

May 31, 2001

Mr. Oliver D. Kingsley, President
Nuclear Generation Group
Exelon Generation Company, LLC
1400 Opus Place, Suite 500
Downers Grove, IL 60515

SUBJECT: QUAD CITIES NUCLEAR POWER STATION, UNITS 1 AND 2, DRESDEN
NUCLEAR POWER STATION, UNITS 2 AND 3 - NOTICE OF
CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY
OPERATING LICENSE AND OPPORTUNITY FOR A HEARING (TAC NOS.
MB1270, MB1271, MB1272 AND MB1273)

Dear Mr. Kingsley:

Enclosed is a copy of a "Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for a Hearing," for your information. This notice relates to your application for amendment dated February 22, 2001, as supplemented by letter dated May 4, 2001, in which you proposed to change the technical specifications to reduce the reactor vessel - low scram and isolation setpoints by eight inches.

This notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

/RA/

Stewart N. Bailey, Project Manager, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-237, 50-249, 50-254, 50-265

Enclosure: Notice

cc w/encl: See next page

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J. Zwolinski/C. Carpenter

S. Bajwa

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L. Rossbach

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OFFICE	PM:LPD3-2	LA:LPD3-2	SC:LPD3-2
NAME	SBailey	CRosenberg	AMendiola
DATE	05/31/01	05/31/01	05/31/01

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OFFICIAL RECORD COPY

O. Kingsley
Exelon Generation Company, LLC

Dresden, Units 2 and 3
Quad Cities, Units 1 and 2

cc:

Exelon Generation Company, LLC
Site Vice President - Dresden
6500 N. Dresden Road
Morris, Illinois 60450-9765

William D. Leech
Manager - Nuclear
MidAmerican Energy Company
P.O. Box 657
Des Moines, Iowa 50303

Exelon Generation Company, LLC
Station Manager - Dresden
6500 N. Dresden Road
Morris, Illinois 60450-9765

Vice President - Law and
Regulatory Affairs
MidAmerican Energy Company
One River Center Place
106 E. Second Street
P.O. Box 4350
Davenport, Iowa 52808

Exelon Generation Company, LLC
Regulatory Assurance Manager - Dresden
6500 N. Dresden Road
Morris, Illinois 60450-9765

Chairman
Rock Island County Board
of Supervisors
1504 3rd Avenue
Rock Island County Office Bldg.
Rock Island, Illinois 61201

U.S. Nuclear Regulatory Commission
Dresden Resident Inspectors Office
6500 N. Dresden Road
Morris, Illinois 60450-9766

Chairman
Grundy County Board
Administration Building
1320 Union Street
Morris, Illinois 60450

Regional Administrator
U.S. NRC, Region III
801 Warrenville Road
Lisle, Illinois 60532-4351

Exelon Generation Company, LLC
Site Vice President - Quad Cities
22710 206th Avenue N.
Cordova, Illinois 61242-9740

Illinois Department of Nuclear Safety
Office of Nuclear Facility Safety
1035 Outer Park Drive
Springfield, Illinois 62704

Exelon Generation Company, LLC
Station Manager - Quad Cities
22710 206th Avenue N.
Cordova, Illinois 61242-9740

Document Control Desk-Licensing
Exelon Generation Company, LLC
1400 Opus Place, Suite 500
Downers Grove, Illinois 60515

Exelon Generation Company, LLC
Regulatory Assurance Manager - Quad Cities
22710 206th Avenue N.
Cordova, Illinois 61242-9740

Mr. John Skolds
Chief Operating Officer
Exelon Generation Company, LLC
1400 Opus Place, Suite 900
Downers Grove, Illinois 60515

U.S. Nuclear Regulatory Commission
Quad Cities Resident Inspectors Office
22712 206th Avenue N.
Cordova, Illinois 61242

O. Kingsley
Exelon Generation Company, LLC

Dresden, Units 2 and 3
Quad Cities, Units 1 and 2

- 2 -

Mr. John Cotton
Senior Vice President, Operations Support
Exelon Generation Company, LLC
1400 Opus Place, Suite 900
Downers Grove, Illinois 60515

Mr. Robert Helfrich
Senior Counsel, Nuclear
Mid-West Regional Operating Group
Exelon Generation Company, LLC
1400 Opus Place, Suite 900
Downers Grove, Illinois 60515

Mr. William Bohlke
Senior Vice President, Nuclear Services
Exelon Generation Company, LLC
1400 Opus Place, Suite 900
Downers Grove, Illinois 60515

Mr. H. Gene Stanley
Operations Vice President
Mid-West Regional Operating Group
Exelon Generation Company, LLC
1400 Opus Place, Suite 900
Downers Grove, Illinois 60515

Mr. Christopher Crane
Senior Vice President
Mid-West Regional Operating Group
Exelon Generation Company, LLC
1400 Opus Place, Suite 900
Downers Grove, Illinois 60515

Mr. Jeffrey Benjamin
Vice President - Licensing and
Regulatory Affairs
Exelon Generation Company, LLC
1400 Opus Place, Suite 900
Downers Grove, Illinois 60515

Mr. R. M. Krich
Director - Licensing
Mid-West Regional Operating Group
Exelon Generation Company, LLC
1400 Opus Place, Suite 900
Downers Grove, Illinois 60515

UNITED STATES NUCLEAR REGULATORY COMMISSION

EXELON GENERATION COMPANY, LLC

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

NOTICE 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 Nos. DPR-19 and DPR-25, issued to Exelon Generation Company, LLC, (EGC, or the licensee), for the operation of Dresden Nuclear Power Station, Units 2 and 3, respectively, located in Grundy County, Illinois, and Facility Operating License Nos. DPR-29 and DPR-30, issued to EGC, for operation of the Quad Cities Nuclear Power Station, Units 1 and 2, respectively, located in Rock Island County, Illinois.

The proposed amendment, requested by letter dated February 22, 2001, as supplemented by letter dated May 4, 2001, would revise the technical specifications to reduce the reactor vessel water level - low scram and isolation setpoints by eight inches.

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:

Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

The vessel water level – low scram and isolation functions are not involved in the initiation of accidents or transients. Therefore, reducing the allowable value for these functions does not affect the probability of an accident previously evaluated.

Reducing the allowable value for the vessel water level – low scram and isolation functions does not affect the consequences of the previously evaluated transients and accidents, since other reactor protection and engineered safeguards functions are designed to be the primary functions that initiate to mitigate these events. These functions include the ECCS initiation signals that occur on low-low water level and high drywell pressure and the containment isolation signals that occur on high steam line flow and low steam line pressure. Therefore the consequences of previously evaluated transients and accidents are not affected by the proposed changes.

Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed change to reduce the allowable value for the vessel water level – low scram and isolation functions does not involve a plant equipment change or affect the purpose of the scram and isolation functions. Therefore the proposed change does not result in the possibility of a new or different kind of accident.

Does the proposed change involve a significant reduction in a margin of safety?

Reducing the allowable value for the vessel water level – low scram and isolation functions does not affect the consequences of the previously evaluated transients and

accidents, since other reactor protection and engineered safeguards functions are designed to be the primary functions that initiate to mitigate these events. These functions include the ECCS initiation signals that occur on low-low water level and high drywell pressure and the containment isolation signals that occur on high steam line flow and low steam line pressure. All of the results of these analyses remain within the required acceptance criteria. Therefore, the margin of safety is not reduced for any event evaluated.

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 Chief, Rules and Directives Branch, Division of Administrative 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 6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland.

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

By **July 6, 2001**, 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, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/NRC/ADAMS/index.html>. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737 or by email to pdrr@nrc.gov. 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 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 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 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. Robert Helfrich, Senior Counsel, Nuclear, Mid-West Regional Operating Group, Exelon Generation Company, LLC, 1400 Opus Place, Suite 900, Downers Grove, Illinois, 60515, 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 February 22, 2001, as supplemented by letter dated May 4, 2001, which is available for public inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/NRC/ADAMS/index.html>. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737 or by email to pdr@nrc.gov.

Dated at Rockville, Maryland, this 31st day of May, 2001.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Stewart N. Bailey, Project Manager, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation