

*Ordered*, That the application regarding the indirect license transfers referenced above is approved subject to the following conditions: (1) CEI of NY shall provide the Director of the Office of Nuclear Reactor Regulation a copy of any application, at the time it is filed, to transfer (excluding grants of security interests or liens) from CEI of NY to its proposed parent or to any other affiliated company, facilities for the production, transmission, or distribution of electric energy having a depreciated book value exceeding ten percent (10%) of CEI of NY's consolidated net utility plant, as recorded on CEI of NY's books of accounts, and (2) should the corporate merger of CEI and NU not be completed by December 31, 2001, this Order shall become null and void, provided, however, on application and for good cause shown, such date may be extended.

For further details with respect to this action, see the initial application dated January 13, 2000, the supplemental letter dated May 2, 2000, and the Safety Evaluation dated August 22, 2000, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.NRC.gov>).

Dated at Rockville, Maryland, this 22nd day of August 2000.

For the Nuclear Regulatory Commission.

**Samuel J. Collins,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 00-21882 Filed 8-25-00; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Louisiana License LA-7396-L01]

### **Gulf Coast International Inspection, Inc.— Houma, LA; Environmental Assessment, Finding of No Significant Impact, and Notice of Opportunity for a Hearing**

The Nuclear Regulatory Commission is considering authorizing Gulf Coast International Inspection, Inc. (Gulf Coast) an exemption to use pipeliners on lay barges in the Gulf of Mexico.

#### **Environmental Assessment**

##### *Identification of the Proposed Action*

Gulf Coast International Inspection Incorporated (Gulf Coast) is licensed by the State of Louisiana to conduct

industrial radiography operations. They have requested, in their letter dated November 16, 1999, that the United States Nuclear Regulatory Commission (NRC) grant them reciprocity and an exemption from 10 CFR 34.20 (a)(1) to use their pipeliner type radiography cameras (pipeliners) for pipeline radiography on lay barges in areas under exclusive federal jurisdiction in the Gulf of Mexico. Pipeliners are older model radiography cameras that do not meet the requirements of 10 CFR 34.20(a)(1) which requires equipment used in industrial radiographic operations to meet the requirements in ANSI N432-1980, "Radiological Safety for the Design and Construction of Apparatus for Gamma Radiography (ANSI N432-1980)," (published as NBS Handbook 136, issued January 1981). Gulf Coast is allowed to conduct similar operations in the State of Louisiana under an exemption granted in license number LA-7396-L01.

##### *Need for the Proposed Action*

The exemption is needed so that Gulf Coast can carry out its business of pipeline radiography on lay barges for the continuation of pipeline operations in the oil and gas industry. Gulf Coast contends that due to the design of the lay barges and the limited space that is available, the pipeliner is the only device that will keep up with production on a lay barge and provide a safe working environment for their radiographers and surrounding barge personnel.

##### *Environmental Impacts of the Proposed Action*

There will be no significant environmental impact from the proposed action due to the fact that no material is being released into the environment and all of the material is wholly contained within the radiography camera which is only used in a fully enclosed radiography stall on a lay barge. During normal operation the radiation dose will not be significantly greater than an approved radiography camera's normal operating external radiation dose levels.

##### *Alternatives to the Proposed Action*

As required by Section 102(2)(E) of NEPA (42 U.S.C. 4322(2)(E)), possible alternatives to the final action have been considered. The only alternative is to deny the exemption. This option was not considered practical because there would be no gain in protecting the human environment. Denying the exemption request would force Gulf Coast to revert to radiography cameras that are designed to meet ANSI N432-

1980, but these cameras are not practical for radiography operations on a lay barge. These newer cameras would be similar to the pipeliners in that their radioactive material is housed as a sealed source and there would be no release of material to the environment. However, these newer cameras have associated equipment, such as a drive cable and guide tube, that would require additional space to perform radiography on pipelines. This equipment becomes cumbersome and may get in the way as the pipe is moved through the lay barge. In the newer devices, the sealed source would have to be cranked out of the shielded position in the camera housing through a guide tube to the exposure head location where the radiograph takes place. This "crank out" action causes the source to be unshielded while the source is cranked out to the exposure head. This results in an increase in the "restricted area" boundary causing a greater potential for non-radiography personnel on the lay barge to become exposed to radiation.

##### *Alternative Use of Resources*

No alternative use of resources was considered due to the reasons stated above.

##### *Agencies and Persons Consulted*

The State of Louisiana was contacted by telephone on August 7, 2000 regarding this proposed action. The State of Louisiana is in agreement with the proposed action and had no additional comments.

##### *Identification of Sources Used*

Letter from Gulf Coast International Inspection, Inc. to U.S. Nuclear Regulatory Commission, Region IV, Re: Louisiana License No. LA-7396-L01, dated November 16, 1999.

##### **Finding of No Significant Impact**

Based on the above environmental assessment, the Commission has concluded that environmental impacts that would be created by the proposed action would not have a significant effect on the quality of the human environment and does not warrant the preparation of an Environmental Impact Statement. Accordingly, it has been determined that a Finding of No Significant Impact is appropriate.

Gulf Coast's application is available for inspection and copying for a fee in the Region IV Public Document Room, 611 Ryan Plaza Drive, Suite 400, Arlington, TX 76011-8064. The documents may also be viewed in the Agency-wide Documents Access and Management System (ADAMS) located on the NRC website at [www.nrc.gov](http://www.nrc.gov).

### Opportunity for a Hearing

Any person whose interest may be affected by the issuance of this action may file a request for a hearing. Any request for hearing must be filed with the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, within 30 days of the publication of this notice in the **Federal Register**; be served on the NRC staff (Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852), and on the licensee (Gulf Coast International Inspection, Inc., 227 Clendenning Road, Houma, LA 70363); and must comply with the requirements for requesting a hearing set forth in the Commission's regulations, 10 CFR Part 2, Subpart L, "Information Hearing Procedures for Adjudications in Materials Licensing Proceedings."

These requirements, which the request must address in detail, are:

1. The interest of the requestor in the proceeding;
2. How that interest may be affected by the results of the proceeding (including the reasons why the requestor should be permitted a hearing);
3. The requestor's areas of concern about the licensing activity that is the subject matter of the proceeding; and
4. The circumstances establishing that the request for hearing is timely—that is, filed within 30 days of the date of this notice.

In addressing how the requestor's interest may be affected by the proceeding, the request should describe the nature of the requestor's right under the Atomic Energy Act of 1954, as amended, to be made a party to the proceeding; the nature and extent of the requestor's property, financial, or other (*i.e.*, health, safety) interest in the proceeding; and the possible effect of any order that may be entered in the proceeding upon the requestor's interest.

Dated at Rockville, Maryland, this 15th day of August, 2000.

For the Nuclear Regulatory Commission.

**John W.N. Hickey,**

*Chief, Material Safety and Inspection Branch, Division of Industrial and Medical Nuclear Safety, Office of Nuclear Material Safety and Safeguards.*

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### NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-321 and 50-366]

#### **Southern Nuclear Operating Company, Inc.; Edwin I. Hatch Nuclear Plant, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from certain requirements of Title 10 of the Code of Federal Regulations (10 CFR) Part 50, Section 50.60(a) to the Southern Nuclear Operating Company, Inc. (the licensee) for operation of the Edwin I. Hatch Nuclear Plant, Units 1 and 2 located in Appling County, Georgia.

#### **Environmental Assessment**

##### *Identification of the Proposed Action*

The proposed action would exempt the licensee from certain provisions of 10 CFR Part 50, Section 50.60(a) and 10 CFR Part 50, Appendix G. The NRC has established requirements in 10 CFR Part 50 to protect the integrity of the reactor coolant pressure boundary (RCPB) in nuclear power plants. As part of these requirements, 10 CFR Part 50, Appendix G requires that pressure-temperature (P-T) limits be established for reactor pressure vessels (RPVs) during normal operating and hydrostatic pressure and leak rate test conditions. Specifically, 10 CFR Part 50, Appendix G states that "[t]he appropriate requirements \* \* \* on pressure-temperature limits and minimum permissible temperature must be met for all conditions." Appendix G of 10 CFR Part 50 specifies that the requirements for these limits are the American Society of Mechanical Engineers (ASME) Code, Section XI, Appendix G limits.

Pressurized water reactor licensees have installed cold overpressure mitigation systems/low temperature overpressure protection (LTOP) systems in order to protect the RCPB from being operated outside of the boundaries established by the P-T limit curves and to provide pressure relief on the RCPB during low temperature overpressurization events. The licensee is required by the Hatch Technical Specifications (TS) to update and submit the changes to its LTOP setpoints whenever the licensee is requesting approval for amendments to the P-T limit curves in the Hatch TS.

Therefore, in order to address provisions of amendments to the TS P-T limits and LTOP curves, the licensee requested in its submittal dated June 1,

2000, that the staff exempt Hatch, Units 1 and 2 from application of specific requirements of 10 CFR Part 50, Section 50.60(a) and 10 CFR Part 50, Appendix G and substitute use of two ASME Code Cases as follows:

1. N-588 for determining the reactor vessel P-T limits derived from postulating a circumferentially-oriented reference flaw in a circumferential weld, and
2. N-640 as an alternate reference fracture toughness for reactor vessel materials for use in determining the P-T limits.

The proposed action is in accordance with the licensee's application for exemption contained a submittal dated June 1, 2000, and is needed to support the TS amendments that are contained in the same submittal and are being processed separately. The proposed amendments will revise the P-T limits of TS 3.4.9 for Hatch, Units 1 and 2 related to the heatup, cooldown, and inservice test limitations for the Reactor Coolant System of each unit to a maximum of 54 Effective Full Power Years (EFPY).

##### *The Need for the Proposed Action*

ASME Code Case N-588 and Code Case N-640 are needed to revise the method used to determine the RCS P-T limits since continued use of the present curves unnecessarily restricts the P-T operating window. Application of the codes will, therefore, relax the LTOP operating window and reduce potential challenges to the reactor coolant system power operated relief valves.

In the associated exemption, the staff has determined that, pursuant to 10 CFR 50.12(a)(2)(ii), the underlying purpose of the regulation will continue to be served by the implementation of these Code Cases.

##### *Environmental Impacts of the Proposed Action*

The Commission has completed its evaluation of the proposed action and concludes that the exemption described above would provide an adequate margin of safety against brittle failure of the Hatch, Units 1 and 2 reactor vessels.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released offsite, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.