

Environmental Impacts of the Proposed Action

The proposed exemption would not adversely affect the response capabilities of the licensee and governmental agencies. The most recent DCPD offsite exercise was conducted in 1993, and there were no issues identified which required immediate corrective actions. The Federal Emergency Management Agency (FEMA), by letter dated March 2, 1995, informed the NRC that such a schedule change would have no adverse implications on public health and safety. The Commission has completed its evaluation of the proposed action and concludes that the intent of Appendix E, Section IV.F.3 to ensure site emergency preparedness is maintained is met. 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 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 hardship to the State of California. 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, Units Nos. 1 and 2.

Agencies and Persons Consulted

In accordance with its stated policy, on March 27, 1995, the staff consulted with the California State official, Mr. Steve Hsu of the Department of Health Services, regarding the environmental impact of the proposed action. The State official had no 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 October 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 4th day of April 1995.

For the Nuclear Regulatory Commission.

William H. Bateman,

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

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[Docket No. 50-341]

Detroit Edison Co.; Notice of Partial Denial of Amendment to Facility Operating License and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (the Commission) has partially denied a request by Detroit Edison Company, (license) for an amendment to Facility Operating License No. NPF-43 issued to the licensee for operation of Fermi 2, located in Frenchtown Township, Monroe County, Michigan. Notice of Consideration of Issuance of this amendment was published in the **Federal Register** on August 18, 1993 (58 FR 43925).

The purpose of the licensee's amendment request was to revise the Technical Specifications (TS) to allow use of an updated laboratory testing standard for surveillance testing of representative charcoal samples from the control room emergency filtration system (CREFS) and the standby gas

treatment system. Additionally, the CREFS ACTION STATEMENTS were to be revised to remove restrictions on CORE ALTERATIONS and handling of irradiated fuel in the secondary containment when the CREFS is inoperable under certain conditions.

The NRC staff has concluded that the licensee's request cannot be fully granted. The licensee was notified of the Commission's denial of the proposed change by a letter dated March 31, 1995.

By May 11, 1995, the licensee may demand a hearing with respect to the denial described above. Any person whose interest may be affected by this proceeding may file a written petition for leave to intervene.

A request for hearing or petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC by the above date.

A copy of any petitions should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to John Flynn, Esq., Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan 48266, attorney for the licensee.

For further details with respect to this action, see (1) the application for amendment dated July 29, 1993, as supplemented October 8, 1993, and (2) the Commission's letter to the licensee dated March 31, 1995.

These documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555 and at the Monroe County Library System, 3700 South Custer Road, Monroe, Michigan 48161. A copy of item (2) may be obtained upon written request addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Document Control Desk.

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

For the Nuclear Regulatory Commission.

Timothy G. Colburn, Sr.,

Project Manager, Project Directorate III-I, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.

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