

petition for leave to intervene should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and because of continuing disruptions in delivery of mail to United States Government offices, it is requested that copies be transmitted either by means of facsimile transmission to 301-415-3725 or by e-mail to OGCMailCenter@nrc.gov. A copy of the request for hearing and petition for leave to intervene should also be sent to the attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for a hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of 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 which is available for public inspection at the Commission's PDR, located at One White Flint North, Public File Area 01F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC PDR Reference staff at 1-800-397-4209, 301-415-4737 or by e-mail to pdr@nrc.gov.

Detroit Edison Company, Docket No. 50-16, Enrico Fermi Atomic Power Plant, Unit 1 (Fermi 1), Monroe County, Michigan

Date of amendment request: January 28, 2003, (Reference NRC-03-0011).

Description of amendment request: The proposed amendment will revise the Technical Specifications by:

1. Section A.1, 2, 4, 8, C.1, D, E.1, H.3.b, I.5, I.7b, I.9.d have been previously deleted and the word "Deleted" used as a place marker to alleviate the need to renumber all sections. This request proposes to remove these sections and renumber as appropriate.

2. Sections C.2 and E.2 cover the Reactor Building and Fuel and Repair Building Drains. This request proposes to delete the requirements in sections C.2 and E.2, which is all that remains in sections C and E. Section C, Reactor

Building, and E, Fuel and Repair Building, will be deleted in their entirety.

3. Added, "Monitoring or sampling for tritium will not be required if the sample results have determined that tritium is not present during a given evolution" in Section F. This is to clarify the intent of "During other evolutions resulting in radioactive gaseous effluents, the effluents shall be monitored or sampled and analyzed for tritium and particulates."

4. Section H.1 and 2 cover alarms, including surveillances, allowed out of service time, compensatory measures and alarm readouts for alarms associated with water intrusion. This request proposed to delete these sections on water intrusion alarms.

5. Sections H.3 and 4 cover required inspections of the facility. This request proposes to delete the requirement for radiation surveillance of the steam cleaning room access plug, which is Item c. of H.3, Fuel and Repair Building.

This proposal adds the words "(until made inactive)" to H.3 Reactor Building Item c. This request also proposes to delete recording liquid waste tank levels, which is Item c. in Section H.4.

6. Table H-1 lists the required Fermi 1 alarms and their alarm points. Only water intrusion alarms are currently covered in this table. This request proposed to delete this alarm table.

7. Editorial changes are included in this proposed request. In section I.2, the word "employees" will be changed to "employees". In Section I.2.b the word "He" will be changed to "The Health Physicist". In Section I.7 the word "his" will be removed from the following sentence, "The Custodian may temporarily change a procedure by Written Order following his determination that the change does not constitute a significant increase in the hazards associated with the operation." In Section I.9.h the word "usual" will be changed to "unusual".

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration using the standards in 10 CFR 50.92(c). The licensee's analysis is presented below:

1. The proposed change does not involve a significant increase in the probability or consequences of an accident.

Removing the requirements for water intrusion monitoring, liquid waste tanks level recording, and building drains will not significantly increase the possibility of an accident as long as the probability of an uncontrolled sodium and water reaction is not significantly increased. This is accomplished by the amount of volume of the area in which the sodium is present

where water intrusion is currently monitored. It would take a long period of time for the water intrusion to reach the sodium piping and this would still not increase the probability as long as the piping is not breached. When the piping is breached during the sodium abatement process, it will be completed under controlled conditions. Removal of the instrumentation may delay the discovery of a liquid spill but cannot affect the probability of the spill since it is only instrumentation. The consequences of an accident will not be increased because the previously analyzed accident accounts for all of the radioactive material contained within the liquid waste tanks and primary sodium to be released. This change will not increase the amount of radioactive material. The editorial changes, steam cleaning room plug radiation survey deletion, or the clarification made to gaseous effluent monitoring for tritium will not significantly increase the probability or consequences of an accident, because they have no impact on how any systems are operated or what systems are removed from the facility.

2. The proposed change does not create the possibility of a new or different accident from any previously evaluated.

Removing the requirements for water intrusion monitoring and liquid waste tanks level recording will not create the possibility of a new or different accident from any previously evaluated. The accidents these systems monitor for have already been analyzed for, including a release of the radioactive sodium during a sodium and water reaction and the release of the entire contents of the liquid waste tanks. Removing the building drains requirements will not cause a different type of accident since the drains only affect where liquid flows. Where liquid flows cannot cause an accident unless the drains place water where it does not belong. This can only impact a liquid water release or sodium accident. The editorial changes, survey deletion, and the clarification made to gaseous effluent monitoring for tritium will not create the possibility of a new or different accident, since they do not introduce any new modes of operation of facility equipment.

3. The proposed change does not involve a significant reduction in a margin of safety.

The removal of the requirements for water intrusion monitoring, liquid waste tanks level recording, and building drains may slightly reduce the margin of safety, but not significantly. Removing them does not in itself introduce water into the sodium containing systems. Nor does removing them allow for an unmonitored discharge of any radioactive effluents. Discharges are still controlled by Section C of the proposed amendment to the Technical Specifications. The decommissioning project is now ongoing and the facility no longer normally vacant as it was during the initial time following facility retirement. In addition, the calculated consequences of releasing the radioactive material are small and within 10 CFR 20 limits. The editorial changes or survey deletion will not significantly reduce a margin of safety, because the survey is of a floor plug that has been removed from the entrance to an area and has no function. The