

UNITED STATES NUCLEAR REGULATORY COMMISSION

[Docket No. 50-286]

Power Authority of the State of New York (Indian Point Nuclear Generating Unit No. 3); Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-64 issued to the Power Authority of the State of New York (the licensee) for the Indian Point Nuclear Generating Unit No. 3, located in Westchester County, New York.

Environmental Assessment

Identification of Proposed Action

The proposed amendment would include provisions in Technical Specifications (TS) 5.3 and 5.4 which allow for the storage of fuel with an enrichment not to exceed $4.95 + 0.05$ weight percent (w/o) Uranium 235 (U-235) in the new and spent fuel storage racks and would revise requirements governing the placement of fuel assemblies in the fuel storage pit. The proposed action is in accordance with the licensee's application for amendment dated November 22, 1996.

The Need for Proposed Action

The proposed changes are needed so that the licensee can use higher fuel enrichment to provide the flexibility of extending the fuel irradiation and to permit operation for longer fuel cycles.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed revisions to the TS. The proposed revisions would permit use of fuel enriched to a nominal 5.0 w/o U-235. The safety considerations associated with reactor operation with higher enrichment and extended irradiation have been evaluated by the NRC staff. The staff has concluded that such changes would not adversely affect plant safety. The proposed changes have no adverse effect on the probability of any accident. The higher enrichment, with increased fuel burnup, may slightly change the mix of fission products that might be released in the event of a serious accident, but such small changes would not significantly affect the consequences of serious accidents. No changes are being made in the types or amounts of any radiological effluents that may be released offsite. There is no significant

increase in the allowable individual or cumulative occupational radiation exposure.

The environmental impacts of transportation resulting from the use of higher enrichment fuel and extended irradiation were published and discussed in the staff assessment entitled, "NRC Assessment of the Environmental Effects of Transportation Resulting from Extended Fuel Enrichment and Irradiation," dated July 7, 1988. This assessment was published in connection with an Environmental Assessment related to the Shearon Harris Nuclear Plant, Unit 1, which was published in the **Federal Register** (53 FR 30355) on August 11, 1988, as corrected on August 24, 1988 (53 FR 32322). As indicated therein, the environmental cost contribution of an increase in the fuel enrichment of up to 5 weight percent U-235 and irradiation limits of up to 60,000 gigawatt days per metric ton (GWD/MT) are either unchanged or may, in fact, be reduced from those summarized in Table S-4 as set forth in 10 CFR 51.52(c). These findings are applicable to the proposed increase at Indian Point given that the proposal involves 5% and burnup of less than 60,000 gigawatt days per metric ton (GWD/MT). Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed amendment.

With regard to potential non-radiological impacts of reactor operation with higher enrichment and extended irradiation, the proposed action involves features located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect non-radiological plant effluents and has no other environmental impact. Accordingly, the Commission concludes that there are no significant non-radiological environmental impacts associated with the proposed action.

Alternative to the Proposed Action

Since the Commission concluded that there are no significant environmental effects that would result from the proposed action, any other alternative would have equal or greater environmental impacts and need not be evaluated.

The principal alternative would be to deny the requested amendment. This would not reduce the environmental impact of plant operations and would result in reduced operational flexibility.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the Final Environmental

Statement related to operation of Indian Point Nuclear Generating Unit No. 3.

Agencies and Persons Consulted

In accordance with its stated policy, on December 12, 1996, the staff consulted with the New York State official, Heidi Voelk, of the New York State Energy Research and Development Authority regarding the environmental impact of the proposed action. The state official had no comments.

Finding of No Significant Impact

The Commission has determined not to prepare an environmental impact statement for the proposed license amendment.

Based upon the foregoing environmental assessment, we conclude that the proposed action will not have a significant effect on the quality of the human environment.

For further details with respect to this action, see the application for amendment dated November 22, 1996, that 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 Indian Point Nuclear Generating Unit No. 3, at White Plains Public Library, 100 Martine Avenue, White Plains, New York.

Dated at Rockville, Maryland, this 26th day of March 1997.

For The Nuclear Regulatory Commission.

George F. Wunder,

Project Manager, Project Directorate I-1, Division of Reactor Projects I/II, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

Sunshine Act Meeting

DATE: Weeks of March 31, April 7, 14, and 21, 1997.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

MATTERS TO BE CONSIDERED:

Week of March 31

Monday, March 31

10:00 a.m.

Briefing by the Executive Branch (Closed—Ex. 1)

2:00 p.m.

Classified Security Briefing (Closed—Ex. 1)

2:30 p.m.

Meeting with DOE on External Regulations of DOE Facilities (Public Meeting)