NUCLEAR REGULATORY COMMISSION

All U.S. Pressurized Water Reactors; Issuance of Director's Decision Under 10 CFR 2.206

Notice is hereby given that the Director, Office of Nuclear Reactor Regulation, has taken action with regard to a Petition for action under 10 CFR 2.206 received from John Willis of Greenpeace International with respect to all pressurized water reactors (PWRs) in the United States. The Petitioner requested that all U.S. PWRs be examined for cracks in control rod drive mechanism (CRDM) vessel head penetrations (VHP) and that any reactors found containing VHP cracking be shut down, repaired, and ''relicensed'' before restarting.

The Director of the Office of Nuclear Reactor Regulation has determined to deny the Petition. The reasons for this denial are explained in the ''Director's Decision under 10 CFR 2.296,'' (DD–95–02) which is available for public inspection in the Commission's Public Document Room, Gelman Building, 2120 L St., N.W., Washington, DC 20037. A copy of this decision will be filed with the Secretary for the Commission's review in accordance with 10 CFR 2.206(c) of the Commission's regulations. As provided by this regulation, the decision will constitute the final action of the Commission 25 days after the date of issuance of the decision unless the Commission on its own motion institutes a review of the decision within that time.

Dated at Rockville, Maryland this 26th day of January, 1995.

For the Nuclear Regulatory Commission.

William T. Russell,

Director, Office on Nuclear Reactor Regulation.

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[Docket No. 50–461]

Illinois Power Company; 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 No. NPF–62, issued to the Illinois Power Company (the licensee), for operation of the Clinton Power Station, Unit 1, located in DeWitt County, Illinois.

The proposed amendment would modify the Technical Specifications (TSs) to eliminate selected response time testing requirements. The affected TSs are TS 3.3.1.1, ''Reactor Protection System (RPS) Instrumentation,'' TS 3.3.5.1, ''Emergency Core Cooling System (ECCS) Instrumentation,'' TS 3.3.6.1, ''Primary Containment and Drywell Isolation Instrumentation,'' and TS 3.5.1, ''ECCS—Operating.''

The proposed changes are supported by analyses performed by the Boiling Water Reactor Owners Group (BWROG) in their topical report, NEDO–32291, ''System Analyses for Elimination of Selected Response Time Testing Requirements,'' submitted on January 14, 1994. NEDO–32291 demonstrated that other periodic tests required by TSs, such as channel calibrations, channel checks, channel functional tests, and logic system functional tests, in conjunction with the actions taken in response to NRC Bulletin 90–01, ''Loss of Fill-Oil in Transmitters Manufactured by Rosemount,'' and Supplement 1, are adequate to ensure that instrument response times are within acceptable limits.

The staff has reviewed NEDO–32291 and, by letter dated December 28, 1994 (B. Boger to R. Pinelli), issued its Safety Evaluation. Based on a review of the information presented by the BWROG, the staff concluded that significant degradation of instrument response times, i.e., delays greater than about 5 seconds, can be detected during the performance of other surveillance tests, principally calibration, if properly performed. Accordingly, the staff concluded response time testing can be eliminated from TSs for the selected instrumentation identified in the topical report and accepted NEO–32291 for reference in license amendment applications for all boiling water reactors provided that certain conditions are met. These conditions were specified in the staff's letter to the BWROG dated December 28, 1994.

In a letter dated January 27, 1995, the licensee submitted an application to amend their technical specifications based on the BWROG topical report. In their submittal, the licensee confirmed the applicability of the generic analysis of NEDO–32291 to their plant, and provided the supplemental information demonstrating compliance with the conditions specified in the staff's Safety Evaluation. In addition, the licensee identified their submittal as a cost beneficial licensing action (CBLA) and requested prompt approval by the staff so that they could implement the changes prior to their refueling outage scheduled for March 1995.

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) The purpose of the proposed Technical Specification (TS) change is to eliminate response time testing requirements for selected components in the Reactor Protection System (RPS), Containment and Reactor Vessel Isolation Control System (CRVICS) instrumentation, and Emergency Core Cooling System (ECCS) actuation instrumentation. The Boiling Water Reactor Owners' Group (BWROG) has completed an evaluation which demonstrates that response time testing is redundant to the other TS-required testing. These other tests, in conjunction with actions take in response to NRC Bulletin 90–-01, ''Loss of Fill-Oil in Transmitters Manufactured by Rosemount,'' and Supplement 1, are sufficient to identify failure modes or degradations in instrument response time and ensure operation of the associated systems within acceptable limits.There are no known failure modes that can be detected by response time testing that cannot also be detected by the other TS-required testing. This evaluation was documented in NEDO–32291, ''System Analyses for Elimination of Selected Response Time Testing Requirements,'' January 1994. Illinois Power (IP) has confirmed the applicability of this evaluation to Clinton Power Station (CPS). In addition, IP will complete the actions identified in the NRC staff's safety evaluation of NEDO–32291.

Because of the continued application of other existing TS-required tests such as channel calibrations, channel checks, channel functional tests, and logic system functional tests, the response time of these systems will be maintained within the acceptance limits assumed in plant safety analyses and required for successful mitigation of an initiating event. The proposed changes do not affect the capability of the associated systems to perform their intended function within their required response time, nor do the proposed changes themselves affect the operation of any equipment. As a result, IP has concluded that