

achieve the underlying purpose of the rule. The underlying purpose of the requirement to perform Type A containment leak rate tests at intervals during the 10-year service period, is to ensure that any potential leakage pathways through the containment boundary are identified within a time span that prevents significant degradation from continuing or becoming unknown. The NRC staff has reviewed the basis and supporting information provided by the licensee in the exemption request.

As previously noted, the initial Type A test failed. This failure was due to three sources: (1) The containment recirculation sump isolation valve, MOV-4145; (2) the temporary level indicators on the steam generators; and (3) the packing gland of a main steam line inboard vent valve. The first leakage source was identified as a problem with the limit switch setting on MOV-4145 that prevented full closure. Resetting the switches and closing the valve electrically corrected the source of leakage. This valve is now tested periodically to ensure the limit switch settings allow full closure, and the value has not demonstrated excessive leakage in any subsequent Type A test. The temporary level indicators, are components which are only in place while the plant is shutdown. Upon identification of the leakage path, the temporary configuration was isolated and has not resulted in any further leakage. The third component condition which led to an excessive leakage rate during this test was attributed to a packing failure in the main steam inboard vent valves. This condition was corrected by backseating the vent valves to eliminate leakage. In a subsequent refueling outage, the vent valves were removed and the connection was sealed with blind flanges. Following the licensee's prompt identification and corrective actions, three additional Type A tests have been successful and have demonstrated a good containment performance. Thus, the Type A test results only confirm the results of the Type B and C test results. The NRC staff has noted that the licensee has a good record of ensuring a leak-tight containment. Since the first failure, all Type A tests have passed with significant margin and the licensee has noted that the results of the Type A testing have been confirmatory of the Type B and C tests which will continue to be performed.

The NRC staff has also made use of the information in a draft staff report, NUREG-1493, which provides the technical justification for the present appendix J rulemaking effort which also

includes a 10-year test interval for Type A tests. The integrated leakage rate test, or Type A test, measures overall containment leakage. However, operating experience with all types of containments used in this country demonstrates that essentially all containment leakage can be detected by local leakage rate test (Type B and C). According to results given in NUREG-1493, out of 180 ILRT reports covering 110 individual reactors and approximately 770 years of operating history, only 5 ILRT failures were found which local leakage rate testing could not detect. This is 3 percent of all failures. This study agrees well with previous NRC staff studies which show that Type B and C testing can detect a very large percentage of containment leaks. The CC-2 experience has also been consistent with these results as previously noted.

The Nuclear Management and Resources Council (NUMARC), now the Nuclear Energy Institute (NEI), collected and provided the NRC staff with summaries of data to assist in the appendix J rulemaking effort. NUMARC collected results of 144 ILRTs from 33 units; 23 ILRTs exceeded 1.0L_a. Of these, only nine were not due to Type B or C leakage penalties. The NEI data also added another perspective. The NEI data show that in about one-third of the cases exceeding allowance leakage, the as-found leakage was less than 2L_a; in one case the leakage was found to be approximately 2L_a; in one case the as-found leakage was less than 3L_a; one case approached 10L_a; and in one case the leakage was found to be approximately 21L_a. For about half of the failed ILRTs the as-found leakage was not quantified. These data show that, for those ILRTs for which the leakage was quantified, the leakage values are small in comparison to the leakage value at which the risk to the public starts to increase over the value of risk corresponding to L_a (approximately 200L_a, as discussed in NUREG-1493). Therefore, based on these considerations, it is unlikely that an extension of one cycle for the performance of the appendix J, Type A test at CC-2 would result in significant degradation of the overall containment integrity. As a result, the application of the regulation of these particular circumstances is not necessary to achieve the underlying purpose of the rule.

Based on generic and plant specific data, the NRC staff finds the basis for the licensee's proposed exemption to allow a one-time exemption to permit a schedular extension for CC-2 of one cycle (24 months) for the performance of

the appendix J, Type A test, and to permit the third Type A test to be performed during the spring 1999 refueling which extends the second 10-year service period to 12 years to be acceptable. As a condition for granting this exemption, the licensee will perform visual containment inspections.

Pursuant to 10 CFR 51.32, the Commission has determined that granting this Exemption will not have a significant impact on the environment (60 FR 14979).

This Exemption is effective upon issuance and shall expire at the completion of the 1997 refueling outage.

Dated at Rockville, Maryland, this 3rd day of April 1995.

For the Nuclear Regulatory Commission.

Steven A. Varga,

*Director, Division of Reactor Projects—III,
Office of Nuclear Reactor Regulation.*

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[Docket Nos. 50-275 and 50-323]

Pacific Gas & Electric Co., Diablo Canyon Nuclear Power Plant, Unit Nos. 1 and 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of exemptions from Facility Operating License Nos. DPR-80 and DPR-82, issued to Pacific Gas and Electric Company (the licensee) for operation of Diablo Canyon Nuclear Power Plant, Unit Nos. 1 and 2, located in San Luis Obispo County, California.

Environmental Assessment

Identification of the Proposed Action

The proposed action would grant relief from the requirement in Section III.D.1.(a) of Appendix J to 10 CFR Part 50 that the third Type A test in a 10-year service period be conducted when the plant is shut down for the 10-year plant inservice inspections and allows the licensee to perform the three Type A tests at approximately equal intervals within each 10-year service period.

The proposed action is in accordance with the licensee's application for exemption dated February 16, 1994.

The Need for the Proposed Action

The proposed action is needed so that the licensee, given the 18-month fuel cycles at Diablo Canyon, is not required to perform a fourth Type A test in order to meet the Appendix J requirement and the Diablo Canyon Technical Specification requirement that Type A tests be conducted at 40 months plus or

minus 10 months during each 10-year service period.

Environmental Impacts of the Proposed Action

The proposed exemption would not adversely affect primary containment integrity. The three required Type A tests would still be conducted within the 10-year service period while giving the licensee flexibility in scheduling consistent with Diablo Canyon's 18-month fuel cycles. The combination of the Appendix J requirement and the current Diablo Canyon Technical Specification requirement would necessitate that the licensee, because of Diablo Canyon's 18-month fuel cycles, perform Type A tests at the second and fourth refueling outages but then would not permit the third Type A test to be conducted on a schedule that meets both requirements. The Commission has completed its evaluation of the proposed action and concludes that the intent of Section III.D.1.(a) of appendix J that containment leak-tight integrity be verified periodically throughout service lifetime is met when licensees perform three sets of Type A tests at approximately equal intervals over the 10-year service period. Therefore, the change will not increase the probability or consequences of accidents, no changes are being made in the types or amounts of any effluents that may be released offsite, and there is no significant increase in the allowable individual or cumulative occupational radiation exposure. Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action involves features located entirely within the restricted area as defined in 10 CFR part 20. It does not affect nonradiological plant effluents and has no other environmental impact. Accordingly, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

Alternatives to the Proposed Action

Since the commission has concluded there is no measurable environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact need not be evaluated. As an alternative to the proposed action, the staff considered denial of the proposed action. Denial of the application would result in no change in current environmental impacts and would result in a larger expenditure of licensee resources to

perform a fourth Type A test within a 10-year service period. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for Diablo Canyon Nuclear Power Plant, Unit Nos. 1 and 2.

Agencies and Persons Consulted

In accordance with its stated policy, on February 16, 1995, the staff consulted with the California State official, Mr. Hank Kocol of the Department of Health Services, regarding the environmental impact of the proposed action. The State official had not comments.

Finding of No Significant Impact

Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated February 16, 1994, which is available for public inspection 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 California Polytechnic State University, Robert E. Kennedy Library, Government Documents and Maps Department, San Luis Obispo, California 93407.

Dated at Rockville, Maryland, this 31st day of March 1995.

For the Nuclear Regulatory Commission.

Theodore R. Quay,

Director, Project Directorate IV-2, Division of Reactor Projects III/IV, Office of Nuclear Reactor Regulation.

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[Docket No. 50-322]

Environmental Assessment and Finding of No Significant Impact Regarding Termination of the Shoreham Nuclear Power Station, Nuclear Power Facility License No. NPF-82

The U.S. Nuclear Regulatory Commission is considering the issuance of an Order modifying the June 11, 1992, Order (the decommissioning Order) that authorized the Long Island

Power Authority (LIPA or the licensee) to decommission the Shoreham Nuclear Power Station (SNPS), Unit 1, at Wading River, New York. The SNPS is located in the town of Brookhaven, Suffolk County, New York, about 50 miles east of New York City, on the north shore of Long Island. The modifying Order would terminate License No. NPF-82 and release the site for unrestricted use based on the successful completion of decommissioning.

Environmental Assessment

Identification of Proposed Action

By letter dated June 27, 1991, the former licensee, Long Island Lighting Company (LILCO), and supplemented by letter dated August 4, 1994, the current licensee, LIPA, requested termination of the SNPS, Nuclear Power Facility (NPF) License No. NPF-82 (Docket No. 50-322). NRC approved, by Order dated June 11, 1992, the decommissioning of the SNPS. The June 11, 1992, Order contained the staff's Environmental Assessment and Finding of No Significant Impact related to the decommissioning of SNPS.

The licensee has completed the decommissioning and Final Termination Surveys of the SNPS. Representatives of the Oak Ridge Institute for Science and Education (ORISE), under contract to NRC, conducted a series of independent confirmatory surveys, during four site visits from February 1993 through November 1994. The proposed action would be to terminate the SNPS License No. NPF-82 and release the facility and site for unrestricted use.

The Need for the Proposed Action

To release the SNPS for unrestricted access and use, License No. NPF-82 must be terminated.

Environmental Impact of License Termination

In June 1992, NRC approved, by Order, the decommissioning of the SNPS. The June 11, 1992, Order contained the staff's Environmental Assessment and Finding of No Significant Impact related to the decommissioning of SNPS.

Based on an agreement between the Philadelphia Electric Company (PECO) and LIPA, the slightly irradiated fuel stored in the SNPS spent fuel pool was transferred to the Limerick Generating Station for use. The dismantlement and decontamination of the SNPS began in June 1992 and was completed in accordance with an approved decommissioning plan (DP), as supplemented, in August 1994. All