

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.

Calvert Cliffs Nuclear Power Plant, Inc., Docket Nos. 50–317 and 50–318, Calvert Cliffs.

Nuclear Power Plant, Unit Nos. 1 and 2, Calvert County, Maryland.

Date of amendments request: October 14, 2003.

Description of amendments request: The proposed amendment would change the frequency of surveillance testing for some engineered safety features (ESF) components.

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, which is presented below:

1. Would not involve a significant increase in the probability or consequences of an accident previously evaluated.

Integrated testing of the ESF trains takes place while the unit is shut down. The equipment being tested is normally used to respond to an accident when the Unit is in Modes 1, 2, or 3. Changing the test Frequency to a longer period does not affect the scope of the testing or the methods used during the testing. Therefore, there is no increase in the probability of an accident previously evaluated caused by the testing itself.

The components tested during the integrated ESF test are components needed to mitigate the consequences of an accident. Increasing the length of time between integrated tests increases the likelihood of undetected equipment failure. This creates a change in plant risk. This change in risk is analyzed and quantified using probabilistic risk assessment techniques. The risk analysis

provides results that show the proposed increase in ESF component surveillance testing Frequency meets the guidance of Regulatory Guide 1.174, "An Approach for Using Probabilistic Risk Assessment in Risk-Informed Decisions on Plant-Specific Changes to the Licensing Basis." The increase in risk is within the guidelines of the regulatory guidance. There is no significant change in the probability that the equipment will suffer an undetected failure in the increased time between Surveillance tests. Therefore, there is no significant increase in the consequences of an accident previously evaluated.

An additional change is proposed to delete a Surveillance Requirement because the signal tested in the Surveillance Requirement is no longer installed in the plant. This deletion has no impact on plant operations or the response of the plant in an accident previously evaluated.

Therefore, the proposed change does not involve a significant increase in the probability or consequence of an accident previously evaluated.

2. Would not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed change would extend the Surveillance Frequency of the integrated ESF test. This change does not affect the scope of the testing or the methods used during the testing. Plant equipment will continue to operate as designed. Only the testing frequency is changed. Because there are no changes in the scope or method of testing and this proposed change does not affect the operation of the equipment in other circumstances, no new accident initiators have been introduced.

An additional change is proposed to delete a Surveillance Requirement because the signal tested in the Surveillance Requirement is no longer installed in the plant. This deletion has no impact on plant operations or the response of the plant and therefore would not create the possibility of a new or different kind of accident from any previously evaluated.

Therefore, this proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Would not involve a significant reduction in [a] margin of safety.

Surveillance testing is performed to evaluate the operability of equipment used to perform safety functions at the Unit. The components tested during the integrated ESF test are components needed to mitigate the consequences of an accident. Increasing the length of time between integrated tests increases the likelihood of undetected equipment failure. This creates a change in plant risk. This change in risk is analyzed and quantified using probabilistic risk assessment techniques. The risk analysis provides results that show the proposed increase in ESF component surveillance testing Frequency meets the guidance of Regulatory Guide 1.174. The increase in risk is within the guidelines of the regulatory guidance. There is no significant change in the probability that the equipment will suffer an undetected failure in the increased time

between Surveillance tests. Since the function of Surveillance testing is to evaluate the operability of equipment, and the increased time between Surveillance tests has been evaluated and found to be acceptable under regulatory guidance, the proposed change would not involve a significant reduction in [a] margin of safety.

An additional change is proposed to delete a Surveillance Requirement because the signal tested in the Surveillance Requirement is no longer installed in the plant. This deletion has no impact on plant operations or the response of the plant in an accident and does not impact the margin of safety.

Therefore, this proposed change does not significantly reduce [a] 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 amendments request involves no significant hazards consideration.

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NRC Section Chief: Richard J. Laufer.

Consumers Energy Company, Docket No. 50–155, Big Rock Point Nuclear Plant, Charlevoix County, Michigan.

Date of amendment requests: August 6, 2003.

Description of amendment requests: The Big Rock Point Plant is in the 6th year of decommissioning. The reactor was defueled and certified as permanently shutdown by letter to the Nuclear Regulatory Commission dated September 22, 1997. As of March 26, 2003, all the spent fuel has been permanently removed from the plant's spent fuel pool and located to an Independent Spent Fuel Storage Installation (ISFSI). The spent fuel has been loaded into an NRC approved and licensed Spent Fuel Dry Storage System and will be temporarily stored at this installation until such time that a permanent repository is available. The requirements associated with the wet storage of the spent fuel as described in Defueled Technical Specifications are no longer applicable and are being revised.

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, which is presented below:

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