

Nuclear Regulatory Commission, Washington, DC 20555-0001, 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 William H. Bateman, Director, Project Directorate IV-2: 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 20555-0001, and to T.E. Oubre, Esquire, Southern California Edison Company, P.O. Box 800, Rosemead, California 91770, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding 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).

For further details with respect to this action, see the application for amendment dated January 13, 1997, 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, located at the Main Library, University of California, P.O. Box 19557, Irvine, California 92713.

Dated at Rockville, Maryland, this 16th day of January 1997.

For the Nuclear Regulatory Commission.
Mel B. Fields,

Project Manager, Project Directorate IV-2, Division of Reactor Projects III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 97-1611 Filed 1-22-97; 8:45 am]

BILLING CODE 7590-01-P

[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 an exemption from certain requirements of 10 CFR Part 50, Appendix J, Paragraph III.D.3, Type C tests, 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 the Proposed Action

The proposed action would exempt the licensee from the requirements of 10 CFR Part 50, Appendix J, Paragraph III.D.3, to the extent that a one-time extension would be allowed for conducting Type C local leak rate tests (LLRTs) on containment isolation valves. Appendix J to 10 CFR Part 50 requires these tests to be performed at intervals no greater than 2 years. Indian Point 3 is operating under an existing exemption that allows Type C tests to be conducted at intervals of no greater than 30 months. The proposed amendment to this exemption would extend the current test interval by 4½ months.

The Need for the Proposed Action

The proposed action would allow the licensee to complete the current operating cycle without a shutdown to conduct a Type C LLRT. The licensee commenced operating on 24-month fuel cycles, as opposed to the previous 18-month fuel cycles, starting with fuel cycle 9 in August 1992. The requirements of 10 CFR Part 50, Appendix J, Paragraph III.D.3, indicate that Type C LLRTs must be performed during each reactor shutdown for refueling at intervals no greater than 2 years (24 months). In order to conform with this regulation, the licensee would have to shut down Indian Point Nuclear Generating Unit No. 3 and enter an outage before the scheduled end of each fuel cycle.

The NRC staff had previously recognized that certain regulations would not accommodate fuel cycles longer than 18-months. Consequently, the NRC staff issued Generic Letter 91-04, "Changes in Technical Specification Surveillance Intervals to Accommodate a 24-Month Fuel Cycle." This generic letter provides guidance to licensees on how to prepare requests for TS amendments and regulation exemptions

which are needed to accommodate a 24-month fuel cycle. The licensee's letters of July 17, 1992, and December 23, 1992, which requested the existing exemption, followed the guidance of Generic Letter 91-04. An exemption allowing the licensee to extend the interval for Type C LLRTs was issued on February 19, 1993.

Type C testing for containment isolation valves was performed during the Restart and Continuous Improvement outage; however, due to the length of this outage the 30-month time interval will expire for some of the containment isolation valves prior to the next refueling outage scheduled for spring 1997. The requested amendment to the exemption provides for a one-time extension of up to 4 months so that valve testing may be done during the next refueling outage. Deferral of valve testing will not be used to extend plant operation beyond May 31, 1997.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that the proposed amendment to the existing exemption does not increase the probability or consequences of accidents previously analyzed and it does not affect facility radiation levels or facility radiological effluents. The licensee has analyzed the results of previous LLRTs performed at Indian Point Nuclear Generating Unit No. 3, and has provided the methodology used in extrapolating the previous LLRT data to the proposed 34.5-month interval. The requested exemption is also based on increasing the margin to the allowed combined leakage rate limit by 25 percent. The licensee has provided a sound basis for concluding that the containment leakage rate would be maintained within acceptable limits with a maximum LLRT interval of 30 months. The NRC staff has determined the licensee's actions are consistent with the guidance provided in Generic Letter 91-04.

The change will not 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 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 non-radiological impacts, the proposed exemption 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. Therefore, the Commission concludes that there is no significant non-radiological environmental impact associated with the proposed exemption.

Alternatives to the Proposed Action

Since the Commission has concluded that there is no measurable environmental associated with the proposed action, any alternatives with equal or greater environmental impacts 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 resources not previously considered in the Final Environmental Statement Related to the Operation of Indian Point Nuclear Generating Plant Unit No. 3, dated February 1975.

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

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 October 1, 1996, as supplemented by letter dated December 5, 1996, 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 White Plains Public Library, 100 Martine Avenue, White Plains, New York 10601.

Dated at Rockville, Maryland, this 16th day of January 1997.

For the Nuclear Regulatory Commission.
S. Singh Bajwa,
*Acting Director, Project Directorate I-1,
Division of Reactor Projects—I/II, Office of
Nuclear Reactor Regulation.*
[FR Doc. 97-1610 Filed 1-22-97; 8:45 am]
BILLING CODE 7590-01-P

Advisory Committee on Reactor Safeguards; Meeting Notice

In accordance with the purposes of Sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards will hold a meeting on February 5-8, 1997, in Conference Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

Wednesday, February 5, 1997

1:00 p.m.-1:15 p.m.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding conduct of the meeting and comment briefly regarding items of current interest. During this session, the Committee will discuss priorities for preparation of ACRS reports.

1:15 p.m.-2:45 p.m.: Design-Bases Verification (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and of the industry regarding the acceptance criteria to be used by the staff in judging the adequacy of the design-bases information provided by the licensees in response to the 10 CFR 50.54(f) letter issued to all licensees in October 1996.

3:00 p.m.-6:30 p.m.: Preparation of ACRS Reports (Open)—The Committee will discuss proposed ACRS reports on matters considered during this meeting. It will also discuss a proposed ACRS report to Congress on the NRC Safety Research Program, and a proposed report on Risk-Based Regulatory Acceptance Criteria for Site-Specific Application of Safety Goals.

Thursday, February 6, 1997

8:30 a.m.-8:35 a.m.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding conduct of the meeting.

8:35 a.m.-9:00 a.m.: Subcommittee Report (Open)—The Committee will hear a report by the Chairman of the Thermal Hydraulic Phenomena Subcommittee regarding matters discussed during the December 18-19, 1996 Subcommittee meeting, and comments on the future scope and direction of the Subcommittee's review

of the Westinghouse AP600 Test and Analysis Program.

9:00 a.m.-9:30 a.m.: Subcommittee Report (Open)—The Committee will hear a report by the Chairman of the Instrumentation and Control Systems and Computers Subcommittee regarding the ACRS review of the National Academy of Sciences/National Research Council Phase 2 study on digital instrumentation and control systems.

9:30 a.m.-10:15 a.m.: Future ACRS Activities (Open)—The Committee will discuss the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the full Committee during future meetings.

10:30 a.m.-12:00 Noon: Shutdown Operations Risk (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding issues associated with shutdown operations risk.

Representatives of the nuclear industry will participate, as appropriate.

1:00 p.m.-1:30 p.m.: Reconciliation of ACRS Comments and Recommendations (Open)—The Committee will discuss responses from the NRC Executive Director for Operations (EDO) to comments and recommendations included in recent ACRS reports, including the December 19, 1996 EDO response to ACRS comments included in its November 22, 1996 letter regarding NRC programs for the Risk-Based Analysis of Reactor Operating Experience.

1:30 p.m.-5:30 p.m.: Preparation of ACRS Reports (Open)—The Committee will continue its discussion of proposed ACRS reports on matters considered during this meeting. It will also continue to discuss a proposed ACRS report to Congress on the NRC Safety Research Program, as well as proposed reports on Risk-Based Regulatory Acceptance Criteria for Site-Specific Application of Safety Goals, and Human Performance Program Plan.

Friday, February 7, 1997

8:30 a.m.-8:35 a.m.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding conduct of the meeting.

8:35 a.m.-10:30 a.m.: Risk-Informed, Performance-Based Regulation and Related Matters (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the proposed Standard Review Plan Sections and Regulatory Guides for risk-informed, performance-based regulation, and related matters.