

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 involve 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 that 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 requested exemption. Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar, but the proposed action could also result in a reduction in overall shutdown risk at CNS.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for the Cooper Nuclear Station dated February 1973.

Agencies and Persons Consulted

In accordance with its stated policy, on November 3, 1995, the staff consulted with the Nebraska State official, Ms. Cheryl Rogers, Nebraska Department of Health, 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 this action, see the licensee's request for an exemption dated October 16, 1995, 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 Auburn Public Library, 118 15th Street, Auburn, Nebraska 68305.

Dated at Rockville, Maryland, this 9th day of November, 1995.

For the Nuclear Regulatory Commission.
James R. Hall,
Senior Project Manager, Project Directorate IV-1, Division of Reactor Projects III/IV, Office of Nuclear Reactor Regulation.
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[Docket No. 50-352]

Philadelphia Electric Company, Limerick Generating Station, Unit 1; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from the requirements of 10 CFR Part 50, Appendix J (hereafter referred to as Appendix J) to Facility Operating License No. NPF-39 issued to Philadelphia Electric Company (the licensee), for operation of the Limerick Generating Station (LGS), Unit 1, located at the licensee's site in Chester and Montgomery Counties, Pennsylvania.

Environmental Assessment

Identification of the Proposed Action

The proposed action would allow an exemption from Appendix J, Section III.D.1.(a), which requires a set of three Type A tests (i.e., Containment Integrated Leakage Rate Test) to be performed at approximately equal intervals during each 10-year service period and specifies that the third test of each set be conducted when the plant is shutdown for the 10-year inservice inspection (ISI). The exemption would allow a one-time test interval extension from the current scheduled 62 months to approximately 89 months. It should also be noted that the licensee previously was granted a similar exemption on February 8, 1994 (59 FR 5758). This 1994 exemption allowed the licensee to perform its third Type A test during the 10-year plant ISI refueling outage by extending the test interval 15 months. The licensee requested that the current exemption request supersede the previously granted exemption.

The proposed action is in accordance with the licensee's application for exemption dated June 20, 1995.

The Need for the Proposed Action

The proposed action is needed to allow the licensee to realize cost savings and reduced worker radiation exposure.

Subsequent to the licensee's submittal, a rulemaking was completed (see 60 FR 49495 September 26, 1995), which allows the Type A test to be performed at intervals up to once every 10 years (the actual period is based on historical performance of the containment). However, because the licensee's outage is scheduled to begin in January 1996, there is insufficient time for the licensee to implement the amended rule prior to the start of the outage.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed exemption and concludes that this action would not significantly increase the probability or amount of expected primary containment leakage; hence, the containment integrity would be maintained. The current requirement in Section III.D.1.(a) of Appendix J to perform the three Type A tests would continue to be met, except that the time interval between the second and third type A tests would be extended to approximately 89 months.

The licensee has analyzed the results of previous Type A tests to show good containment performance and will continue to be required to conduct the Type B and C local leak rate tests which historically have been shown to be the principal means of detecting containment leakage paths. It is also noted that the licensee, as a condition of the proposed exemption, will perform the visual containment inspection although it is only required by Appendix J to be conducted in conjunction with Type A tests. The NRC staff considers that these inspections, though limited in scope, provide an important added level of confidence in the continued integrity of the containment boundary.

Based on the information presented in the licensee's application, the proposed extended test interval would not result in a non-detectable leakage rate in excess of the value established by Appendix J, or in any changes to the containment structure or plant systems. Consequently, the probability of accidents would not be increased, nor would the post-accident radiological releases be greater than previously determined. Neither would the proposed exemption otherwise affect radiological plant effluents. Accordingly, the Commission concludes that this proposed exemption would

result in no significant radiological environmental impact.

With regard to potential nonradiological impacts, the proposed action does involve 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 exemption.

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. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources

This proposed exemption does not involve the use of any resources not previously considered in the Final Environmental Statement for the Limerick Generating Stations, Units 1 and 2, dated April 1984 as supplemented on August 1989.

Agencies and Persons Consulted

In accordance with its stated policy, on September 26, 1995, the staff consulted with the Pennsylvania State official, David Ney of the Bureau of Radiation Protection, Department of Environmental Protection, 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 exemption 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 exemption.

For further details with respect to the proposed action, see the licensee's letter dated June 20, 1995, 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

Pottstown Public Library, 500 High Street, Pottstown, Pennsylvania 19464.

Dated at Rockville, Maryland, this 9th day of November 1995.

For the Nuclear Regulatory Commission.
John F. Stolz,
Director, Project Directorate I-2, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.
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[Docket Nos. 50-220 and 50-410]

Niagara Mohawk Power Corporation; Notice of Consideration of Issuance of Amendments 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 amendments to Facility Operating License Nos. DPR-63 and NPF-69 issued to Niagara Mohawk Power Corporation for operation of the Nine Mile Point Nuclear Station, Unit Nos. 1 and 2, respectively, located in Oswego County, New York.

The proposed amendments would change position titles and reassign responsibilities at the upper management level.

Before issuance of the proposed license amendments, 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:

The operation of Nine Mile Point Unit 1 [and Unit 2], in accordance with the proposed amendment[s], will not involve a significant increase in the probability or consequence of an accident previously evaluated.

None of the accidents previously evaluated are affected by the proposed corporate management position title changes or by the reassignment of responsibilities. The revised

organizational structure will not affect the design of systems, structures, or components; the operation of plant equipment or systems; nor maintenance, modification, or testing activities. The revised management reporting structure and assignment of responsibilities does not involve accident precursors or initiators previously evaluated and does not create any new failure modes that would affect any previously evaluated accidents. Therefore, operation in accordance with the proposed amendment[s] will not involve a significant increase in the probability or consequences of an accident previously evaluated.

The operation of Nine Mile Point Unit 1 [and Unit 2], in accordance with the proposed amendment[s], will not create the possibility of a new or different kind of accident from any accident previously evaluated.

The revised organizational structure will not affect the design of systems, structures, or components; the operation of plant equipment or systems; nor maintenance, modification or testing activities. The proposed position title changes and responsibility assignments do not create any new failure modes or conditions that would create a new or different kind of accident. Therefore, operation in accordance with the proposed amendment[s] will not create the possibility of a new or different kind of accident from any previously evaluated.

The operation of Nine Mile Point Unit 1 [and Unit 2], in accordance with the proposed amendment[s], will not involve a significant reduction in a margin of safety.

The proposed amendment[s] define the lines of authority, responsibility, and communication necessary to ensure operation of the facility in a safe manner. The present Executive Vice President—Nuclear will assume the responsibilities of Chief Nuclear Officer. The present Vice President—Nuclear Generation will assume the responsibilities of Vice President and General Manager—Nuclear. These assignments provide the highest level of management expertise and experience in the operation of Nine Mile Point Unit 1 [and Unit 2] and assure that adequate operational safety is maintained. Therefore, the proposed organizational restructuring will not involve a significant reduction in a margin of safety.

As determined by the analysis, the proposed amendment[s] involve no significant hazards consideration.

The NRC staff has reviewed the licensee's analyses 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 proposed amendments involve no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendments until the