

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.

[FR Doc. 97-8206 Filed 3-31-97; 8:45 am]

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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)

Week of April 7—Tentative*Wednesday, April 9*

11:30 a.m.

Affirmation Session (Public Meeting) (if needed)

Week of April 14—Tentative

There are no meetings scheduled for the week of April 14.

Week of April 21—Tentative*Wednesday, April 23*

10:00 a.m.

Briefing on Millstone (Public Meeting)
(Contact: Gene Imbro, 301-415-1490)

11:30 a.m.

Affirmation Session (Public Meeting) (if needed)

1:30 p.m.

Briefing on Electric Grid Reliability (Public Meeting)
Contact: Ernie Rossi, 301-415-7499)*Thursday, April 24*

9:00 a.m.

Briefing on Electric Utility Restructuring (Public Meeting)
(Contact: Bob Wood, 301-415-1255)

1:30 p.m.

Briefing on Staff Response to Arthur Andersen Study Recommendations (Public Meeting)
(Contact: Rich Barrett, 301-415-7482)*Friday, April 25*

10:00 a.m.

Meeting with Commonwealth Edison on Response to 10 CFR 50.54 (F) Letter (Public Meeting)
(Contact: Bob Capra, 301-415-1395)

The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings call (Recording)—(301) 415-1292.

CONTACT PERSON FOR MORE INFORMATION:
Bill Hill (301) 415-1661.

The NRC Commission Meeting Schedule can be found on the Internet at:
<http://www/nrc.gov/SECY/smj/schedule.htm>

This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to it, please contact the Office of the Secretary, Attn: Operations Branch, Washington, D.C. 20555 (301-415-1661).

In addition, distribution of this meeting notice over the internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to wmh@nrc.gov or dkw@nrc.gov.

Dated: March 28, 1997.

William M. Hill, Jr.,

SECY Tracking Officer, Office of the Secretary.

[FR Doc. 97-8432 Filed 3-28-97; 3:01 pm]

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Draft Regulatory Guides and Standard Review Plan Sections; Issuance, Availability

The Nuclear Regulatory Commission has issued four guides in its Regulatory Guide Series along with three sections of NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants." The Regulatory Guide Series has been developed to describe and make available to the public such information as methods acceptable to the NRC staff for implementing specific parts of the Commission's regulations, techniques used by the staff in evaluating specific problems or postulated accidents, and data needed by the staff in its review of applications for permits and licenses.

These regulatory guides and standard review plan sections are in support of amendments to 10 CFR Parts 21, 50, 52, 54, and 100 (61 FR 65157) that update the criteria used in decisions regarding power reactor siting, including geologic, seismic, and earthquake engineering considerations for future nuclear power plants.

Regulatory Guide 1.165, "Identification and Characterization of Seismic Sources and Determination of Safe Shutdown Earthquake Ground Motion," provides general guidance on procedures acceptable to the NRC staff on conducting geological, geophysical, seismological, and geotechnical investigations; identifying and characterizing seismic sources; conducting probabilistic seismic hazard analyses; and determining the safe shutdown earthquake ground motion for a nuclear power plant.

Revision 2 to Regulatory Guide 1.12, "Nuclear Power Plant Instrumentation for Earthquakes," describes seismic instrumentation type, location, operability, and characteristics that are acceptable to the NRC staff for satisfying the requirements of the Commission's regulations.

Regulatory Guide 1.166, "Pre-Earthquake Planning and Immediate Nuclear Power Plant Operator Postearthquake Actions," provides guidance acceptable to the NRC staff for a timely evaluation after an earthquake of the recorded seismic instrumentation data and for determining whether plant shutdown is required.

Regulatory Guide 1.167, "Restart of a Nuclear Power Plant Shut Down by a Seismic Event," provides guidance acceptable to the NRC staff for performing inspections and tests of nuclear power plant equipment and structures prior to restart of a plant that has been shut down by a seismic event.

Revision 3 of Standard Review Plan Section 2.5.1, "Basic Geologic and Seismic Information," describes the kinds of basic geological, seismological, and geophysical information and review procedures necessary to evaluate a nuclear power station site.

Revision 3 of Standard Review Plan Section 2.5.2, "Vibratory Ground Motion," describes procedures to assess the ground motion potential of seismic sources at the site and to assess the safety shutdown earthquake.

Revision 3 of Standard Review Plan Section 2.5.3, "Surface Faulting," describes the geosciences information and review procedures needed to assess the significance of faults to the suitability of the site.

A document entitled "Resolution of Public Comments on Draft Regulatory Guides and Standard Review Plan Sections Pertaining to the Proposed Seismic and Earthquake Engineering Criteria for Nuclear Power Plants" explains the NRC's disposition of the comments received on the draft regulatory guides and standard review plan sections. A copy of this document has been placed in the NRC Public Document Room, 2120 L Street NW. (Lower Level), Washington, DC. Single copies are available from Dr. Andrew J. Murphy, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6010.

The Office of Management and Budget has verified the determination that these regulatory guides and Standard Review Plan sections do not constitute a major rule.

Regulatory guides and the Standard Review Plan are available for inspection at the Commission's Public Document Room, 2120 L Street NW., Washington, DC. Requests for single copies of draft documents (which may be reproduced) or for placement on an automatic distribution list for single copies of future draft guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Distribution and Mail Services Section. Telephone requests cannot be accommodated. Regulatory guides and standard review plans are not copyrighted, and Commission approval is not required to reproduce them.

(5. U.S.C. 552(a))

Dated at Rockville, Maryland, this 19th day of March 1997.