(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. Does the proposed license amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Evaluation

The proposed change does not affect plant operation or the design. The change provides specific applicability requirements to the Limiting Conditions for Operation (LCO). The proposed change incorporates only those applicability requirements and exceptions denoted by Generic Letter 87-09, concerning entering an operational condition. Invoking the proposed change in LCO definition does not impact nor alter any LCO Action Requirements in the Technical Specifications. Those LCO Action Statements which do not require shutdown provide acceptable compensatory safety measures for the affected function, and therefore, operational conditions need not be restricted further. Since conformance to these LCO Action Requirements provide an acceptable level of safety for continued operation of the facility, entry into an operational condition or other specified conditions would not increase the probability or consequences of an accident as long as the remedial Action Requirements are met.

Furthermore, the proposed change does not affect any accident or safety analysis event initiator as analyzed in the Updated Safety Analysis Report (USAR), nor involve any modification to equipment. The proposed change is administrative in nature and primarily serves to provide plant personnel with clear guidance regarding compliance with LCOs and Action Requirements under all operating conditions. Therefore, no significant increase in the probability or consequences of an accident previously analyzed would occur.

2. Does the proposed License Amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Evaluation

The proposed change does not affect any equipment design or configuration, nor does the change introduce a new mode of operation therefore, no new or different type of failures are created. The proposed change serves to strengthen the existing Cooper Nuclear Station (CNS) Technical Specifications (TS) requirements by eliminating some areas of confusion and interpretation, and providing a clear statement of the specification's (1.0.J) intent. The proposed change will ensure that appropriate administrative requirements are invoked prior to any change in an operational condition.

The proposed change does not affect the testing methodology for any systems. There will be no change in the types or increase in the amount of effluents released offsite. Since there are no changes to the function, operation, or surveillance test methodology of any system, equipment, or component, the possibility of a new or different kind of accident is not created.

3. Does the proposed change create a significant reduction in the margin of safety?

Evaluation

The proposed change does not reduce the margin of safety because it has no impact on any safety analysis assumption. The proposed change clarifies the LCO definition concerning entry into an operational condition. The proposed change ensures that the appropriate administrative requirements are met prior to any change in an operational condition. The proposed change serves to strengthen the philosophy of compliance with the Technical Specifications. The change is administrative in nature and provides explanatory information which does not impact any safety analysis. Therefore, the proposed change does 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 February 2, 1995, 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 room located at the Auburn Public Library, 118 15th Street, Auburn, Nebraska 68305. 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