

For the Nuclear Regulatory Commission.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-482]

Wolf Creek Nuclear Operating Corp.; 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. NPF-42, issued to the Wolf Creek Nuclear Operating Corporation (WCNOC or the licensee), for operation of the Wolf Creek Generating Station (WCGS), located in Coffey County, Kansas.

The proposed amendment, requested by the licensee in a letter dated May 15, 1997, as supplemented by letters dated June 30, August 5, August 28, and September 24, 1998, would represent a full conversion from the current Technical Specifications (CTS) to a set of improved Technical Specifications (ITS) based on NUREG-1431, "Standard Technical Specifications, Westinghouse Plants," Revision 1, dated April 1995. NUREG-1431 has been developed by the Commission's staff through working groups composed of both NRC staff members and industry representatives, and has been endorsed by the staff as part of an industry-wide initiative to standardize and improve the Technical Specifications for nuclear power plants. As part of this submittal, the licensee has applied the criteria contained in the Commission's "Final Policy Statement on Technical Specification Improvements for Nuclear Power Reactors (Final Policy Statement)," published in the **Federal Register** on July 22, 1993 (58 FR 39132), to the CTS, and, using NUREG-1431 as a basis, proposed an ITS for WCGS. The criteria in the Final Policy Statement were subsequently added to 10 CFR 50.36, "Technical Specifications," in a rule change that was published in the **Federal Register** on July 19, 1995 (60 FR 36953) and became effective on August 18, 1995.

This conversion is a joint effort in concert with three other utilities: Pacific Gas & Electric Company for Diablo Canyon Power Plant, Units 1 and 2 (Docket Nos. 50-275 and 323); TU Electric for Comanche Peak Steam

Electric Station, Units 1 and 2 (Docket Nos. 50-445 and 50-446); and Union Electric Company for Callaway Plant (Docket No. 50-483). It is a goal of the four utilities to make the ITS for all the plants as similar as possible. This joint effort includes a common methodology for the licensees in marking-up the CTS and NUREG-1431 Specifications, and the NUREG-1431 Bases, that has been accepted by the staff. This includes the convention that, if the words in the CTS specification are not the same as the words in the ITS specification but they mean the same or have the same requirements as the words in the ITS specification, the licensee does not indicate or describe the change to the CTS.

This common methodology is discussed at the end of Enclosure 2, "Mark-Up of Current TS"; Enclosure 5a, "Mark-Up of NUREG-1431 Specifications"; and Enclosure 5b, "Mark-Up of NUREG-1431 Bases," for each of the 14 separate ITS sections that were submitted with the licensee's application. For each of the 14 ITS sections, there is also the following: Enclosure 1, the cross reference table connecting each CTS specification (i.e., limiting condition for operation, required action, or surveillance requirement) to the associated ITS specification, sorted by both CTS and ITS Specifications; Enclosure 3, the description of the changes to the CTS section and the comparison table showing which plants (of the four licensees in the joint effort) that each change applies to; Enclosure 4, the no significant hazards consideration (NHSC) of 10 CFR 50.91 for the changes to the CTS with generic NHSCs for administrative, more restrictive, relocation, and moving-out-of-CTS changes, and individual NHSCs for less restrictive changes and with the organization of the NHSC evaluation discussed in the beginning of the enclosure; and Enclosure 6, the descriptions of the differences from NUREG-1431 specifications and the comparison table showing which plants (of the four licensees in the joint effort) that each difference applies to. Another convention of the common methodology is that the technical justifications for the less restrictive changes are included in the NHSCs.

The licensee has categorized the proposed changes to the CTS into four general groupings. These groupings are characterized as administrative changes, relocated changes, more restrictive changes and less restrictive changes.

Administrative changes are those that involve restructuring, renumbering, rewording, interpretation and complex

rearranging of requirements and other changes not affecting technical content or substantially revising an operating requirement. The reformatting, renumbering and rewording process reflects the attributes of NUREG-1431 and does not involve technical changes to the existing TS. The proposed changes include (a) providing the appropriate numbers, etc., for NUREG-1431 bracketed information (information that must be supplied on a plant-specific basis, and which may change from plant to plant), (b) identifying plant-specific wording for system names, etc., and (c) changing NUREG-1431 section wording to conform to existing licensee practices. Such changes are administrative in nature and do not impact initiators of analyzed events or assumed mitigation of accident or transient events.

Relocated changes are those involving relocation of requirements and surveillances for structures, systems, components, or variables that do not meet the criteria for inclusion in TS. Relocated changes are those current TS requirements that do not satisfy or fall within any of the four criteria specified in the Commission's policy statement and may be relocated to appropriate licensee-controlled documents.

The licensee's application of the screening criteria is described in Attachment 2 to its June 2, 1997, submittal, which is entitled, "General Description and Assessment." The affected structures, systems, components or variables are not assumed to be initiators of analyzed events and are not assumed to mitigate accident or transient events. The requirements and surveillances for these affected structures, systems, components, or variables will be relocated from the TS to administratively controlled documents such as the quality assurance program, the updated safety analysis report (USAR), the ITS BASES, the Technical Requirements Manual (TRM) incorporated by reference in the USAR, the Core Operating Limits Report (COLR), the Offsite Dose Calculation Manual (ODCM), the Inservice Testing (IST) Program, or other licensee-controlled documents. Changes made to these documents will be made pursuant to 10 CFR 50.59 or other appropriate control mechanisms, and may be made without prior NRC review and approval. In addition, the affected structures, systems, components, or variables are addressed in existing surveillance procedures that are also subject to 10 CFR 50.59. These proposed changes will not impose or eliminate any requirements.

More restrictive changes are those involving more stringent requirements compared to the CTS for operation of the facility. These more stringent requirements do not result in operation that will alter assumptions relative to the mitigation of an accident or transient event. The more restrictive requirements will not alter the operation of process variables, structures, systems, and components described in the safety analyses. For each requirement in the CTS that is more restrictive than the corresponding requirement in NUREG-1431 that the licensee proposes to retain in the ITS, they have provided an explanation of why they have concluded that retaining the more restrictive requirement is desirable to ensure safe operation of the facility because of specific design features of the plant.

Less restrictive changes are those where CTS requirements are relaxed or eliminated, or new plant operational flexibility is provided. The more significant "less restrictive" requirements are justified on a case-by-case basis. When requirements have been shown to provide little or no safety benefit, their removal from the TS may be appropriate. In most cases, relaxations previously granted to individual plants on a plant-specific basis were the result of (a) generic NRC actions, (b) new NRC staff positions that have evolved from technological advancements and operating experience, or (c) resolution of the Owners Groups' comments on the Improved Standard Technical Specifications. Generic relaxations contained in NUREG-1431 were reviewed by the staff and found to be acceptable because they are consistent with current licensing practices and NRC regulations. The licensee's design will be reviewed to determine if the specific design basis and licensing basis are consistent with the technical basis for the model requirements in NUREG-1431, thus providing a basis for these revised TS, or if relaxation of the requirements in the current TS is warranted based on the justification provided by the licensee.

These administrative, relocated, more restrictive, and less restrictive changes to the requirements of the CTS do not result in operations that will alter assumptions relative to mitigation of an analyzed accident or transient event.

In addition to the proposed changes solely involving the conversion, there are also changes proposed that are different than the requirements in both the CTS and the improved Standard Technical Specifications (NUREG-1431). These proposed beyond-scope

issues to the ITS conversion are as follows:

1. ITS Surveillance Requirement (SR) 3.2.1.2—add frequency of once within 24 hours for verifying the axial heat flux hot channel factor is within limit after achieving equilibrium conditions.

2. ITS SR 3.2.2.1 note—revise the allowance to increase power until a power distribution is obtained after equilibrium is achieved.

3. ITS LCO 3.2.4—revise required actions and completion times, and note to SR 3.2.4.2 to modify quadrant power tilt ratio requirements.

4. ITS LCOs 3.4.5, 3.4.10, 3.4.11, and 3.4.12—revise applicability and add a note (to ITS 3.4.5) to add reactor coolant pump start restrictions for low temperature overpressure protection for the reactor coolant system.

5. ITS LCO 3.4.1.2—revise applicability note to allow a longer time, up to 4 hours, for injecting into the reactor coolant system.

6. ITS LCO 3.4.7 and SRs 3.4.5.2, 3.4.6.2, and 3.4.7.2—revise steam generator level requirements in Modes 3, 4, and 5 to ensure tubes are covered.

7. ITS SR 3.6.3.7—note added to not require leak rate test of containment purge valves with resilient seals when penetration flow path is isolated by leak-tested blank flange.

8. ITS LCO 3.7.13—adds note to applicability and new actions on test capability of emergency exhaust system to maintain a negative building pressure while in safety injection signal lineup.

9. ITS LCO 3.8.6—revise battery float voltage in Table 3.8.6-1 and add an allowed voltage variation.

10. ITS SRs 3.8.4.1 and 3.8.4.6—reduces the minimum allowable battery voltage.

11. ITS SR 3.8.4.8—revise restriction for rated capacity for the installed AT&T round cell batteries.

12. ITS 5.6.5—adds shutdown margin limits to the core operating limits report.

13. ITS 5.7—change limits for high radiation areas to reflect the requirements of revised 10 CFR Part 20.

14. ITS 5.1, 5.2 and 5.7—revise TS to reflect position title changes within licensee's organization.

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

By November 4, 1998, 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 Emporia State University, William Allen White Library, 1200 Commercial Street, Emporia, Kansas, 66801, and Washburn University School of Law Library, Topeka, Kansas, 66621. 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.

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: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. 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 Mr. Jay Silberg, Esq., Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC, 20037, 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).

If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public

comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated May 15, 1997, as supplemented by letters dated June 30, August 5, August 28, and September 24, 1998, 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 Emporia State University, William Allen White Library, 1200 Commercial Street, Emporia, Kansas, 66801, and Washburn University School of Law Library, Topeka, Kansas, 66621.

Dated at Rockville, Maryland, this 29th day of September 1998.

For the Nuclear Regulatory Commission.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-321 and 50-366]

Southern Nuclear Operating Company, Inc.; Edwin I. Hatch Nuclear Plant, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. DPR-57 and NPF-5 issued to Southern Nuclear Operating Company, Inc., for operation of the Edwin I. Hatch Nuclear Plant, Units 1 and 2, located in Appling County, Georgia.

Environmental Assessment

Identification of the Proposed Action

By letter dated August 8, 1997, as supplemented by letters dated March 9, May 6, July 6, July 31, September 4, and September 11, 1998, Southern Nuclear Operating Company, Inc. (SNC/the licensee), requested amendments to Facility Operating License Nos. DPR-57 and NPF-5 for the operation of the Edwin I. Hatch Nuclear Plant (Plant Hatch), Units 1 and 2, located on the Altamaha River in Appling County, approximately 11 miles north of Baxley, Georgia. On April 17, 1997, information concerning the SNC dose assessment for Plant Hatch was submitted in advance of the application for license amendments.

SNC has requested an increase in the maximum thermal power (MWt) from 2558 MWt to 2763 MWt, which represents a power increase of 8 percent. This is considered an extended power uprate because it follows a 5 percent power uprate from the original licensing basis of 2436 MWt to 2558 MWt, which was implemented following the Unit 2 fall 1995 outage and the Unit 1 spring 1996 outage.

The Need for the Proposed Action

SNC forecasts the increase in electrical generation to allow prudent planning for adding power capacity. Large base load plants are not required for several years. However, expected increases in customer demand will be met by either increasing the number of combustion turbines or purchasing electrical power from other sources. The proposed extended power uprate will provide increased reactor power, thus adding an additional 80 to 120 MW of reliable electrical generating capacity to the grid without major hardware modifications to the plant and will displace the need for two 50-megawatts electric gas turbines. Because of design and safety margins in the plant equipment, the proposed extended power uprate can be accomplished with relatively few modifications. Also, because Plant Hatch is already in operation, impacts of construction can be avoided. The cost of adding this nuclear generating capacity roughly equals the cost of constructing combustion turbines; however, the fuel cost of nuclear power is approximately one-tenth that of natural gas and the additional energy is expected to be produced for less than 1 cent per kilowatt hour. Furthermore, unlike fossil fuel plants, Plant Hatch does not routinely emit sulfur dioxide, nitrogen oxides, carbon dioxide, or other atmospheric pollutants that contribute to greenhouse gases or acid rain.

Environmental Impacts of the Proposed Action

At the time of the issuance of the operating licenses for Plant Hatch, the NRC staff noted that any activity authorized by the license is encompassed by the overall action evaluated in the Final Environmental Statement (FES), which was issued in March 1978. The original operating licenses for both Plant Hatch units allowed a maximum reactor power level of 2436 MWt. Plant Hatch has already received a 5 percent power uprate for each unit from the original licensing bases of 2436 MWt to 2558 MWt, which were implemented following the Unit 2 fall 1995 outage and the Unit 1 spring