

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 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 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 action does not involve the use of any resources not previously considered in the Final Environmental Statement for the McGuire Nuclear Station, Units 1 and 2.

#### *Agencies and Persons Consulted:*

In accordance with its stated policy, on January 4, 1996, the staff consulted with the North Carolina official, Mr. J. James of the Division of Radiation Protection, North Carolina Department of Environment, Health and Natural Resources, 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 July 18, 1994, as supplemented by letter dated October 9, 1995, which are 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 Atkins Library, University of North Carolina, Charlotte (UNCC Station), North Carolina.

Dated at Rockville, Maryland, this 7th day of February 1996.

For the Nuclear Regulatory Commission.

Eugene V. Imbro,

*Acting Director, Project Directorate II-2,  
Division of Reactor Projects—I/II, Office of  
Nuclear Reactor Regulation.*

[FR Doc. 96-3256 Filed 2-13-96; 8:45 am]

BILLING CODE 7590-01-P

### **Biweekly Notice Involving No Significant Hazards Considerations; Applications and Amendments to Facility Operating Licenses**

#### **I. Background**

Pursuant to Public Law 97-415, the U.S. Nuclear Regulatory Commission (the Commission or NRC staff) is publishing this regular biweekly notice. Public Law 97-415 revised section 189 of the Atomic Energy Act of 1954, as amended (the Act), to require the Commission to publish notice of any amendments issued, or proposed to be issued, under a new provision of section 189 of the Act. This provision grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from January 22, 1996, through February 2, 1996. The last biweekly notice was published on January 31, 1996 (61 FR 3497).

#### **Notice of Consideration of Issuance of Amendments To Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing**

The Commission has made a proposed determination that the following amendment requests involve 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. The basis for this proposed determination for each amendment request is shown below.

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 amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received before action is taken. Should the Commission take this action, it will publish in the Federal Register a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this Federal Register notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC. The filing of requests for a hearing and petitions for leave to intervene is discussed below.

By March 15, 1996, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714

which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC and at the local public document room for the particular facility involved. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner

must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a 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. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to (Project Director): petitioner's name and telephone number, date petition was mailed, plant name, and publication date and page number of this Federal Register notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and 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 Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room for the particular facility involved.

Baltimore Gas and Electric Company, Docket Nos. 50-317 and 50-318, Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, Calvert County, Maryland

*Date of amendments request:* January 16, 1996.

*Description of amendments request:* The proposed amendments would revise the Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, Technical Specifications (TSs) to adopt Option B of 10 CFR Part 50, Appendix J, to require Type A containment leak rate tests to be performed on a performance-based testing schedule. Specifically, TSs 3/4.6.1.2 and 4.6.1.6.3 will be revised to reference a new Containment Leakage Rate Testing Program, TS 6.0 will be revised to add the new Containment Leakage Rate Testing Program, identify the programmatic controls for the new program, and reference the source of the programmatic guidelines, Regulatory Guide 1.116, "Performance-Based Containment Leak-Test Programs," dated September 1995. The TS Bases will be revised to reflect these changes.

*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.

Containment leakage rate testing is performed in accordance with 10 CFR Part 50, Appendix J, "Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors." The Appendix J containment leakage test requirements include performance of Type A tests, which measure the overall leakage rate of the containment, and Type B and C tests, which measure the leakage through containment penetrations and valves. The Commission has amended the regulations to provide a

performance-based alternative, Option B, to the existing Appendix J. At this time, Baltimore Gas and Electric Company plans to adopt Option B for Type A testing only.

Implementation of Option B involves no physical or operational changes to the plant structures, systems or components. Furthermore, leakage rate testing and containment surface visual inspections do not contribute to the initiation of any postulated accidents; therefore, this proposed change does not involve an increase in the probability of any previously evaluated accidents.

Type A testing is necessary to demonstrate that leakage through the containment is within the limits assumed in the accident analyses. The only potential effect of the proposed change to the Type A test frequency is the possibility that containment leakage would go undetected between tests. As described in NUREG-1493, passive failures resulting in containment leakage in excess of that assumed in the accident analyses are extremely unlikely to develop between Type A tests. Additionally, the Calvert Cliffs Individual Plant Examination considered the phenomenological effects associated with severe accidents which could lead to containment failure. It was concluded that adopting a performance-based testing interval will not significantly affect the containment failure probabilities calculated for the Individual Plant Examination. Furthermore, the required frequency for containment surface examinations to identify containment degradation precursors will be relocated from the Technical Specifications to the Containment Leakage Rate Testing Program, but will remain at three examinations every ten years as recommended by Regulatory Guide 1.163, September 1995. Altogether, adoption of a performance-based testing frequency, as specified in 10 CFR Part 50, Appendix J, Option B, will not significantly decrease the confidence in the leak-tightness of the containment. Therefore, this change will not result in a significant increase in the probability of undetected containment degradation or in the consequences of an accident previously evaluated.

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

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

The proposed Technical Specification change adopts a performance-based approach to containment leakage rate testing. This change does not add any new equipment, modify any interfaces with any existing equipment, or change the equipment's function, or the method of operating the equipment. The proposed change does not affect normal plant operations or configuration, nor does it affect leakage rate test methods. As the proposed change would not change the design, configuration or operation of the plant, it could not cause containment leakage rate testing to become an accident initiator.

Therefore, the proposed change does not create the possibility of a new or different

type of accident from any accident previously evaluated.

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

The purpose of the existing schedule for Type A tests is to ensure that the release of radioactive material will be restricted to those leak paths and leakage rates assumed in the accident analyses. The margin of safety associated with containment leakage rate is not reduced if containment leakage does not exceed the maximum allowable leakage rate defined in the Technical Specifications. The proposed Technical Specification change implements a performance-based Type A testing option, but does not affect the maximum allowable containment leakage rate. The proposed change does not affect a safety limit, a Limiting Condition for Operation, or the way in which the plant is operated.

In NUREG-1493, the Commission included a sensitivity study to explore the risk affect of several alternate leakage rate testing schedules. This study concludes that decreasing the Type A testing frequency to one test per twenty years would "lead to an imperceptible increase in risk." Additionally, it was determined that implementation of the performance-based testing option will not significantly affect the containment failure probability calculated in the Calvert Cliffs Individual Plant Examination. Based upon these studies, there is sufficient information to conclude that the risk increase, and that the probability of exceeding the maximum allowable containment leakage rate as a result of adopting Option B, is low.

Therefore, the proposed change does not involve a significant reduction in 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 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendments request involves no significant hazards consideration.

*Local Public Document Room location:* Calvert County Library, Prince Frederick, Maryland 20678.

*Attorney for licensee:* Jay E. Silbert, Esquire, Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037.

*NRC Project Director:* Ledyard B. Marsh.

Carolina Power & Light Company, Docket No. 50-261, H. B. Robinson Steam Electric Plant, Unit No. 2, Darlington County, South Carolina

*Date of amendment request:* November 27, 1995.

*Description of amendment request:* The proposed change would revise technical specification (TS) section 3.2 to remove requirements for the chemical and volume control system (CVCS). The CVCS requirements would be relocated to a licensee-controlled document and

controlled by the 10 CFR 50.59 evaluation process.

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

The proposed change removes the Chemical and Volume Control System (CVCS) requirements from the Technical Specifications (TS) and relocates these requirement[s] to a licensee-controlled document. As such, the proposed change only affects plant documentation and does not change the operating requirements or the plant physical or operating configuration. The CVCS requirements will be controlled by the plant approved process for the licensee-controlled document using the 10 CFR 50.59 evaluation process. The proposed change relocating the CVCS requirements from the TS to licensee control will not affect the probability of an accident previously evaluated because the operating restrictions will remain in effect and any change to the operating restrictions will be performed in accordance with 10 CFR 50.59.

Examination of the H. B. Robinson Steam Electric Plant, Unit No. 2 Updated Final Safety Analysis Report (UFSAR) Chapter 15, Accident Analysis, finds that no CVCS structure, system, or component functions or actuates to mitigate a design basis accident or transient. Valves at the CVCS to Reactor Coolant System (RCS) interface perform a containment isolation function. However, the TS Section 3.2 does not address the containment isolation aspect of the CVCS. As such, the proposed change to remove the CVCS requirements from the TS will not affect the consequences of an accident previously evaluated.

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

The proposed change removes the CVCS requirements from the TS and relocates the requirements to a licensee-controlled document. As such, the proposed change only affects plant documentation and does not change the operating requirements or the plant physical or operating configuration. The CVCS requirements will be controlled by the plant approved process for the licensee-controlled document using the 10 CFR 50.59 evaluation process. The proposed change will not create the possibility of a new or different kind of accident from any accident previously evaluated because any future change to these operating restrictions will be performed in accordance with 10 CFR 50.59.

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

The proposed change removes the CVCS requirements from the TS based on the criteria of 10 CFR 50.36(c)(2)(ii). The CVCS requirements will be relocated to a licensee-

controlled document. As such, the proposed change only affects plant documentation and does not change operating requirements or the plant physical or operating configuration. The CVCS requirements will be controlled by the plant approved process for the licensee-controlled document using the 10 CFR 50.59 evaluation process. The proposed change will not result in any reduction in the margin of safety because any future change to the CVCS operating restrictions will be performed in accordance with 10 CFR 50.59. Therefore, the proposed change does not involve a significant reduction in 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 amendment request involves no significant hazards consideration.

*Local Public Document Room location:* Hartsville Memorial Library, 147 West College Avenue, Hartsville, South Carolina 29550.

*Attorney for licensee:* R. E. Jones, General Counsel, Carolina Power & Light Company, Post Office Box 1551, Raleigh, North Carolina 27602.

*NRC Project Director:* David B. Matthews.

Carolina Power & Light Company, Docket No. 50-261, H. B. Robinson Steam Electric Plant, Unit No. 2, Darlington County, South Carolina

*Date of amendment request:* December 10, 1995.

*Description of amendment request:* The proposed change would revise technical specification (TS) section 3.5.1 and Tables 3.5-2, 3, and 4 concerning the reactor trip system (RTS), engineered safety feature actuation system (ESFAS), and isolation function. TS would be revised to (1) specify actions to be taken when an instrument channel becomes inoperable, (2) add an "Applicable Conditions" column that defines the applicability and/or mode of operation of each functional unit, and (3) make editorial enhancements.

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

The proposed change to upgrade the RTS and ESFAS TS to more closely agree with Westinghouse Standard TS (i.e., NUREG-0452) will not result in any hardware changes. The RTS and ESFAS are not assumed to be initiators of analyzed events.

The role of these systems is in mitigating and thereby limiting the consequences of accidents. The proposed changes will ensure the RTS and ESFAS remain capable of mitigating design basis events as described in the Updated Final Safety Analysis Report (UFSAR) and that the results of the analyses in the UFSAR remain bounding.

Additionally, the proposed changes do not impose any new safety analyses limits or alter the plant's ability to detect and mitigate events. Therefore, this change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

The proposed change to upgrade the RTS and ESFAS TS to more closely agree with Westinghouse Standard TS (i.e., NUREG-0452) does not necessitate a physical alteration of the plant (i.e., no new or different type of equipment will be installed) or changes in parameters governing normal plant operation. Thus, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

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

The proposed change, which upgrades the RTS and ESFAS TS to be consistent with Westinghouse Standard TS (i.e., NUREG-0452) does not involve a significant reduction in a margin of safety. The proposed change has been developed to ensure the analyzed safety limits are not exceeded and ensures the RTS and ESFAS are available when necessary to mitigate the consequences of accidents. It also imposes additional requirements to ensure the RTS and ESFAS remain capable of mitigating the consequences of design basis accidents as described in the UFSAR accident analyses. In addition, this change provides a benefit of avoiding unnecessary plant transients when adequate compensatory measures are available to ensure the intended function of the instrumentation is satisfied.

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 amendment request involves no significant hazards consideration.

*Local Public Document Room location:* Hartsville Memorial Library, 147 West College Avenue, Hartsville, South Carolina 29550.

*Attorney for licensee:* R. E. Jones, General Counsel, Carolina Power & Light Company, Post Office Box 1551, Raleigh, North Carolina 27602.

*NRC Project Director:* David B. Matthews.

Connecticut Yankee Atomic Power Company, Docket No. 50-213, Haddam Neck Plant, Middlesex County, Connecticut, and Northeast Nuclear Energy Company, et al., Docket Nos. 50-245, 50-336, and 50-423, Millstone Nuclear Power Station, Unit Nos. 1, 2, and 3, New London County, Connecticut

*Date of amendment request:* November 22, 1995.

*Description of amendment request:* The amendments would revise the Technical Specifications (TS) for Haddam Neck and Millstone Unit Nos. 1, 2, and 3 to be consistent with the guidance of Generic Letter 93-07. The proposed changes will remove review of the emergency and security plans from the TS list of responsibilities of the Plant Operations Review Committee (PORC)/Site Operations Review Committee (SORC), and will also remove the requirement for PORC/SORC to review procedures and procedure changes necessary for the implementation of the emergency and security plans.

*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:

\* \* \* The proposed changes do not involve an SHC [significant hazards consideration] because the changes would not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed changes delete the technical specification requirement to review the emergency plans, security plans, and their implementing procedures by PORC/SORC. The requirement which mandates PORC/SORC review will be maintained in the respective emergency plan and security plan. These changes are purely administrative in nature. These changes do not affect the configuration, operation, or performance of any system, structure, or component. The proposed changes are therefore not relevant to the probability of initiation of any accident previously evaluated, and they are not related to the prevention or mitigation of any accident previously evaluated. Thus they do not increase the consequences of any design basis accident.

Therefore, these proposed changes to the Technical Specifications do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed changes delete from the technical specifications the line item requiring the review of emergency plans, security plans, and their implementing

procedures by PORC/SORC. Revisions to these plans will continue to be reviewed by PORC/SORC due to commitments to contain the requirement for PORC/SORC review in the emergency plan and security plan. These changes are purely administrative in nature.

None of the proposed changes described above alter the configuration, normal operation, design bases, function, or performance of any components or systems. Thus, the proposed administrative changes do not create the possibility of a new or different kind of accident from any previously evaluated since these changes do not introduce any new or different equipment, operating mode, or design basis functions for the existing licensed structures, systems and components. Thus, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

3. Involve a significant reduction in a margin of safety.

None of the above proposed changes alter the configuration, normal operation, design bases, function, or performance of any components or systems. Therefore, the proposed changes do not affect the margin of safety inherent in the design, analysis, function, or operation of the relevant structures, systems or components.

These proposed changes do not alter the fuel clad barrier, fuel integrity, reactor coolant system integrity or the containment boundary integrity; thus no margin of safety related to these barriers is involved.

None of the proposed administrative changes described above alter the configuration, normal operation, design bases, function or performance of any components, systems, or barriers to a radiological release. Thus, the proposed administrative changes do not affect the margin of safety inherent in the design, analysis, function, or operation of the relevant structures, systems or components.

Based on the above, these proposed changes do not involve a significant reduction in 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 amendment request involves no significant hazards consideration.

*Local Public Document Room*

*location:* Russell Library, 123 Broad Street, Middletown, CT 06457 for the Haddam Neck Plant, and Learning Resources Center, Three Rivers Community-Technical College, 574 New London Turnpike, Norwich, CT 06360 for Millstone Units 1, 2, and 3.

*Attorney for licensee:* Lillian M. Cuoco, Esq., Senior Nuclear Counsel, Northeast Utilities Service Company, P.O. Box 270, Hartford, CT 06141-0270.

*NRC Project Director:* Phillip F. McKee.

Duke Power Company, et al., Docket Nos. 50-413 and 50-414, Catawba Nuclear Station, Units 1 and 2, York County, South Carolina

*Date of amendment request:* January 11, 1996.

*Description of amendment request:* The Catawba Unit 1 and the Catawba Unit 2 containment process penetration M308 and associated containment isolation valves are currently not in service and serve no function other than providing containment integrity. The licensee plans to implement modifications for both units to remove containment isolation valves RN-429A and RN-432B of penetration M308, remove associated wiring and control room instrumentation, and cut and cap tubing providing containment valve injection water to these containment isolation valves during the forthcoming Unit 1 refueling outage, currently scheduled to begin by June 1996, and the Unit 2 refueling outage currently scheduled to begin in March 1997. The proposed Technical Specifications (TS) would be revised to delete these containment isolation valves and associated equipment to permit implementation of these modifications. The licensee's requested amendment removes process penetration M308 from TS Table 3.6-1 and removes containment isolation valves RN-429A and RN-432B from TS Table 3.6-2a and Table 3.6-2b due to planned modifications which physically remove these valves from process penetration M308.

*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:

*Criterion 1*

The physical removal of containment isolation valves RN-432B and RN-429A, associated control room instrumentation, containment valve injection water connections to these valves and the subsequent sealing of process penetration M308 will decrease unnecessary challenges to containment isolation, containment valve injection water leak-rate testing and the condition of control room instrumentation, as opposed to the current configuration.

Since the sealing of process penetration M308 will be performed per the requirements of the applicable ASME code piping safety class requirements, the confidence in the pressure boundary will be equivalent to the component as originally designed. Therefore, this Technical Specification amendment to remove process penetration M308 from Technical Specification Table 3.6-1 and to remove containment isolation valves RN-429A and 432B from Technical Specification

Table 3.6-2a and Table 3.6-2b will not increase the probability or consequences of an accident that has been previously evaluated.

*Criterion 2*

Since no new failure modes are created, on the basis that the penetration is equivalent in confidence to the original design, and the plant will operate the same way it does now, this Technical Specification amendment to remove process penetration M308 from Technical Specification Table 3.6-1 and to remove containment isolation valves RN-429A and 432B from Technical Specification Table 3.6-2a and Table 3.6-2b does not create the possibility of a new or different kind of accident from any accident previously evaluated.

*Criterion 3*

This proposed change to Technical Specifications will not cause a significant reduction in the margin of safety. Upon completion of the removal of containment isolation valves RN-432B and 429A and the subsequent sealing of process penetration M308, the penetration will be Type B leak rate tested as part of post-modification testing, and will be retested periodically and following each use of the penetration for temporary containment cooling purposes during refueling outages. Therefore, the fuel, cladding, reactor coolant pressure boundary, and containment are not negatively affected by the proposed Technical Specification amendment. No assumptions made in any accident analysis are compromised by this proposed Technical Specification amendment.

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 amendment request involves no significant hazards consideration.

*Local Public Document Room location:* York County Library, 138 East Black Street, Rock Hill, South Carolina 29730.

*Attorney for licensee:* Mr. Albert Carr, Duke Power Company, 422 South Church Street, Charlotte, North Carolina 28242.

*NRC Project Director:* Herbert N. Berkow.

Florida Power and Light Company, et al., Docket Nos. 50-335 and 50-389, St. Lucie Plant, Unit Nos. 1 and 2, St. Lucie County, Florida

*Date of amendment request:* January 4, 1996.

*Description of amendment request:* The proposed revisions rectify a discrepancy in Specification 3.5.3 for each St. Lucie unit, and provide assurance that administrative controls for High Pressure Safety Injection pumps remain effective in the lower operational modes.

*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) Operation of the facility in accordance with the proposed amendment would not involve a significant increase in the probability or consequences of an accident previously evaluated.

The amendment proposed for each St. Lucie Unit (1 and 2) rectifies an error in the Applicability statement for Technical Specification 3.5.3, which provides limiting conditions for operation (LCO) for the Emergency Core Cooling System (ECCS) subsystems during plant shutdown. The revision is administrative in nature and does not change the technical requirements within the LCO that are established to assure a minimum functional capability required of the ECCS systems to mitigate analyzed transients. Rather, the revision provides assurance that the effectiveness of certain administrative controls, established to restrict the number of operable HPSI [High Pressure Safety Injection] pumps during shutdown, will not be diminished by a misinterpretation of the modes and conditions for which the LCO must apply.

This proposal does not create any accident initiators, nor does it change the availability or method of operation of equipment that is assumed to function in the success path(s) for mitigating accidents evaluated in the plant safety analyses. Therefore, operation of either facility in accordance with its proposed amendment would not involve a significant increase in the probability or consequences of an accident previously evaluated.

(2) Operation of the facility in accordance with the proposed amendment would not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed administrative change to the LCO 3.5.3 Applicability statement for each St. Lucie unit will not change the physical plant or the modes of plant operation defined in the Facility License. The revision does not involve the addition or modification of equipment, nor does it alter the design or operation of plant systems. Therefore, operation of either facility in accordance with its proposed amendment would not create the possibility of a new or different kind of accident from any accident previously evaluated.

(3) Operation of the facility in accordance with the proposed amendment would not involve a significant reduction in a margin of safety.

The proposed amendment involves an administrative change to LCO 3.5.3 for each St. Lucie unit, which applies to the ECCS subsystems during the plant shutdown modes. The revision rectifies a discrepancy in the Applicability statement, and thereby provides assurance that the effectiveness of administrative controls established within the LCO to limit the number of operable High Pressure Safety Injection pumps during the shutdown modes will not be diminished. The

changes do not alter the basis for any technical specification that is related to the establishment of, or the maintenance of, a nuclear safety margin. Therefore, operation of either facility in accordance with its proposed amendment would not involve a significant reduction in 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 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Local Public Document Room location:* Indian River Junior College Library, 3209 Virginia Avenue, Fort Pierce, Florida 34954-9003.

*Attorney for licensee:* Harold F. Reis, Esquire, Newman and Holtzinger, 1615 L Street, NW., Washington, DC 20036.

*NRC Project Director:* David B. Matthews.

IES Utilities Inc., Docket No. 50-331, Duane Arnold Energy Center, Linn County, Iowa

*Date of amendment request:* January 18, 1996.

*Description of amendment request:* The proposed amendment would lower the Reactor Water Cleanup (RWCU) isolation setpoint from reactor low level to reactor low-low level.

*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) The proposed [technical specification] TS amendment will not significantly increase the probability or consequences of any previously evaluated accidents. The RWCU vessel level isolation occurs as a result of a [loss-of-coolant-accident] LOCA and therefore does not affect the probability of occurrence of a LOCA or any other previously evaluated accident.

An IES calculation demonstrates that for all RWCU breaks or cracks considered, high ambient temperature, high differential temperature and/or high differential flow will provide the RWCU isolation signal prior to reaching reactor low level. Therefore, the level setpoint acts as a backup isolation signal for a break in RWCU piping outside primary containment.

As discussed, this change will utilize four existing reactor level sensors. These reactor level sensors are safety related and located in the same physical area and in the same configuration as the four existing sensors. Therefore, the reliability of the RWCU vessel level isolation capability is not reduced.

(2) The proposed changes will not create the possibility of a new or different kind of accident. The configuration of the RWCU isolation valves is unchanged. As before, the failure of any single active component in the

new logic results in, at worst, failure of one containment isolation valve to close. Because the closure of one of the two valves is sufficient to achieve the containment isolation, the possibility of an accident of a different type is not increased.

The modification to the RWCU vessel level isolation logic has been designed to the same standards as the original logic. This change will require the same surveillance requirements for the reactor low-low level trip point circuitry that are currently required for the reactor low level trip point circuitry. All other RWCU isolation functions remain unchanged. Consequently, no new accidents are postulated as a result of this proposed change.

(3) The proposed change will not result in a significant reduction in any margin of safety. No margin of safety is affected by this change. The RWCU vessel level isolation occurs to establish primary containment and limit fluid loss. The proposed change will preserve these functions.

It can be noted, however, that for a RWCU piping break outside primary containment, high ambient temperature, high differential temperature and/or high differential flow will provide the RWCU isolation signal. In the unlikely event that these temperature and flow sensing devices fail, isolation will be initiated upon reactor level reaching 119.5" above [top of active fuel] TAF. Using blowdown rates and valve closure times, analysis shows reactor level will not drop below 105" above TAF. The is well above the TAF. Additionally, lowering the RWCU isolation setpoint does not increase the consequences of a LOCA.

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 amendment request involves no significant hazards consideration.

*Local Public Document Room location:* Cedar Rapids Public Library, 500 First Street, S.E., Cedar Rapids, Iowa 52401.

*Attorney for licensee:* Jack Newman, Kathleen H. Shea, Morgan, Lewis, & Bockius, 1800 M Street, NW., Washington, DC 20036-5869.

*NRC Project Director:* Gail H. Marcus.

IES Utilities Inc., Docket No. 50-331, Duane Arnold Energy Center, Linn County, Iowa

*Date of amendment request:* January 30, 1996.

*Description of amendment request:* The proposed amendment would revise certain control rod scram insertion time testing limits. The proposed change is compatible with the limits specified in the Improved Standard Technical Specifications (ITS), NUREG 1433, Revision 1, "Standard Technical Specifications, General Electric Plants, BWR/4."



*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) The proposed amendment does not involve a change in the probability or consequences of an accident previously evaluated. The amount of reactivity inserted at rod position 46 (approximately 5% of rod insertion) is small and the time required to insert this amount of reactivity is not explicitly considered in the plant transient analysis. A generic BWR/2-5 study (Reference 3 [EAS-56-0889, "BWR/2-5 Scram Time Technical Specification", dated August 1989]) performed on behalf of the [boiling water reactor] BWR Owner's Group to support the ITS demonstrated that relaxing the 5% rod insertion time requirement had a negligible impact on plant transient performance provided the insertion time requirements to the other rod positions are met. We have confirmed that this study is applicable to the [Duane Arnold Energy Center] DAEC. Increasing the allowable average scram insertion time to rod position 46 for all Operable control rods in addition to increasing the allowable average scram insertion time to rod position 46 for the three fastest control rods in any 2X2 array would still demonstrate that the [control rod drive] CRD system will perform its intended function. Scram time is a measure of CRD performance for operability. As such, it is not the initiator of any plant event. Therefore, the proposed change will not result in an increase in the probability of an accident occurring.

(2) The amount of reactivity inserted at rod position 46 (approximately 5% of rod insertion) is small and the time required to insert this amount of reactivity is not explicitly considered in the transient analysis. A generic BWR/2-5 study showed that relaxing the 5% rod insertion time requirement had a negligible impact on plant transient performance. Increasing the allowable average scram insertion time to rod position 46 for all Operable control rods, while increasing the allowable average scram insertion time to rod position 46 for the three fastest control rods in any 2X2 array, would still demonstrate that the CRD system will perform its intended function. Therefore, increasing the limits proposed does not create the possibility of a new or different kind of accident from any previously evaluated. Scram time is a measure of CRD performance for operability. As such, it is not the initiator of any plant event.

(3) The safety limit most affected by an increase in scram times is the Minimum Critical Power Ratio (MCPR). The DAEC [technical specification] TS safety limit for MCPR is 1.07. To ensure that the MCPR safety limit is not exceeded during design basis transients and accidents, an operating limit is conservatively placed on the MCPR during normal plant operation (OLMCPR). The amount of reactivity inserted at rod position 46 (approximately 5% of rod insertion) is small. The analysis used to

establish the OLMCPR does not consider the scram insertion time at position 46 but does consider the scram insertion time to rod position 38 for the most limiting transient (turbine load rejection without bypass). The required scram time to position 38 remains unchanged by this proposed amendment. A generic BWR/2-5 study showed that relaxing the 5% rod insertion time requirement had a negligible impact on plant transient performance. This change will not result in any changes to the calculated OLMCPR, which assures that the safety limit MCPR will not be exceeded. Therefore, this change will not reduce the 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 amendment request involves no significant hazards consideration.

*Local Public Document Room*

*location:* Cedar Rapids Public Library, 500 First Street, S.E., Cedar Rapids, Iowa 52401.

*Attorney for licensee:* Jack Newman, Kathleen H. Shea, Morgan, Lewis, & Bockius, 1800 M Street, N.W., Washington, DC 20036-5869.

*NRC Project Director:* Gail H. Marcus.

Northeast Nuclear Energy Company, et al., Docket No. 50-336, Millstone Nuclear Power Station, Unit No. 2, New London, Connecticut

*Date of amendment request:*

December 18, 1995.

*Description of amendment request:*

The Allowable Value for the Reactor Coolant Flow Instrumentation contained in Table 2.2-1 is proposed to be changed to reflect the design changes implemented during the last refueling outage. The Reactor Coolant System (RCS) Steam Generator Differential Pressure Instrumentation Loops have been modified to reflect a re-calibration of the differential pressure transmitter from "-8 to 64 psid" to "0 to 35 psid," and an elimination of the Foxboro signal characterizer modules from the instrument loop string.

Additionally, an editorial change is proposed for the text associated with the allowable value. The current wording "reactor coolant" is being changed to "reactor coolant flow."

*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:

Pursuant to 10 CFR 50.92, NNECO has reviewed the proposed changes. NNECO concludes that these changes do not involve a significant hazards consideration (SHC) since the proposed changes satisfy the

criteria in 10 CFR 50.92(c). That is, the proposed changes do not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed change to the Allowable Value of the Reactor Coolant Flow Instrumentation is based on design changes that reduce the uncertainties in the overall instrument loop, as well as improved calculation methodology for instrument uncertainty and setpoint. The new hardware configuration results in calculated uncertainties which are bounded by the Safety Analysis assumptions. There is no adverse impact on any design basis analysis due to this change, and, therefore does not affect the probability or consequence of any previously evaluated accident.

Additionally, the proposed change to add the word "flow" is an editorial correction and therefore does not affect the probability or consequence of any previously evaluated accident.

2. Create the possibility of a new or different kind of accident from any accident previously evaluated.

The new Allowable Value has been calculated using an improved methodology. The new hardware configuration results in calculated uncertainties which are bounded by the Safety Analysis assumptions. The function of the Allowable Value is not changed. Therefore no new accident scenarios are created.

Additionally, the proposed change to add the word "flow" is an editorial correction and therefore no new accident scenarios are created.

3. Involve a significant reduction in a margin of safety.

The change to the Allowable Value for the Reactor Coolant Flow Instrumentation reflects the design changes implemented during the last refueling outage. The design improvement of the loop performance ensures that the assumptions of the Safety Analysis are met. Since the proposed changes do not affect the consequences of any accident previously analyzed, there is no reduction in a margin of safety.

Additionally, the proposed change to add the word "flow" is an editorial correction and has no effect on the 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 amendment request involves no significant hazards consideration.

*Local Public Document Room*

*location:* Learning Resources Center, Three Rivers Community-Technical College, 574 New London Turnpike, Norwich, CT 06360.

*Attorney for licensee:* Lillian M. Cuoco, Esq., Senior Nuclear Counsel, Northeast Utilities Service Company, P.O. Box 270, Hartford, CT 06141-0270.

*NRC Project Director:* Phillip F. McKee.

Northeast Nuclear Energy Company, et al., Docket No. 50-336, Millstone Nuclear Power Station, Unit No. 2, New London, Connecticut

*Date of amendment request: January 5, 1996.*

*Description of amendment request:* Northeast Nuclear Energy Company (NNECO) is proposing to implement the guidance of Generic Letter 93-08 and relocate Tables 3.3-2, "Reactor Protective Instrumentation Response Times" and 3.3-5, "Engineered Safety Features Response Times" from the technical specifications to the Millstone Unit No. 2 Technical Requirements Manual (TRM). In accordance with Generic Letter 93-08, the Limiting Conditions for Operations for Technical Specifications 3.3.1.1, 3.3.2.1, and 3.7.1.6 are also proposed to be revised to eliminate their references to the aforementioned tables. NNECO has also proposed to revise Bases 3/4.3.1 and 3/4.3.2 to reference that the instrument response times are located in the TRM and that these tables in the TRM are now controlled under 10CFR50.59. NNECO also proposes to remove a cycle-specific note from Tables 3.3-3 and 3.3-4.

*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:

In accordance with 10CFR50.92, NNECO has reviewed the attached proposed changes and has concluded that they do not involve a significant hazards consideration. The basis of this conclusion is that the three criteria of 10CFR50.92(c) are not compromised. The proposed changes do not involve a significant hazards consideration because the changes would not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed license amendment will remove the reactor protective system and engineered safety feature actuation response times from the technical specifications. This proposed change will not affect the operation of the reactor protective system and the engineered safety feature actuation system. Operability and surveillance requirements are still maintained in the technical specifications and the response times will be included and maintained in the Technical Requirements Manual (TRM). Once relocated to the TRM, any future proposed changes will require a safety evaluation and Plant Operations Review Committee review.

The proposed license amendment will also delete the cycle-specific note contained in Tables 3.3-2 and 3.3-4. This is administrative in nature and do not result in changes to plant configuration, operation, accident mitigation, or analysis assumptions. The notes was in effect only during Cycle 12.

Since the systems will not be affected by the proposed changes, there is no impact on the performance of these systems or on the probability or consequences of an accident previously analyzed.

2. Create the possibility of a new or different kind of accident from any previously evaluated.

There are no new failure modes associated with the proposed changes. Since the plant will continue to operate as designed, the proposed changes will not modify plant responses to the point where it can be considered a new or different kind of accident.

Involve a significant reduction in a margin of safety.

The proposed changes do not have any adverse impact on the protective boundaries nor do they affect the consequences of any accident previously analyzed. The portion of the change associated with Generic Letter 93-08 will not affect the technical specification operability and surveillance requirements which will still ensure that the systems are tested and are within limits. Changing the limits requires a safety evaluation and Plant Operations Review Committee review. This will ensure that the licensing basis is maintained.

The proposed changes to delete the cycle-specific notes are administrative in nature and do not result in changes to plant configuration, operation, accident mitigation, or analysis assumptions. The notes were in effect only during Cycle 12.

Therefore, the proposed changes will not result in a significant reduction in the 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 amendment request involves no significant hazards consideration.

*Local Public Document Room location:* Learning Resources Center, Three Rivers Community-Technical College, 574 New London Turnpike, Norwich, CT 06360.

*Attorney for licensee:* Lillian M. Cuoco, Esq., Senior Nuclear Counsel, Northeast Utilities Service Company, P.O. Box 270, Hartford, CT 06141-0270.

*NRC Project Director:* Phillip F. McKee.

Northeast Nuclear Energy Company, et al., Docket No. 50-336, Millstone Nuclear Power Station, Unit No. 2, New London, Connecticut

*Date of amendment request: January 26, 1996.*

*Description of amendment request:* The licensee proposes to modify the Technical Specifications for Millstone Unit No. 2 as follows:

1. Limiting Condition for Operation 3.6.1.2.a-c: Replace the less than or equal to sign with a "<" sign for

consistency with Appendix J wording on leakage limits.

2. Surveillance Requirements:

a. Type "A" tests: Surveillance Requirements 4.6.1.2.a-c are revised to replace specific guidance with a reference to the Containment Leakage Testing Program.

b. Type "B & C" tests: Surveillance Requirement 4.6.1.2.d-e are revised to replace specific guidance with a reference to the Containment Leakage Testing Program.

c. Air lock tests: Surveillance Requirements 4.6.1.3.a-c are revised to replace specific guidance with a reference to the Containment Leakage Testing Program.

d. Containment Linear Plate Visual Inspection: Surveillance Requirement 4.6.1.6.3 is revised to replace specific guidance with a reference to the Containment Leakage Testing Program.

e. Other Surveillance Requirements: 4.6.1.1.d and 4.6.1.2.g-h are replaced by the reference to the Containment Leakage Testing Program.

3. Bases section 3/4.6.1.2 Containment Leakage is revised to reflect the above changes including a reference to the Containment Leakage Testing Program. In addition, the specific value of Pa is being deleted. Since Pa is a calculated value it is possible for the value of Pa to change should the loss of coolant accident be reanalyzed.

4. Administrative Controls: Section 6.19 is added to establish a Containment Leakage Testing Program, as specified in Regulatory Guide 1.163, dated September 1995.

*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:

Pursuant to 10CFR50.92, NNECO has reviewed the proposed use of 10CFR50, Appendix J, Option B Containment Leak Rate Testing criteria for Millstone Unit No. 2. NNECO concludes that these changes do not involve a significant hazards consideration since the proposed change satisfies the criteria in 10CFR50.92(c). That is, the proposed changes do not:

1. Involve a significant increase in the probability or consequences of an accident previously analyzed.

The changes involved in this license amendment request revise the testing criteria for the containment penetrations. The revised criteria will be based on the guidance in Regulatory Guide 1.163, "Performance-Based Containment Leak-Test Program." This guidance allows for the use of relaxed testing frequencies for containment penetrations that have performed satisfactorily on a historical basis. The Containment Leak Rate Testing



Program considers the type of service, the design of the penetration, and the safety impact of the penetration in determining the testing interval of each penetration. The NRC Staff has reviewed the potential impact of performance-based testing frequencies for containment penetrations during the development of the Option B regulation. The NRC Staff review is documented in NUREG-1493 "Performance-Based Containment Leakage Test Program." The review concluded that reducing the frequency of Type A tests (Integrated Leak Rate Tests) from three per ten years to one per ten years leads to an imperceptible increase in risk. For Type B and C testing (Local Leak Rate Tests), the change in testing frequency should not have significant impact since this leakage contributes less than 0.1 percent of the overall risk based on the existing regulations. The use of Option B will allow the extension of testing intervals with a minimal impact on the radiological release rates since most penetration leakage is continually well below the specified limits. In the accident risk evaluation, the NRC Staff noted that the accident risk is relatively insensitive to the containment leakage rate because the accident risk is dominated by accident sequences that result in failure of or bypass of the containment. The use of a performance-based testing program will continue to provide assurance that the accident analysis assumptions remain bounding. Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously analyzed.

Changes to the Administrative section describe the containment testing program only and cannot increase the probability or consequences of an accident previously analyzed.

2. Create the possibility of a new or different kind of accident from any previously analyzed.

The proposed license amendment does not change the operation or equipment of the plant. The change in the test frequency is dependent on the establishment of a Containment Leak Test Program. This test program will ensure the performance history of each penetration is satisfactory prior to the changing of any test frequency. Since the performance history of the penetration will be known, there is no possibility of the implementation of the program creating a new or different kind of accident than previously analyzed. Since there is no change to the equipment or the operation of the plant, there is no possibility of creating a new or different kind of accident than previously analyzed. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously analyzed.

Changes to the Administrative section describe the containment testing program only and cannot create a different accident from any previously analyzed.

3. Involve a significant reduction in the margin of safety.

During the development of 10CFR50, Appendix J, Option B, the NRC Staff determined the reduction in safety associated with the implementation of the performance-

based testing program. The results of this review are documented in NUREG-1493. The review concluded that reducing the frequency of Type A tests (Integrated Leak Rate Tests) from three per ten years to one per ten years leads to an imperceptible increase in risk. For Type B and C testing (Local Leak Rate Tests), the increase in testing frequency should not have significant impact since this leakage contributes less than 0.1 percent of the overall risk-based on the existing regulations. The use of Option B will allow the extension of testing intervals with a minimal impact on the radiological release rates since most penetration leakage is continually well below the specified limits. In the accident risk evaluation, the NRC Staff noted that the accident risk is relatively insensitive to the containment leakage rate because the accident risk is dominated by accident sequences that result in failure of or bypass of the containment. The use of a performance based testing program will continue to provide assurance that the accident analysis assumptions remain bounding. Therefore, this change does not involve a significant reduction in the margin of safety.

Changes to the Administrative section describe the containment testing program only and cannot reduce the 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 amendment request involves no significant hazards consideration.

*Local Public Document Room location:* Learning Resources Center, Three Rivers Community-Technical College, 574 New London Turnpike, Norwich, CT 06360.

*Attorney for licensee:* Lillian M. Cuoco, Esq., Senior Nuclear Counsel, Northeast Utilities Service Company, P.O. Box 270, Hartford, CT 06141-0270.

*NRC Project Director:* Phillip F. McKee.

Public Service Electric & Gas Company, Docket No. 50-354, Hope Creek Generating Station, Salem County, New Jersey

*Date of amendment request:* January 11, 1996.

*Description of amendment request:* The proposed amendments would revise Section 6.0 (Administrative Controls) of the Salem and Hope Creek Technical Specifications to: (1) relocate the requirements of Section 6.5 (Station Operations Review Committee, Nuclear Safety Review and Audit, and Technical Review and Control) to the Quality Assurance Program, (2) replace specific management titles with generic management functional positions, (3) change Operating Engineer to Assistant Operations Manager, (4) require a Senior

Reactor Operator license be held by either the Operations Manager or one of the Assistant Operations Managers, and 5) correct some typographical errors in Section 6.0.

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

A portion of the proposed changes involves the relocation of the requirements for the Station Operations Review Committee, Nuclear Safety Review and Audit, and Technical Review and Control. These requirements are contained in Administrative Controls Section 6.5 of the Salem and Hope Creek Technical Specifications. The requirements to be relocated do not meet the criteria set forth in the Commission's Final Policy Statement for inclusion in Technical Specifications and therefore, may be relocated to an appropriate licensee controlled document (i.e., the Quality Assurance Program). Another element of the proposed change involves a modification which consists of stating that either the Operations Manager or Assistant Operations Manager shall hold a Senior Reactor Operator (SRO) license and replacing the title of Operating Engineer with Assistant Operations Manager.

The requirements being changed are not required by 10 CFR 50.36 and are not required to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety. The changes are consistent with NUREG-1431 and NUREG-1433, Revision 1, and have been previously evaluated by the NRC. The remaining portions of the proposed changes consist of management title changes, including changing Operating Engineer to Assistant Operations Manager, and correction of typographical errors.

All of the proposed changes are administrative in nature and do not affect assumptions contained in the plant safety analysis, the physical design and/or operation of the plant, nor do they affect Technical Specifications that preserve safety analysis assumptions. Implementation of these changes is expected to enable PSE&G [Public Service Electric & Gas] and the NRC to focus on requirements important to safety. Therefore, the proposed changes will not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

The proposed changes are purely administrative and do not involve changes to operating procedures or physical modifications to the plants. Therefore, the proposed changes will not create the possibility of a new or different type of accident from any accident previously evaluated.

3. Will not involve a significant reduction in a margin of safety.

The changes discussed herein will not involve a significant reduction in a margin of safety since the proposed changes do not eliminate any existing Technical Specification requirements. All requirements removed from Technical Specifications are relocated to another licensee controlled program (i.e., the Quality Assurance Program). The Quality Assurance Program is controlled by existing regulations which provide a more appropriate vehicle for addressing changes and compliance. There are no administrative control requirements removed from the Technical Specifications which are not addressed by other regulations and regulatory requirements (i.e., 10CFR50 Appendix B, 10CFR50.59, 10CFR50.54(a), and NUREG-0737).

Prior to this proposed change it was a Technical Specification requirement that the Operating Engineer hold an SRO license.

Specification 5.2.2.f of NUREG-1431 and NUREG-1433, Revision 1, states that an SRO license shall be held by either the Operations Manager or Assistant Operations Manager. The Operating Engineer and Assistant Operations Manager are equivalent positions at Salem and Hope Creek. Chapter 13 of the respective plant's Updated Final Safety Analysis Report, states that the Operations Manager is assisted by the Assistant Operations Manager (formerly the Operating Engineer) and other supervisory personnel. The Assistant Operations Manager reports directly to the Operations Manager and will assume the authority and responsibility of the department in the absence of the Operations Manager. The title change from Operating Engineer to Assistant Operations Manager reflects the organizational changes underway at Salem and Hope Creek. The duties and responsibilities associated with the two positions are identical. The option that either the Operations Manager or Assistant Operations Manager hold an SRO license is consistent with prior approved amendments for Salem and Hope Creek. These amendments [were] approved based on the fact that the organizational structure contained a direct report to the Operations Manager [who] is required to hold an SRO license. With the proposed change either the Operations Manager or a direct report (i.e., Assistant Operations Manager), is required to hold an SRO license. The change is also consistent with the 1993 version of ANSI/ANS 3.1, "American National Standard for Selection, Qualification and Training of Personnel for Nuclear Power Plants," and NUREG-1431 and 1433, Revision 1. This change will not involve a significant reduction in a margin of safety since it is still required that either the Operations Manager or Assistant Operations Manager holds an SRO license.

The other management title changes also will not involve a significant reduction in a margin of safety since all organizational responsibilities are and will continue to be implemented in accordance with applicable requirements.

The proposed changes are administrative in nature and do not relate to or modify a margin of safety defined and maintained by

the Technical Specifications. Therefore, the proposed changes will not involve a significant reduction in 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 amendment request involves no significant hazards consideration.

*Local Public Document Room*

*location:* Pennsville Public Library, 190 S. Broadway, Pennsville, New Jersey 08070.

*Attorney for licensee:* M. J. Wetterhahn, Esquire, Winston and Strawn, 1400 L Street, NW., Washington, DC 20005-3502.

*NRC Project Director:* John F. Stolz.

Public Service Electric & Gas Company, Docket Nos. 50-272 and 50-311, Salem Nuclear Generating Station, Unit Nos. 1 and 2, Salem County, New Jersey

Date of amendment request: January 4, 1996.

*Description of amendment request:*

The proposed amendments would change Technical Specification 3/4.8.2.5, "28-Volt D.C. Distribution-Operating." The amendments would make Unit 1 requirements similar to Unit 2 by defining the specific battery chargers that are required for each train and by restricting the use of the backup battery charger for a 7-day period. The amendments would also require the 28-Volt DC bus be energized for that bus to be OPERABLE.

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

The proposed changes do not alter plant configuration or operation. The proposed changes do not invalidate any of the parameters assumed in the UFSAR [Updated Final Safety Analysis Report] accident analyses. The proposed changes provide additional guidance to be used to ensure the operability of the safety related batteries, and requires the DC buses to be operable and energized consistent with the Limiting Condition for Operation (LCO). Operability of these buses provide control room instrumentation power in support of mitigating Design Basis Accidents.

The changes to the Unit 1 Technical Specification (TS) 3.8.2.5 LCO and Action Statements restrict the use of the backup battery chargers, thereby limiting the amount of time that the chargers are allowed to be powered from another AC Vital bus. This change brings the Unit 1 TS into agreement

with Unit 2, and results in a more conservative Unit 1 TS since both alternate battery chargers are fed from the same 230 V vital AC bus.

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

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

The proposed changes do not introduce any design or physical configuration changes to the facility, or change the function of the 28-Volt DC Distribution System. Therefore, the proposed amendment will not create the possibility of a new or different kind of accident from any previously evaluated.

3. Will not involve a significant reduction in a margin of safety.

The proposed changes provide additional guidance to be used to ensure the operability of the safety related batteries. The changes to the Unit 1 Technical Specification (TS) 3.8.2.5 LCO and Action Statements restrict the use of the backup battery chargers, thereby limiting the amount of time that the chargers are allowed to be powered from another AC Vital bus. This change brings the Unit 1 TS into agreement with Unit 2, and results in a more conservative Unit 1 TS by precluding the possibility of both the 1A and 1B battery/buses from being supplied from a single bus. Therefore, the proposed amendment will not involve a significant reduction in 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 amendment request involves no significant hazards consideration.

*Local Public Document Room*

*location:* Salem Free Public library, 112 West Broadway, Salem, New Jersey 08079.

*Attorney for licensee:* Mark J. Wetterhahn, Esquire, Winston and Strawn, 1400 L Street, NW, Washington, DC 20005-3502.

*NRC Project Director:* John F. Stolz.

Public Service Electric & Gas Company, Docket Nos. 50-272 and 50-311, Salem Nuclear Generating Station, Unit Nos. 1 and 2, Salem County, New Jersey

Date of amendment request: January 11, 1996.

*Description of amendment request:*

The proposed amendments would revise Section 6.0 (Administrative Controls) of the Salem and Hope Creek Technical Specifications to: (1) relocate the requirements of Section 6.5 (Station Operations Review Committee, Nuclear Safety Review and Audit, and Technical Review and Control) to the Quality Assurance Program, (2) replace specific management titles with generic management functional positions, (3)

change Operating Engineer to Assistant Operations Manager, (4) require a Senior Reactor Operator license be held by either the Operations Manager or one of the Assistant Operations Managers, and (5) correct some typographical errors in Section 6.0.

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

A portion of the proposed changes involves the relocation of requirements for the Station Operations Review Committee, Nuclear Safety Review and Audit, and Technical Review and Control. These requirements are contained in Administrative Controls Section 6.5 of the Salem and Hope Creek Technical Specifications. The requirements to be relocated do not meet the criteria set forth in the Commission's Final Policy Statement for inclusion in Technical Specifications and therefore, may be relocated to an appropriate licensee controlled document (i.e., the Quality Assurance Program). Another element of the proposed change involves a modification which consists of stating that either the Operations Manager or Assistant Operations Manager shall hold a Senior Reactor Operator (SRO) license and replacing the title of Operating Engineer with Assistant Operations Manager.

The requirements being changed are not required by 10 CFR 50.36 and are not required to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety. The changes are consistent with NUREG-1431 and NUREG-1433, Revision 1, and have been previously evaluated by the NRC. The remaining portions of the proposed changes consist of management title changes, including changing Operating Engineer to Assistant Operations Manager, and correction of typographical errors.

All of the proposed changes are administrative in nature and do not affect assumptions contained in the plant safety analysis, the physical design and/or operation of the plant, nor do they affect Technical Specifications that preserve safety analysis assumptions. Implementation of these changes is expected to enable PSE&G [Public Service Electric & Gas Company] and the NRC to focus on requirements important to safety. Therefore, the proposed changes will not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

The proposed changes are purely administrative and do not involve changes to operating procedures or physical modifications to the plants. Therefore, the proposed changes will not create the possibility of a new or different type of

accident from any accident previously evaluated.

3. Will not involve a significant reduction in a margin of safety.

The changes discussed herein will not involve a significant reduction in a margin of safety since the proposed changes do not eliminate any existing Technical Specification requirements. All requirements removed from Technical Specifications are relocated to another licensee controlled program (i.e., the Quality Assurance Program). The Quality Assurance Program is controlled by existing regulations which provide a more appropriate vehicle for addressing changes and compliance. There are no administrative control requirements removed from the Technical Specifications which are not addressed by other regulations and regulatory requirements (i.e., 10CFR50 Appendix B, 10CFR50.59, 10CFR50.54(a), and NUREG-0737).

Prior to this proposed change it was a Technical Specification requirement that the Operating Engineer hold an SRO license. Specification 5.2.2.f of NUREG-1431 and NUREG-1433, Revision 1, states that an SRO license shall be held by either the Operations Manager or Assistant Operations Manager. The Operating Engineer and Assistant Operations Manager are equivalent positions at Salem and Hope Creek. Chapter 13 of the respective plant's Updated Final Safety Analysis Report, states that the Operations Manager is assisted by the Assistant Operations Manager (formerly the Operating Engineer) and other supervisory personnel. The Assistant Operations Manager reports directly to the Operations Manager and will assume the authority and responsibility of the department in the absence of the Operations Manager. The title change from Operating Engineer to Assistant Operations Manager reflects the organizational changes underway at Salem and Hope Creek. The duties and responsibilities associated with the two positions are identical. The option that either the Operations Manager or Assistant Operations Manager hold an SRO license is consistent with prior approved amendments for Salem and Hope Creek. These amendments [were] approved based on the fact that the organizational structure contained a direct report to the Operations Manager [who] is required to hold an SRO license. With the proposed change either the Operations Manager or a direct report (i.e., Assistant Operations Manager) is required to hold an SRO license. The change is also consistent with the 1993 version of ANSI/ANS 3.1, "American National Standard for Selection, Qualification and Training of Personnel for Nuclear Power Plants", and NUREG-1431 and 1433, Revision 1. This change will not involve a significant reduction in a margin of safety since it is still required that either the Operations Manager or Assistant Operations Manager holds an SRO license.

The other management title changes also will not involve a significant reduction in a margin of safety since all organizational responsibilities are and will continue to be implemented in accordance with applicable requirements.

The proposed changes are administrative in nature and do not relate to or modify a

margin of safety defined and maintained by the Technical Specifications. Therefore, the proposed changes will not involve a significant reduction in 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 amendment request involves no significant hazards consideration.

*Local Public Document Room location:* Salem Free Public library, 112 West Broadway, Salem, New Jersey 08079.

*Attorney for licensee:* Mark J. Wetterhahn, Esquire, Winston and Strawn, 1400 L Street, NW, Washington, DC 20005-3502.

*NRC Project Director:* John F. Stolz  
Union Electric Company, Docket No. 50-483, Callaway Plant, Unit 1, Callaway County, Missouri.

*Date of amendment request:* January 2, 1996.

*Description of amendment request:* The proposed amendment would revise TS 3.9.4 and its associated Bases section to allow the containment personnel airlock doors to be open during core alterations and movement of irradiated fuel in containment. In addition, TS Surveillance Requirement 4.9.4 would be revised to specify that each containment penetration should be in its "required position" instead of a "closed/isolated condition."

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

The proposed change to TS 3.9.4 would allow the containment personnel airlock to be open during fuel movement and core alterations. The containment personnel airlock is currently closed during fuel movement and core alterations to prevent the escape of radioactive material in the event of a fuel handling accident.

The containment airlocks are passive components integral to the containment structure and are not evaluated to be accident initiators; therefore, the proposed amendment does not involve an increase in the probability of an accident previously evaluated.

The proposed change alters assumptions previously made in evaluating the radiological consequences of the fuel handling accident inside the containment building because the containment personnel airlock is assumed to be open. The

radiological consequences described in this change are bounded by the Loss of Coolant Accident and General Design Criteria 19. All doses for the proposed change are less than the acceptance criteria, therefore, there is no significant increase in the consequences of an accident previously analyzed.

In evaluating the consequences of this accident, NRC states in Section 15.4.6. of the Callaway Plant Safety Evaluation Report (NUREG-0830) that: "The potential doses for the fuel handling accident are well within the guideline values given in 10 CFR Part 100." Section II.1 of the Standard Review Plan defines "well within" to be 25% or less of the 10 CFR Part 100 exposure guideline values. NSAC 125, Guidelines for 10 CFR 50.59 Safety Evaluations, Section 3.6, states: "If in licensing the plant the NRC explicitly found that the plant's response to a particular event was acceptable because the dose was less than the SRP guidelines (without further qualification), then the NRC implicitly accepted the SRP guideline as the licensing basis for the plant and the particular event, and the licensee may make changes that increase the consequences for the particular event, up to this value without prior NRC approval." Therefore, in the case of the fuel handling accident, NRC has implicitly accepted 25% of the 10 CFR Part 100 exposure guidelines as the acceptance limit.

Since the probability of a fuel handling accident is unaffected by the airlock door positions, and the increased doses do not exceed acceptance limits, operation of the facility in accordance with the proposed amendment would not involve a significant increase in the probability or consequences of any accident previously evaluated.

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

The proposed change to allow the containment personnel airlock to be open during core alteration and movement of irradiated fuel affects a previously evaluated accident (e.g., a fuel handling accident inside containment). The existing accident analysis has been modified to account for the containment personnel airlock doors being opened at the time of the accident. It does not represent a significant change in the configuration or operation of the plant. Therefore, operation of the facility in accordance with the proposed amendment would not create the possibility of a new or different kind of accident from any accident previously evaluated.

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

The margin of safety is reduced when the offsite and control room doses exceed the acceptance criteria in General Design Criteria 19 and the Standard Review Plan. As previously discussed in the response to Item 1, the offsite and control room doses are below the acceptance criteria. Therefore, operation of the facility in accordance with the proposed amendment would not involve a reduction in the 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 amendment request involves no significant hazards consideration.

*Local Public Document Room location:* Callaway County Public Library, 710 Court Street, Fulton, Missouri 65251.

*Attorney for licensee:* Gerald Charnoff, Esq., Shaw, Pittman, Potts & Trowbridge, 2300 N Street, NW., Washington, DC 20037.

*NRC Project Director:* William H. Bateman.

Washington Public Power Supply System, Docket No. 50-397, Nuclear Project No. 2, Benton County, Washington

*Date of amendment request:* January 19, 1996.

*Description of amendment request:* The proposed amendment would modify the Technical Specifications (TS) for leak tests of containment isolation valves. The proposed amendment replaces the current specified surveillance intervals for containment leak testing with new surveillance requirements to conduct containment leak testing based on a performance-based containment leak test program. The licensee proposed use of performance-based testing in accordance with the revised 10 CFR Part 50 Appendix J (60 FR 49495), which would establish surveillance intervals based on the historical performance of the tested penetrations. In addition, the proposed amendment would extend the surveillance interval for leak testing of main steam isolation valves from the current 18 months to 30 months, consistent with Regulatory Guide 1.163.

*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. The NRC staff has reviewed the licensee's analysis against the standards of 10 CFR 50.92(c). The NRC staff's review is presented below.

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

The proposed changes modify the interval at which the containment leak rate testing is performed. The proposed change does not affect the containment leakage limits currently in the plant licensing basis and specified in the existing TS. Consequently, the radiological consequences of containment leakage during and after an accident are unchanged. The frequency of testing and the test methodology for

containment leak rate testing are not identified as factors in the initiation, progression, or mitigation of any accident previously evaluated. The proposed change, therefore, does not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

The proposed change potentially affects the current surveillance intervals for conducting containment leak rate testing. A change in the length of the surveillance interval does not change the design or performance mode of structures, systems, or components, and thus does not create the possibility of a new or different kind of accident from any accident previously evaluated.

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

The margin of safety for containment leakage is based on meeting the potential radiation exposure for occupational or postulated post-accident conditions. The margin for WNP-2 is established by ensuring these exposures do not exceed 10 CFR Parts 20 and 100, respectively. Basing the surveillance intervals on containment leak rate performance is expected to lengthen the surveillance interval, thus the proposed change is expected to lower the cumulative occupational radiation exposure to conduct the leak rate testing.

The performance criteria for the containment is based on ensuring that postulated post-accident radiation exposures remain within 10 CFR Part 100 limits. The proposed containment leak rate test program is based on ensuring that containment leakage is maintained below the level that will assure that radiation exposures resulting from postulated accident scenarios will remain below the regulatory limits. The length of time between tests will be based on historical performance of the tested penetrations. The change in test interval does not modify the current TS acceptance limits for containment leakage, and thus the proposed change does not involve a significant reduction in a margin of safety.

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 amendment request involves no significant hazards consideration.

*Local Public Document Room location:* Richland Public Library, 955 Northgate Street, Richland, Washington 99352.

*Attorney for licensee:* M. H. Philips, Jr., Esq., Winston & Strawn, 1400 L Street, N.W., Washington, D.C. 20005-3502.

*NRC Project Director:* William H. Bateman.

Previously Published Notices of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The following notices were previously published as separate individual notices. The notice content was the same as above. They were published as individual notices either because time did not allow the Commission to wait for this biweekly notice or because the action involved exigent circumstances. They are repeated here because the biweekly notice lists all amendments issued or proposed to be issued involving no significant hazards consideration.

For details, see the individual notice in the Federal Register on the day and page cited. This notice does not extend the notice period of the original notice.

Public Service Electric & Gas Company, Docket No. 50-354, Hope Creek Generating Station, Salem County, New Jersey

*Date of amendment request:* December 28, 1995.

*Brief description of amendment request:* The proposed amendment would change Hope Creek Generating Station Technical Specification (TS) 1.4, "Channel Calibration", to define actions required for channel calibration of instrument channels containing resistance temperature detector or thermocouple sensors.

*Date of publication of individual notice in Federal Register:* January 5, 1996 (61 FR 420).

*Expiration date of individual notice:* February 5, 1996.

*Local Public Document Room location:* Pennsville Public Library, 190 S. Broadway, Pennsville, New Jersey 08070.

Notice of Issuance of Amendments to Facility Operating Licenses

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate

findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing in connection with these actions was published in the Federal Register as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.12(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendment, (2) the amendment, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment as indicated. All of these items are 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 rooms for the particular facilities involved.

Boston Edison Company, Docket No. 50-293, Pilgrim Nuclear Power Station, Plymouth County, Massachusetts

*Date of application for amendment:* July 14, 1995, as supplemented September 12 and December 8, 1995.

*Brief description of amendment:* The amendment changes the scram insertion times, Section 3.3.C, Minimum Critical Power Ratio section, Section 4.11.C and, the associated Bases in Sections 2.1.1 and 3/4.4.3.

*Date of issuance:* January 23, 1996.

*Effective date:* As of the date of issuance to be implemented within 30 days.

*Amendment No.:* 165.

*Facility Operating License No. DPR-35:* Amendment revised the Technical Specifications.

*Date of initial notice in Federal Register:* August 2, 1995 (60 FR 39443) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 23, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room location:* Plymouth Public Library, 132

South Street, Plymouth, Massachusetts 02360.

Carolina Power & Light Company, et al., Docket No. 50-324, Brunswick Steam Electric Plant, Unit 2, Brunswick County, North Carolina

*Date of amendment request:* August 4, 1995.

*Brief description of amendment:* The amendment changes the Technical Specifications to (1) reflect the use of a new type of fuel (GE13) and (2) modify the minimum critical power ratio safety limit and the standby liquid control system sodium pentaborate limits to accommodate the GE13 fuel.

*Date of issuance:* January 31, 1996.

*Effective date:* January 31, 1996.

*Amendment No.:* 212.

*Facility Operating License No. DPR-62:* Amendment revises the Technical Specifications.

*Date of initial notice in Federal Register:* September 27, 1995 (60 FR 49931).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 31, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room location:* University of North Carolina at Wilmington, William Madison Randall Library, 601 S. College Road, Wilmington, North Carolina 28403-3297.

Carolina Power & Light Company, et al., Docket Nos. 50-325 and 50-324, Brunswick Steam Electric Plant, Units 1 and 2, Brunswick County, North Carolina

*Date of application for amendments:* September 13, 1995, as amended on November 27, 1995, and January 29, 1996.

*Brief Description of amendments:* The amendments revise the Brunswick Steam Electric Plant, Units 1 and 2, Technical Specifications to permit the use of 10 CFR Part 50, Appendix J, Option B, Performance-Based Containment Leakage Rate Testing.

*Date of issuance:* February 1, 1996.

*Effective date:* February 1, 1996.

*Amendment Nos.:* 181 and 213.

*Facility Operating License Nos. DPR-71 and DPR-62:* Amendments change the Technical Specifications.

*Date of initial notice in Federal Register:* December 12, 1995 (60 FR 63739); repeated on January 3, 1996 (61 FR 188). The January 29, 1996, amendment to the application provided supplemental information that was not outside the scope of the December 12, 1995 notice.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated February 1, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room*

*location:* University of North Carolina at Wilmington, William Madison Randall Library, 601 S. College Road, Wilmington, North Carolina 28403-3297.

Carolina Power & Light Company, Docket No. 50-261, H. B. Robinson Steam Electric Plant, Unit No. 2, Darlington County, South Carolina

*Date of application for amendment:* September 11, 1995.

*Brief description of amendment:*

Changes Technical Specification to add an allowance for Rod Insertion Limits (RILs) to be exceeded for a time no greater than the time criteria established by the axial power distribution methodology or 1 hour, whichever is sooner. An action is also added for the reactor to be placed in the hot shutdown condition within 6 hours if compliance with the RILs cannot be restored within the specified time period.

*Date of issuance:* January 26, 1996.

*Effective date:* January 26, 1996.

*Amendment No.:* 167.

*Facility Operating License No. DPR-23.* Amendment revises the Technical Specifications.

*Date of initial notice in Federal Register:* October 25, 1995 (60 FR 54716).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 26, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room*

*location:* Hartsville Memorial Library, 147 West College Avenue, Hartsville, South Carolina 29550.

Connecticut Yankee Atomic Power Company, Docket No. 50-213, Haddam Neck Plant, Middlesex County, Connecticut

*Date of application for amendment:* March 31, 1995, as supplemented November 14, 1995.

*Brief description of amendment:* The amendment revises the Haddam Neck Technical Specifications (TS) to delete TS Sections 1.38 and 1.39, "Definitions, Fuel Assembly Types," revise TS Sections 3/4.9.3, "Refueling Operations, Decay Time" and 3/4.9.14, "Refueling Operations, Spent Fuel Pool—Reactivity Condition," replace TS Sections 5.6.1.1, "Spent Fuel," and 5.6.3, "Capacity," and add a new TS Section 3/4.9.15,

"Refueling Operations, Spent Fuel Pool Cooling." These changes support a rerack of the spent fuel pool to expand the spent fuel pool's storage capacity from 1168 assemblies to 1480 assemblies so as to accommodate a full-core-discharge through the current validity date of the Haddam Neck Operating License (2007).

*Date of Issuance:* January 22, 1996.

*Effective date:* As of the date of issuance, to be implemented within 6 months.

*Amendment No.:* 188.

*Facility Operating License No. DPR-61.* Amendment revised the Technical Specifications.

*Date of initial notice in Federal Register:* May 12, 1995 (60 FR 25740).

The November 14, 1995, letter provided clarifying information that did not change the initial proposed no significant hazards consideration determination.

The Commission's related evaluation of this amendment is contained in a Safety Evaluation dated January 22, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room*

*location:* Russell Library, 123 Broad Street, Middletown, CT 06457.

Duke Power Company, et al., Docket Nos. 50-413 and 50-414, Catawba Nuclear Station, Units 1 and 2, York County, South Carolina

*Date of application for amendments:* August 8, 1995.

*Brief description of amendments:* The amendments revise Technical Specification Table 4.4-4, "Reactor Coolant Specific Activity Sample and Analysis Program," to allow reactor coolant system gross specific activity measurement method to be changed from the current degassed method to a non-degassed, or pressurized dilution, method.

*Date of issuance:* January 22, 1996.

*Effective date:* As of the date of issuance to be implemented within 30 days.

*Amendment Nos.:* Unit 1-141-Unit 2-135.

*Facility Operating License Nos. NPF-35 and NPF-52:* Amendments revised the Technical Specifications.

*Date of initial notice in Federal Register:* November 27, 1995 (60 FR 58400).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated January 22, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room*

*location:* York County Library, 138 East

Black Street, Rock Hill, South Carolina 29730.

Duke Power Company, et al., Docket Nos. 50-413 and 50-414, Catawba Nuclear Station, Units 1 and 2, York County, South Carolina

*Date of application for amendments:* August 17, 1995.

*Brief description of amendments:* The amendments revise Technical Specification Surveillance Requirement (SR) 4.2.5.2 to delete the requirement to calibrate the reactor coolant system (RCS) flowrate measurement instrumentation within 7 days prior to the performance of the flow measurement. Catawba Units 1 and 2 now utilize an RCS flowrate measurement method based on a one-time calibration of the cold leg elbow differential pressure taps as requested in the licensee's January 10, 1994, application and as approved in License Amendments 128 and 122 for Units 1 and 2, respectively. The January 10, 1994, application did not include a proposal to delete that portion of SR 4.2.5.2 which specifies that the measurement instrumentation shall be calibrated within 7 days prior to the performance of the flowrate measurement. This portion of the SR is now deleted since it only applies to the precision calorimetric heat balance method of RCS flowrate measurement.

*Date of issuance:* January 23, 1996.

*Effective date:* As of the date of issuance to be implemented within 30 days.

*Amendment Nos.:* Unit 1-142-Unit 2-136.

*Facility Operating License Nos. NPF-35 and NPF-52:* Amendments revised the Technical Specifications.

*Date of initial notice in Federal Register:* December 20, 1995 (60 FR 65676).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated January 23, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room*

*location:* York County Library, 138 East Black Street, Rock Hill, South Carolina 29730.

Duke Power Company, Docket Nos. 50-369 and 50-370, McGuire Nuclear Station, Units 1 and 2, Mecklenburg County, North Carolina

*Date of application for amendments:* August 20, 1992, as supplemented by letter dated December 5, 1995.

*Brief description of amendments:* The amendments revise the Technical Specifications related to the 60-month



125-volt surveillance requirement (SR). The change is to delete the words "during shutdown" from SR 4.8.2.1.2.e.  
*Date of issuance:* February 1, 1996.  
*Effective date:* As of the date of issuance to be implemented within 30 days.

*Amendment Nos.:* Unit 1—163—Unit 2—145.

*Facility Operating License Nos. NPF-9 and NPF-17:* Amendments revised the Technical Specifications.

*Date of initial notice in Federal Register:* December 20, 1995 (60 FR 65677).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated February 1, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room location:* Atkins Library, University of North Carolina, Charlotte (UNCC Station), North Carolina 28223.

Gulf States Utilities Company, Cajun Electric Power Cooperative, and Entergy Operations, Inc., Docket No. 50-458, River Bend Station, Unit 1, West Feliciana Parish, Louisiana

*Date of amendment request:* May 30, 1995, as supplemented by letters dated November 20 and December 12, 1995.

*Brief description of amendment:* The amendment revised the technical specifications for the drywell to permit bypass testing on a 10-year frequency with increased testing if performance degrades, changes the drywell air lock testing and surveillance requirements, deletes action notes for the drywell air lock and drywell isolation valves when the bypass leakage is not met, and deletes the specific leakage limits for the drywell air lock seal.

*Date of issuance:* January 29, 1996.

*Effective date:* January 29, 1996

*Amendment No.:* 87.

*Facility Operating License No. NPF-47:* The amendment revised the Technical Specifications.

*Date of initial notice in Federal Register:* December 6, 1995 (60 FR 62490).

The additional information contained in the supplemental letter dated December 12, 1995, was clarifying in nature and thus, within the scope of the initial notice and did not affect the staff's proposed no significant hazards consideration determination.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 29, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room location:* Government Documents

Department, Louisiana State University, Baton Rouge, Louisiana 70803.

Niagara Mohawk Power Corporation, Docket No. 50-220, Nine Mile Point Nuclear Station Unit No. 1, Oswego County, New York

*Date of application for amendment:* January 24, 1995

*Brief description of amendment:* The amendment revises Technical Specification 3.4.1, "Leakage Rate," and the associated Bases section.

Specifically, the TS allowable Reactor Building leakage rate is reduced from 2000 cfm to 1600 cfm.

*Date of issuance:* January 22, 1996.

*Effective date:* As of the date of issuance to be implemented within 30 days.

*Amendment No.:* 156.

*Facility Operating License No. DPR-63:* Amendment revises the Technical Specifications.

*Date of initial notice in Federal Register:* March 1, 1995 (60 FR 11134)

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 22, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room location:* Reference and Documents Department, Penfield Library, State University of New York, Oswego, New York 13126.

Northeast Nuclear Energy Company, et al., Docket Nos. 50-245, 50-336, and 50-423, Millstone Nuclear Power Station, Unit Nos. 1, 2, and 3 New London County, Connecticut

*Date of application for amendments:* August 4, 1995.

*Brief description of amendments:* The amendments revise the Administrative Controls sections of the Technical Specifications for Millstone 1, 2 and 3 to allow the implementation of a Station Qualified Reviewer Program (SQRP) for the review and approval of selected procedures, programs and changes thereto.

*Date of issuance:* January 17, 1996.

*Effective date:* As of the date of issuance, to be implemented within 30 days.

*Amendment Nos.:* 91, 193, and 125.

*Facility Operating License Nos. DPR-21, DPR-65 and NPF-49:* Amendments revised the Technical Specifications.

*Date of initial notice in Federal Register:* August 30, 1995 (60 FR 45181)

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated January 17, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room location:* Learning Resources Center, Three Rivers Community-Technical College, 574 New London Turnpike, Norwich, CT 06360.

PECO Energy Company, Public Service Electric and Gas Company, Delmarva Power and Light Company, and Atlantic City Electric Company, Docket Nos. 50-277 and 50-278, Peach Bottom Atomic Power Station, Unit Nos. 2 and 3, York County, Pennsylvania

*Date of application for amendments:* December 19, 1995.

*Brief description of amendments:* These amendments change the ventilation filter test program bypass and penetration leakage test acceptance criteria from less than 0.05 percent to less than 1.0 percent. The change corrects an administrative error that occurred during the development of the Peach Bottom Improved Technical Specifications which were issued as Amendments 210 and 214 to the Peach Bottom licenses on August 30, 1995.

*Date of issuance:* January 16, 1996.

*Effective date:* Unit 2, effective as of date of issuance, to be implemented concurrently with Amendment 210, issued August 30, 1995; Unit 3, effective as of date of issuance, to be implemented concurrently with Amendment 214, issued August 30, 1995.

*Amendments Nos.:* 213 and 218.

*Facility Operating License Nos. DPR-44 and DPR-56:* The amendments revised the Technical Specifications.

Public comments requested as to proposed no significant hazards consideration: Yes (60 FR 66997, December 27, 1995). That notice provided an opportunity to submit comments on the Commission's proposed no significant hazards consideration determination. No comments have been received. The notice also provided for an opportunity to request a hearing by January 26, 1996, but indicated that if the Commission makes a final no significant hazards consideration determination any such hearing would take place after issuance of the amendment.

The Commission's related evaluation of the amendments, finding of exigent circumstances, and final determination of no significant hazards consideration are contained in a Safety Evaluation dated January 16, 1996

*Local Public Document Room location:* Government Publications Section, State Library of Pennsylvania, (REGIONAL DEPOSITORY) Education Building, Walnut Street and Commonwealth Avenue, Box 1601, Harrisburg, Pennsylvania 17105.

Philadelphia Electric Company, Docket No. 50-352, Limerick Generating Station, Unit 1, Montgomery County, Pennsylvania

*Date of application for amendment:* December 9, 1993, as supplemented by letters dated July 5, September 9, October 19, November 15, and December 2, 1994, January 6, and January 23, 1995.

*Brief description of amendment:* The amendment changes the Operating License and the corresponding Appendix A to reflect the planned implementation of the Power Rerate Program at the Limerick Generating Station, Unit 1, and the corresponding increase in the authorized maximum reactor core power level by five percent to 3458 megawatts thermal (MWt) from the current limit of 3293 MWt.

*Date of issuance:* January 24, 1996.

*Effective date:* As of date of issuance and to be implemented prior to startup in Cycle 7.

*Amendment No.* 106.

*Facility Operating License No.* NPF-85. This amendment revised the Technical Specifications and the licensee.

*Date of initial notice in Federal Register:* February 16, 1994 (59 FR 7695).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 24, 1996.

No significant hazards consideration comments received: No

*Local Public Document Room location:* Pottstown Public Library, 500 High Street, Pottstown, Pennsylvania 19464.

Philadelphia Electric Company, Docket Nos. 50-352 and 50-353, Limerick Generating Station, Units 1 and 2, Montgomery County, Pennsylvania

*Date of application for amendments:* June 20, 1995.

*Brief description of amendments:* These amendments revise the Technical Specifications to reference 10 CFR Part 50, Appendix J, for the 1) Type A (Integrated Leakage Rate Test), and 2) Drywell-to-Suppression Chamber (bypass) leakage tests instead of providing explicit requirements in the TS.

*Date of issuance:* January 25, 1996.

*Effective date:* As of date of issuance, to be implemented within 30 days.

*Amendment Nos.* 108 and 71.

*Facility Operating License Nos.* NPF-39 and NPF-85. The amendments revised the Technical Specifications.

*Date of initial notice in Federal Register:* August 16, 1995 (60 FR 42605).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated January 25, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room location:* Pottstown Public Library, 500 High Street, Pottstown, Pennsylvania 19464.

Philadelphia Electric Company, Docket Nos. 50-352 and 50-353, Limerick Generating Station, Units 1 and 2, Montgomery County, Pennsylvania

*Date of application for amendments:* July 28, 1995.

*Brief description of amendments:* The amendments modify Technical Specifications (TS) Surveillance Requirements 4.9.1.1, 4.9.1.2, 4.9.3, 4.9.5, and 4.9.8 to delete specific requirements to perform surveillances just prior to beginning or resuming core alterations or control rod withdrawal associated with refueling activities. The amendments also delete the phrase "incore instrumentation" from the footnote in TS Section 3/4.9.5, "Communication."

*Date of issuance:* January 31, 1996.

*Effective date:* As of its date of issuance, to be implemented within 30 days.

*Amendment Nos.:* 109 and 72.

*Facility Operating License Nos.* NPF-39 and NPF-85: The amendments revised the Technical Specifications.

*Date of initial notice in Federal Register:* September 27, 1995 (60 FR 49943).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated January 31, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room location:* Pottstown Public Library, 500 High Street, Pottstown, Pennsylvania 19464.

Public Service Electric & Gas Company, Docket No. 50-354, Hope Creek Generating Station, Salem County, New Jersey

*Date of application for amendment:* December 28, 1995.

*Brief description of amendment:* This amendment changes Hope Creek Generating Station Technical Specification 1.4, "Channel Calibration," to define actions required for channel calibration of instrument channels containing resistance temperature detector or thermocouple sensors.

*Date of issuance:* January 25, 1996.

*Effective date:* As of date of issuance.

*Amendment No.:* 90.

*Facility Operating License No.* NPF-57: This amendment revised the Technical Specifications.

Public comments requested as to proposed no significant hazards consideration: Yes (61 FR 420, January 20, 1996). That notice provided an opportunity to submit comments on the Commission's proposed no significant hazards consideration determination. No comments have been received. The notice also provided for an opportunity to request a hearing by February 5, 1996, but indicated that if the Commission makes a final no significant hazards consideration determination any such hearing would take place after issuance of the amendment.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 25, 1996.

*Local Public Document Room location:* Pennsville Public Library, 190 S. Broadway, Pennsville, New Jersey 08070.

Public Service Electric & Gas Company, Docket Nos. 50-272 and 50-311, Salem Nuclear Generating Station, Unit Nos. 1 and 2, Salem County, New Jersey

*Date of application for amendments:* October 11, 1994, as supplemented December 13, 1994, September 6, 1995, and December 28, 1995.

*Brief description of amendments:* The amendments make two changes to Technical Specification 3/4.4.4 concerning pressurizer heaters. The first change adds the phrase "capable of being powered from an emergency power supply" to the Limiting Condition for Operation. The second change alters the frequency of surveillance requirement 4.4.4.2 from 92 days to every refueling outage.

*Date of issuance:* January 24, 1996.

*Effective date:* As of date of issuance, to be implemented within 60 days.

*Amendment Nos.* 179 and 160.

*Facility Operating License Nos.* DPR-70 and DPR-75: The amendments revised the Technical Specifications.

*Date of initial notice in Federal Register:* November 23, 1994 (59 FR 60386).

The December 13, 1994, September 6, 1995, and December 28, 1995, letters provided clarifying information that did not change the initial proposed no significant hazards consideration determination.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated January 24, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room*

*location:* Salem Free Public Library, 112 West Broadway, Salem, New Jersey 08079.

The Cleveland Electric Illuminating Company, Centor Service Company, Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company, Toledo Edison Company, Docket No. 50-440, Perry Nuclear Power Plant, Unit No. 1, Lake County, Ohio

*Date of application for amendment:* May 1, 1995, supplemented December 20, 1995.

*Brief description of amendment:* The amendment revises the technical specifications to eliminate selected response time testing requirements as described in the Boiling Water Reactor Owners' Group topical report, NEDO-32291, "System Analyses for Elimination of Selected Response Time Testing Requirements," and to incorporate Generic Letter 93-08 guidance regarding relocation of technical specification tables dealing with instrument response time limits.

*Date of issuance:* January 11, 1996.

*Effective date:* January 11, 1996, and implemented not later than 90 days after issuance.

*Amendment No.:* 77.

*Facility Operating License No. NPF-58:* This amendment revised the Technical Specifications.

*Date of initial notice in Federal Register:* May 23, 1995 (60 FR 27345).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 11, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room*

*location:* Perry Public Library, 3753 Main Street, Perry, Ohio 44081.

TU Electric Company, Docket Nos. 50-445 and 50-446, Comanche Peak Steam Electric Station, Unit Nos. 1 and 2, Somervell County, Texas

*Date of amendment request:* January 5, 1996 (TXX-96007).

*Brief description of amendments:* The amendments were processed as exigent amendments following issuance of a notice of enforcement discretion (NOED) by NRC letter dated January 11, 1996. The NOED and exigent Technical Specification (TS) amendments authorize the licensee to continue operating the Comanche Peak Steam Electric Station, Unit 2 reactor at power with less than the minimum channels operable for Wide Range RCS (Reactor Coolant System) Temp. (Temperature)-T<sub>h</sub> remote shutdown indication. The

minimum number of channels required is being revised from one per RCS Loop for each RCS Loop to one per RCS Loop for three of the four RCS Loops. These changes are only applicable to CPSES Unit 2 and are being submitted on the CPSES Unit 1 docket for administrative purposes only because the CPSES TSs is a single document which applies to both units.

*Date of issuance:* February 2, 1996.

*Effective date:* February 2, 1996.

*Amendment Nos.:* Unit 1—Amendment No. 45; Unit 2—Amendment No. 31.

*Facility Operating License Nos. NPF-87 and NPF-89:* The amendments revised the Technical Specifications.

Public comments requested as to proposed significant hazards consideration: Yes (61 FR 1651, dated January 22, 1996). The notice provided an opportunity to submit comments on the Commission's proposed no significant hazards consideration determination. No comments have been received. The notice also provided for an opportunity to request a hearing by February 21, 1996, but stated that any such hearing would take place after issuance of the amendment. The Commission's related evaluation of the amendments, finding of exigent circumstances, and final determination of no significant hazards consideration is contained in a Safety Evaluation dated February 2, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room*

*location:* University of Texas at Arlington Library, Government Publications/Maps, 702 College, P.O. Box 19497, Arlington, TX 76019.

Wisconsin Public Service Corporation, Docket No. 50-305, Kewaunee Nuclear Power Plant, Kewaunee County, Wisconsin

*Date of application for amendment:* October 18, 1995.

*Brief description of amendment:* The amendment revises Kewaunee Nuclear Power Plant Technical Specification (TS) 3.4, "Steam and Power Conversion System," by modifying and clarifying the operability requirements for the main steam safety valves (MSSVs), the auxiliary feedwater (AFW) System, and the condensate storage tank system. The amendment also eliminates inconsistencies within TS Section 3.4 and provides the basis for acceptable operation of the Auxiliary Feedwater System below 15% reactor power.

*Date of issuance:* January 3, 1996.

*Effective date:* January 3, 1996.

*Amendment No.:* 123.

*Facility Operating License No. DPR-43:* Amendment revised the Technical Specifications.

*Date of initial notice in Federal Register:* November 27, 1995 (60 FR 58407).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 3, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room*

*location:* University of Wisconsin, Cofrin Library, 2420 Nicolet Drive, Green Bay, Wisconsin 54311-7001.

Wolf Creek Nuclear Operating Corporation, Docket No. 50-482, Wolf Creek Generating Station, Coffey County, Kansas

*Date of amendment request:* October 18, 1995.

*Brief description of amendment:* This amendment replaces the current fuel oil volume requirement in the emergency diesel generator (EDG) day tank in Technical Specifications 3.8.1.1.b.1) and 3.8.1.2.b.1) with a fuel oil level requirement. Associated Surveillance Requirement 4.8.1.1.2.a.1) is also changed to replace the visual check requirement on fuel oil level in the day tank with a requirement to verify that the fuel oil transfer pump starts on low level in the day tank standpipe. The associated Bases section is also revised to reflect the above changes.

*Date of issuance:* January 19, 1996.

*Effective date:* January 19, 1996, to be implemented prior to startup from the eighth refueling outage currently scheduled to begin in March 1996.

*Amendment No.:* 94.

*Facility Operating License No. NPF-42:* The amendment revised the Technical Specifications.

*Date of initial notice in Federal Register:* November 27, 1995 (60 FR 58049).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 19, 1996.

No significant hazards consideration comments received: No.

*Local Public Document Room*

*locations:* Emporia State University, William Allen White Library, 1200 Commercial Street, Emporia, Kansas 66801 and Washburn University School of Law Library, Topeka, Kansas 66621.

Notice of Issuance of Amendments to Facility Operating Licenses and Final Determination of No Significant Hazards Consideration and Opportunity for a Hearing (Exigent Public Announcement or Emergency Circumstances)

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Because of exigent or emergency circumstances associated with the date the amendment was needed, there was not time for the Commission to publish, for public comment before issuance, its usual 30-day Notice of Consideration of Issuance of Amendment, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing.

For exigent circumstances, the Commission has either issued a Federal Register notice providing opportunity for public comment or has used local media to provide notice to the public in the area surrounding a licensee's facility of the licensee's application and of the Commission's proposed determination of no significant hazards consideration. The Commission has provided a reasonable opportunity for the public to comment, using its best efforts to make available to the public means of communication for the public to respond quickly, and in the case of telephone comments, the comments have been recorded or transcribed as appropriate and the licensee has been informed of the public comments.

In circumstances where failure to act in a timely way would have resulted, for example, in derating or shutdown of a nuclear power plant or in prevention of either resumption of operation or of increase in power output up to the plant's licensed power level, the Commission may not have had an opportunity to provide for public comment on its no significant hazards consideration determination. In such case, the license amendment has been issued without opportunity for comment. If there has been some time for public comment but less than 30 days, the Commission may provide an

opportunity for public comment. If comments have been requested, it is so stated. In either event, the State has been consulted by telephone whenever possible.

Under its regulations, the Commission may issue and make an amendment immediately effective, notwithstanding the pendency before it of a request for a hearing from any person, in advance of the holding and completion of any required hearing, where it has determined that no significant hazards consideration is involved.

The Commission has applied the standards of 10 CFR 50.92 and has made a final determination that the amendment involves no significant hazards consideration. The basis for this determination is contained in the documents related to this action. Accordingly, the amendments have been issued and made effective as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.12(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the application for amendment, (2) the amendment to Facility Operating License, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment, as indicated. All of these items are 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 for the particular facility involved.

The Commission is also offering an opportunity for a hearing with respect to the issuance of the amendment. By March 15, 1996, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should

consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC and at the local public document room for the particular facility involved. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish

those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses. Since the Commission has made a final determination that the amendment involves no significant hazards consideration, if a hearing is requested, it will not stay the effectiveness of the amendment. Any hearing held would take place while the amendment is in effect.

A request for a hearing or a 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. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to (*Project Director*): petitioner's name and telephone number, date petition was mailed, plant name, and publication date and page number of this Federal Register notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and 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 the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

The Cleveland Electric Illuminating Company, Centerior Service Company, Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company, Toledo Edison Company, Docket No. 50-440, Perry Nuclear Power Plant, Unit No. 1, Lake County, Ohio

*Date of application for amendment:* January 10, 1996.

*Brief description of amendment:* The amendment granted a one-time extension for surveillances relating to the main steam isolation valve leakage control system, the reactor mode switch and manual scram of the reactor protection system, and the scram discharge vent and drain valves in order for the plant to operate for six more days until its planned shutdown date for refueling outage.

*Date of issuance:* January 19, 1996.

*Effective date:* January 19, 1996.

*Amendment No.:* 78.

*Facility Operating License No. NPF-58:* This amendment revised the Technical Specifications.

Public comments requested as to proposed no significant hazards consideration: No.

The Commission's related evaluation of the amendment, finding of emergency circumstances, and final determination of no significant hazards consideration are contained in a Safety Evaluation dated January 19, 1996.

*Local Public Document Room*

*Location:* Perry Public Library, 3753 Main Street, Perry, Ohio 44081.

*Attorney for licensee:* Jay E. Silberg, Shaw, Pittman, Potts & Trowbridge, 2300 N Street, NW., Washington, D.C. 20037.

*NRC Project Director:* Gail H. Marcus.

Dated at Rockville, Maryland, this 8th day of February 1996.

For the Nuclear Regulatory Commission.  
Steven A. Varga,

*Director, Division of Reactor Projects—I/II,  
Office of Nuclear Reactor Regulation.*

[FR Doc. 96-3124 Filed 2-13-96; 8:45 am]

BILLING CODE 7590-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-36817; File No. SR-OPRA-96-1]

### Options Price Reporting Authority; Notice of Filing and Immediate Effectiveness of Amendment to OPRA Fee Schedule Revising the Information Fees Payable by Professional Subscribers to Last Sale and Quotation Information

February 7, 1996.

Pursuant to rule 11Aa3-2 under the Securities Exchange Act of 1934 ("Exchange Act"), notice is hereby given that on January 22, 1996, the Options Price Reporting Authority ("OPRA")<sup>1</sup> submitted to the Securities and Exchange Commission ("SEC" or "Commission") an amendment to the Plan for Reporting of Consolidated Options Last Sale Reports and Quotation Information ("Plan"). The amendment revises the information fees payable by professional subscribers to last sale and quotation information.<sup>2</sup> OPRA has designated this proposal as establishing or changing a fee or other charge collected on behalf of all of the OPRA participants in connection with access to or use of OPRA facilities, permitting the proposal to become effective upon filing pursuant to Rule 11Aa3-2(c)(3)(i) under the Exchange Act. The Commission is publishing this notice to solicit comments from interested persons on the amendment.

#### I. Description and Purpose of the Amendment

The purpose of the amendment is to revise the fees payable to OPRA by professional subscribers for access to securities options market data and related information ("OPRA data"), so that a greater share of the costs of

<sup>1</sup> OPRA is a National Market System Plan approved by the Commission pursuant to Section 11A of the Exchange Act and Rule 11Aa3-2 thereunder. Securities Exchange Act Release No. 17638 (Mar. 18, 1981).

The Plan provides for the collection and dissemination of last sale and quotation information on options that are traded on the five member exchanges. The five exchanges which agreed to the OPRA Plan are the American Stock Exchange ("AMEX"); the Chicago Board Options Exchange ("CBOE"); the New York Stock Exchange ("NYSE"); the Pacific Stock Exchange ("PSE"); and the Philadelphia Stock Exchange ("PHLX").

<sup>2</sup> In September 1995, OPRA previously filed an amendment to revise the fees payable by professional subscribers. See Securities Exchange Act Release No. 36364 (October 12, 1995), 60 FR 54093 (October 19, 1995). OPRA subsequently withdrew the proposed amendment on November 22, 1995. See Letter from Janet Angstadt, Schiff Hardin & Waite, Attorney for OPRA, to David Oestreicher, Attorney, Division of Market Regulation, SEC (November 22, 1995).