisfactory performance of the affected penetrations during the extended testing interval. To be consistent with the requirements of Option B to 10 CFR 50, Appendix J, ComEd proposes to include appropriate changes to the Technical Specifications that incorporate the necessary revisions associated with Option B of 10 CFR 50, Appendix J.

   The proposed amendment represents the conversion of current Technical Specification requirements to maintain consistency with those requirements specified by Option B to 10 CFR 50, Appendix J. The proposed changes are consistent with the current plant safety analyses. Implementation of these changes will provide continued assurance that specified parameters associated with containment integrity will remain within their acceptance limits, and as such, will not significantly increase the probability or consequences of a previously evaluated accident.

   Some of the proposed changes represent minor curtailments to current Technical Specification requirements, but are based on the requirements specified by Option B to 10 CFR 50, Appendix J. Any such changes are consistent with the current plant safety analyses and have been determined to represent sufficient requirements for the assurance and reliability of equipment assumed to operate in the safety analyses, or provide continued assurance that specified parameters associated with containment integrity remain within their acceptance limits. As such, these changes will not

significantly increase the probability or consequences of a previously evaluated accident.

The associated systems affecting the leak rate integrity related to this proposed amendment request are not assumed in any safety analyses to initiate any accident sequence; therefore, the probability of any accident previously evaluated is not increased by this proposed amendment which incorporates the requirements of Option B to 10 CFR 50, Appendix J. In addition, the proposed limiting conditions for operation and surveillance requirements for the proposed amendments to any such systems that affect the leak rate integrity are consistent with the current requirements specified within the Technical Specifications. The proposed changes to any Technical Specification limiting condition for operation or surveillance requirement maintain an equivalent level of reliability and availability for all affected systems. Therefore, the proposed amendment does not increase the consequences of any accident previously evaluated as the probability of the affected systems associated with leak rate integrity, from performing their intended function, is unaffected by the proposed limiting conditions for operation or surveillance requirements.

There is no change to the consequences of an accident previously evaluated because maintaining leakage within the analyzed limit assumed for any associated accident analyses does not adversely affect either the on-site or off-site dose consequences resulting from an accident. In addition, containment leakage is not an accident initiator. As such, there is no adverse impact on the probability of accident initiators. Thus, there is no significant increase in the probability of any previously analyzed accident.

2) Create the possibility of a new or different kind of accident from any accident previously evaluated because:

Option B of 10 CFR 50, Appendix J specifies, in part, that a Type A test which measures both the containment system overall integrated leakage rate at the containment pressure and system alignments assumed during a large break loss of coolant accident (LOCA), and demonstrates the capability of the primary containment to withstand an internal pressure load, may be conducted at a periodic interval based on the performance of the overall containment system. The acceptable leakage rates are specified in the plant's Technical Specifications. For Type B and Type C tests, intervals are proposed for establishment based on the performance history of each component. Acceptance criteria for each component is based upon demonstration that the sum leakage rates at design basis pressure conditions for applicable penetrations, is within the limit specified in the Technical Specifications.

The proposed amendment represents the conversion of current Technical Specification requirements to maintain consistency with those requirements specified in Option B to 10 CFR 50, Appendix J. The proposed changes are consistent with the current plant safety analyses. Some minor curtailments of current Technical Specification requirements, associated with containment integrity are based on generic guidance or similarly approved provisions for other stations. These changes do not involve revisions to the design of the station. Some of the changes may involve revision in the testing of components at the station; however, these are in accordance with the current plant safety analyses, and provide for appropriate testing or surveillance that are consistent with Option B to 10 CFR 50, Appendix J. The proposed changes will not introduce new failure mechanisms beyond those already considered in the current plant safety analyses.

The proposed amendment has been reviewed for acceptability at the stations considering similarity of system or component design affecting containment integrity. No new modes of operation are introduced by the proposed changes. Surveillance requirements are changed to reflect corresponding changes associated with Option B to 10 CFR 50, Appendix J and improvements in technique or frequency of leak rate testing performance. The proposed changes maintain at least the present level of operability of any such system that affects plant containment integrity. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

The associated systems that affect plant leak rate integrity related to the proposed amendment, are not assumed in any plant safety analysis to initiate any accident sequence. In addition, the proposed surveillance requirements for any such affected systems are consistent with the current requirements specified within the Technical Specifications and are consistent with the requirements of Option B to 10 CFR 50, Appendix J. The proposed surveillance requirements maintain an equivalent level of reliability and availability of all affected systems and therefore, does not increase the consequences of any previously evaluated accident. As such, the probability of the affected systems, associated with leak rate test integrity, from performing their intended function, is unaffected by the proposed limiting conditions for operation and surveillance requirements.

3) Involve a significant reduction in the margin of safety because:

The provisions specified in Option B to 10 CFR 50 Appendix J allows changes to Type A, Type B and Type C test intervals based upon the performance of past leak rate tests. The effect of extending containment leakage rate testing intervals is a corresponding increase in the likelihood of containment leakage.

The degree to which intervals can be extended is a direct function on the potential effect on existing plant safety margins and the public health and safety that can occur due to an increased likelihood of containment leakage.

Changing Appendix J test intervals from those currently provided in the Technical Specification to those provided for in 10 CFR 50, Appendix J, Option B, slightly increases the risk associated with Type A, Type B, and Type C specific accident sequences. Historical data suggests that increasing the Type C test interval can slightly increase the associated risk; however, this is compensated by the corresponding risk reduction benefits associated with reduction in component cycling, stress, and wear associated with increased test intervals. In addition, when considering the total integrated risk which includes all analyzed accident sequences, the risk associated with increasing test intervals is negligible.

ComEd proposes to revise the Technical Specifications to be consistent with those provisions specified in Option B of 10 CFR 50, Appendix J. The proposed changes are consistent with current plant safety analyses. In addition, these proposed changes do not involve revisions to the design of the station. As such, the proposed individual changes will maintain the same level of reliability of the equipment associated with containment integrity, assumed to operate in the plant safety analysis, or provide continued assurance that specified parameters affecting plant leak rate integrity, will remain within their acceptance limits. Therefore, the proposed changes provide continued assurance of the leakage integrity of the containment without adversely affecting the public health and safety and as such, will not significantly reduce existing plant safety margins.

The proposed amendment to the Technical Specifications implements present requirements, or the requirements in accordance with the guidelines set forth in Option B to 10 CFR 50, Appendix J. The proposed changes have been evaluated and found to be acceptable for use at the stations based on system design, safety analysis requirements, and operational performance. Since the proposed changes are based on NRC accepted provisions that are applicable at the stations and maintain necessary levels of system or component reliability affecting plant containment integrity, the proposed changes do not involve a significant reduction in the margin of safety.

The performance-based approach to leakage rate testing concludes that the impact on public health and safety due to revised testing intervals is negligible. The proposed amendment for the stations will not reduce the availability of systems associated with containment integrity when required to mitigate accident

conditions; therefore, the proposed changes do 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.

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.

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 in the FEDERAL REGISTER 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.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, 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 January 8, 1996, 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 local public document rooms located at the Morris Area Public Library District, 604 Liberty Street, Morris, Illinois for Dresden Station, Jacobs Memorial Library, Illinois Valley Community College, Oglesby, Illinois for LaSalle County Station, and Dixon Public Library, 221 Hennepin Avenue, Dixon, Illinois for Quad Cities Station. 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

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 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 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 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, 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 Robert A. Capra: 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, and to Michael I. Miller, Esquire; Sidley and Austin, One First National Plaza, Chicago, Illinois 60603, 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 November 14, 1995, 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 local public document rooms located at the Morris Area Public Library District, 604 Liberty Street, Morris, Illinois for the Dresden Station, Jacobs Memorial Library, Illinois Valley Community College, Oglesby, Illinois for LaSalle County Station, and Dixon Public Library, 221 Hennepin Avenue, Dixon, Illinois for Quad Cities Station.

Dated at Rockville, Maryland, this 1st day of December 1995.

FOR THE NUCLEAR REGULATORY COMMISSION

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