

loss-of-coolant accidents of different sizes, locations, and other properties sufficient to provide assurance that the most severe postulated loss-of-coolant accidents are calculated." The Code of Federal Regulations at 10 CFR 50.46 then goes on to give specifications for peak cladding temperature, maximum cladding oxidation, maximum hydrogen generation, coolable geometry, and long-term cooling. Since 10 CFR 50.46 specifically refers to fuel with Zircaloy cladding, the use of fuel clad with advanced zirconium-based alloys would, in effect, place the licensee outside the applicability of this section of the Code.

The underlying purpose of the rule is to ensure that facilities have adequate acceptance criteria for ECCS. The fuel rods clad with the advanced zirconium-based alloys will be identical in design and dimension to the fuel rods clad with conventional Zircaloy-4. The advanced cladding materials used in the demonstration fuel assemblies were chosen based on the improved corrosion resistance exhibited in ex-reactor autoclave corrosion tests in both high-temperature water and steam environments. Fuel rods clad with similar types of advanced zirconium-based alloys have been successfully irradiated in high-temperature PWRs in Europe.

The mechanical properties of the clad made from the advanced zirconium-based alloys meet all the mechanical requirements of the conventional Zircaloy-4 procurement specifications. Thus, the cladding and structural integrity of the fuel rods and fuel assemblies that have the advanced zirconium-based alloys will be maintained.

Therefore, due to these similarities between advanced zirconium-based alloys and Zircaloy-4, the advanced alloys are expected to result in clad and fuel performance similar to Zircaloy-4, such that the 10 CFR 50.46 LOCA acceptance criteria will be satisfied for the advanced zirconium-based cladding. Thus, the underlying purpose of the rule has been met.

Strict interpretation of the regulation would render the criteria of 10 CFR 50.46 inapplicable to the advanced zirconium-based alloys, even though analysis shows that applying the Zircaloy criteria to the advanced zirconium-based alloys yields acceptable results.

A strict application of the regulation in this instance is not necessary to achieve the underlying purpose of the rule. Therefore, special circumstances exist to grant an exemption from 10 CFR 50.46(a)(1)(i) that would allow the

licensee to apply the acceptance criteria of 10 CFR 50.46 to a reactor with 40 fuel rods clad with advanced zirconium-based alloys.

The Code of Federal Regulations at 10 CFR 50.44 provides requirements for control of hydrogen gas generated in part by Zircaloy clad fuel after a postulated LOCA. The intent of this rule is to ensure that an adequate means is provided for the control of hydrogen gas that may be generated following a LOCA.

The hydrogen produced in a post-LOCA scenario comes from cladding oxidation from a metal-water reaction. Most of the high-temperature oxidation occurs in the β -phase since the diffusion coefficient for oxygen in the β -phase of zirconium is significantly greater than that in α -phase zirconium.

The β -phase oxidation resistance of the alloys is expected to be as good as or better than that of Zircaloy-4. It is expected that the alloying element levels adjusted to improve the corrosion resistance of the α -phase of these alloys with respect to the α -phase of Zircaloy-4 will result in an improvement of the corrosion resistance of the β -phase of these alloys as well. It is therefore concluded that the β -phase oxidation rate of the alloys will be comparable to or lower than that of Zircaloy-4 and that the Baker-Just correlation will overpredict the β -phase oxidation of the alloys. A strict interpretation of the rule in this instance would result in the criteria of 10 CFR 50.44 inapplicable to advanced zirconium-based alloys. Since application of the regulation is not necessary to achieve the underlying purpose of the rule, special circumstances exist to grant an exemption from 10 CFR 50.44 to a reactor containing 40 fuel rods clad with advanced zirconium-based alloys.

Paragraph I.A.5 of Appendix K to 10 CFR Part 50 states that the rates of energy release, hydrogen generation, and cladding oxidation from the metal-water reaction shall be calculated using the Baker-Just equation. However, since the Baker-Just equation presumes the use of Zircaloy clad fuel, strict application of the rule would not permit use of the equation. The intent of this part of Appendix K, however, is to apply an equation that conservatively bounds all post-LOCA scenarios. Due to the similarities in the composition of the advanced zirconium-based alloys and Zircaloy, the application of the Baker-Just equation in the analysis of advanced zirconium-based clad fuel will conservatively bound all post-LOCA scenarios. Since the use of the Baker-Just equation presupposes Zircaloy cladding and post-LOCA

scenarios are conservatively bounded, the underlying purpose of the rule will be met. Thus, special circumstances exist to grant an exemption from Paragraph I.A.5 of Appendix K to 10 CFR Part 50 that would allow the licensee to apply the Baker-Just equation to advanced zirconium-based alloys.

IV

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, this exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. The Commission has determined, pursuant to 10 CFR 50.12(a)(2)(ii) that special circumstances exist, as noted in Section III above. Therefore, the Commission hereby grants Arizona Public Service Company, et al., an exemption from 10 CFR 50.46, 10 CFR Part 50, Appendix K, and 10 CFR 50.44.

Pursuant to 10 CFR 51.32, the Commission has determined that granting this exemption will not have a significant impact on the human environment (61 FR 5042).

This exemption is effective upon issuance and shall expire at the completion of the ninth Unit 2 refueling outage.

Dated at Rockville, Maryland, this 6th day of March 1996.

For the Nuclear Regulatory Commission,
Elinor G. Adensam,
Deputy Director, Division of Reactor Projects
III/IV, Office of Nuclear Reactor Regulation.
[FR Doc. 96-5813 Filed 3-11-96; 8:45 am]

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[Docket No. STN 50-529]

Arizona Public Service Company; Palo Verde Nuclear Generating Station, Unit No. 2, Environmental Assessment and Finding of No Significant Impact

In notice document 96-2834 beginning on page 5042, in the issue of Friday, February 9, 1996, make the following corrections:

In the third full paragraph, in the first column, on page 5042, in line 3, the date of "December 20, 1995" should be corrected to read "January 12, 1996."

In the fourth full paragraph, in the third column, on page 5042, in line 3, the date of "December 20, 1995" should be corrected to read "January 12, 1996."

Dated at Rockville, Maryland, this 6th day of March 1996.

For the Nuclear Regulatory Commission.
Charles R. Thomas,
*Project Manager, Project Directorate IV-2,
Division of Reactor Projects III/IV, Office of
Nuclear Reactor Regulation.*
[FR Doc. 96-5814 Filed 3-11-96; 8:45 am]
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[Docket No. 50-77]

Environmental Assessment and Finding of No Significant Impact Regarding Termination of Facility License No. R-31, Catholic University of America, AGN-201 Nuclear Research Reactor

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an Order terminating Facility License No. R-31 for the Catholic University of America (the licensee) Aerojet-General Nucleonics (AGN-201) Nuclear Research Reactor located in Washington, District of Columbia, in accordance with the application dated February 6, 1992, as supplemented on June 2, 1995.

Environmental Assessment

Identification of Proposed Action

The proposed action would authorize the licensee to decontaminate and dismantle its AGN-201 Nuclear Reactor Facility, and dispose of its component parts in accordance with the proposed decommissioning plan. Following an "Order Authorizing Decommissioning Plan and Authorizing Decommissioning of the Catholic University of America Research Reactor," dated September 24, 1992, (57 FR 45094) the licensee completed the dismantlement and submitted a final survey report on December 20, 1994, as supplemented on September 22, 1995. A NRC Region I inspector conducted a survey of the Facility on November 7-9, 1995, (Inspection Report No. 50-77/95-01). Region I, in a memorandum dated December 11, 1995, concluded that their inspection findings confirmed the data developed in the licensee final survey report. The proposed action is in accordance with the licensee's application dated February 6, 1992.

The Need for Proposed Action

The proposed action is to release the facility for unrestricted access and use, and Facility License No. R-31 must be terminated.

Environmental Impact of License Termination

The licensee indicates that the residual contamination levels comply with the criteria of Regulatory Guide

1.86 Table 1, for unrestricted release of the facility. The licensee also indicates that the radiological exposure at the facility is also less than 5 micro R/hr above background at one meter which has also been accepted by the NRC for unrestricted release of facilities. These measurements have been verified by the NRC Region I inspection. The NRC finds that since these criteria have been met there is no significant impact on the environment and the facility can be released for unrestricted use.

Alternatives to the Proposed Action

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 environmental impacts and would deny release of the site for unrestricted use and require continuance of the facility license. The environmental impacts of the proposed action and the alternative action are similar. Since the reactor and component parts have been dismantled and disposed of in accordance with NRC regulations and guidelines, there is no viable alternative to termination of Facility License No. R-31.

Agencies and Persons Consulted

The NRC staff consulted with the Program Manager for the Pharmaceutical, Radiological and Medical Devices Control Division of the District of Columbia regarding the proposed action.

Finding of No Significant Impact

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

For further details with respect to this proposed action, see the licensee's submittal on decommissioning the facility, dated February 6, 1992, as supplemented on June 2, 1995. These documents are available for public inspection at the Commission's Public Document Room, 2120 L Street, NW., Washington, DC 20555.

Dated at Rockville, Maryland this 6th day of March 1996.

For the Nuclear Regulatory Commission.
Seymour H. Weiss,
*Director, Non-Power Reactor and
Decommissioning Project Directorate,
Division of Reactor Program Management,
Office of Nuclear Reactor Regulation.*
[FR Doc. 96-5816 Filed 3-11-96; 8:45 am]
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Advisory Committee on Reactor Safeguards

Subcommittee Meetings on Thermal Hydraulic Phenomena; Notice of Meeting

The ACRS Subcommittee on Thermal Hydraulic Phenomena will hold a meeting on March 21 and 22, 1996, at the Los Angeles Airport Hilton, 5711 West Century Blvd., Los Angeles, California.

Portions of the meeting may be closed to public attendance to discuss General Electric Nuclear Energy Company proprietary information pursuant to 5 U.S.C. 552b(c)(4).

The agenda for the subject meeting shall be as follows:

Thursday, March 21, 1996—8:30 a.m. until the conclusion of business.

Friday, March 22, 1996—8:30 a.m. until the conclusion of business.

The Subcommittee will discuss the NRC Office of Nuclear Regulatory Research (RES) test and analysis program being conducted in support of the Simplified Boiling Water Reactor (SBWR) passive plant design certification. The purpose of this meeting is to gather information, analyze relevant issues and facts, and to formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Subcommittee, its consultants, and staff. Persons desiring to make oral statements should notify the cognizant ACRS staff engineer named below five days prior to the meeting, if possible, so that appropriate arrangements can be made.

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC staff, its consultants, and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the scheduling of sessions which are open to the public, the Chairman's ruling on