

plant the inadvertent criticality with which 10 CFR 70.24 is concerned could occur during fuel handling operations. The special nuclear material that could be assembled into a critical mass at a commercial nuclear power plant is in the form of nuclear fuel; the quantity of other forms of special nuclear material that is stored on site is small enough to preclude achieving a critical mass. Because the fuel is not enriched beyond 4.75 weight percent Uranium-235 and because commercial nuclear plant licensees have procedures and features designed to prevent inadvertent criticality, the staff has determined that it is unlikely that an inadvertent criticality could occur due to the handling of special nuclear material at a commercial power reactor. The requirements of 10 CFR 70.24, therefore, are not necessary to ensure the safety of personnel during the handling of special nuclear materials at commercial power reactors.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that there is no significant environmental impact if the exemption is granted. Inadvertent or accidental criticality will be precluded through compliance with the McGuire Nuclear Station Technical Specifications, the design of the fuel storage racks providing geometric spacing of fuel assemblies in their storage locations, and administrative controls imposed on fuel handling procedures. Technical Specifications requirements specify reactivity limits for the fuel storage racks and minimum spacing between the fuel assemblies in the storage racks.

Appendix A of 10 CFR Part 50, "General Design Criteria for Nuclear Power Plants," Criterion 62, requires the criticality in the fuel storage and handling system to be prevented by physical systems or processes, preferably by use of geometrically safe configurations. This is met at McGuire, as identified in the Technical Specification Sections 3/4.9 and 5.6 and in the Updated Final Safety Analysis Report (UFSAR) Section 9.1, by detailed procedures that must be available for use by refueling personnel. Therefore, as stated in the Technical Specifications, these procedures, the Technical Specifications requirements, and the design of the fuel handling equipment with built-in interlocks and safety features, provide assurance that it is unlikely that an inadvertent criticality could occur during refueling. In addition, the design of the facility does

not include provisions for storage of fuel in a dry location.

UFSAR Section 9.1.1, New Fuel Storage, states that new fuel is stored in the New Fuel Storage Racks located within a New Fuel Storage Vault at each McGuire unit. The new fuel storage racks are arranged to provide dry storage. The racks consist of vertical cells grouped in parallel rows, six rows wide and 16 cells long, which provide support for the new fuel assemblies and maintain a minimum center-to-center distance of 21 inches between assemblies. (Note that in none of these locations would criticality be possible.)

The proposed exemption would not result in any significant radiological impacts. The proposed exemption would not affect radiological plant effluent nor cause any significant occupational exposures since the Technical Specifications, design controls (including geometric spacing and design of fuel assembly storage spaces) and administrative controls preclude inadvertent criticality. The amount of radioactive waste would not be changed by the proposed exemption.

The proposed exemption does not result in any significant nonradiological environmental impacts. The proposed exemption involves features located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect nonradiological plant effluents and has no other environmental impact. Accordingly, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

Alternatives to the Proposed Action

Since the Commission has concluded that there is no measurable environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact need not be evaluated. As an alternative to the proposed exemption, the staff considered denial of the requested exemption. Denial of the request 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 any resources not previously considered in the "Final Environmental Statement Related to the Operation of McGuire Nuclear Station Units 1, 2, and 3" dated March 1972.

Agencies and Persons Consulted

In accordance with its stated policy, on July 12, 1997, the staff consulted

with the North Carolina State official, Richard Fry of the Division of Radiation Protection, North Carolina Department of Environment, Health, and Natural Resources, regarding the environmental impact of the proposed exemption. 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 February 4, 1997, and supplement dated March 19, 1997, which are available for public inspection at the Commission's Public Document Room, The Gelman Building, 2120 L Street, NW., Washington, DC, and at local public document room located at the J. Murrey Atkins Library, University of North Carolina at Charlotte, 9201 University City Boulevard, North Carolina.

Dated at Rockville, Maryland, this 24th day of July 1997.

For the Nuclear Regulatory Commission.

Peter S. Tam,

*Acting Director, Project Directorate II-2,
Division of Reactor Projects—I/II, Office of
Nuclear Reactor Regulation.*

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-413 and 50-414]

Duke Power Company, et al.; Catawba Nuclear Station, Units 1 and 2, Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. NPF-35 and NPF-52, issued to Duke Power Company, et al. (the licensee), for operation of the Catawba Nuclear Station, Units 1 and 2, located in York County, South Carolina.

Environmental Assessment

Identification of Proposed Action

The proposed action would amend the licenses to reflect the licensee's name change from "Duke Power Company" to "Duke Energy Corporation."

The proposed action is in response to the licensee's application dated June 12, 1997.

The Need for the Proposed Action

Duke Power Company changed its name to "Duke Energy Corporation." The facility operating licenses for Catawba were issued to indicate the name of the licensee as "Duke Power Company," and therefore need to be amended to substitute the new name of the licensee. The proposed action is purely administrative.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that there is no significant environmental impact if the amendments are granted. No changes will be made to the design and licensing bases, and procedures of the two units at Catawba Nuclear Station. Other than the name change, no other changes will be made to the facility operating licenses, including the Technical Specifications.

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 nonradiological impacts, the proposed action does not affect nonradiological plant effluents and has no other environmental impact. Accordingly, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

Alternatives to the Proposed Action

Since the Commission has concluded there is no measurable environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact 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 any resources not previously

considered in the Final Environmental Statement related to the Catawba Nuclear Station.

Agencies and Persons Contacted

In accordance with its stated policy, on July 11, 1997, the staff consulted with the South Carolina State official, Virgil Autrey of the Bureau of Radiological Health, South Carolina Department of Health and Environmental Control, regarding the environmental impact of the proposed amendments. The State official had no comments.

Finding of No Significant Impact

Based upon the foregoing environmental assessment, the Commission concludes that the proposed amendments 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 amendments.

For further details with respect to the proposed action, see the licensee's request for the amendments dated June 12, 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 York County Library, 138 East Black Street, Rock Hill, South Carolina.

Dated at Rockville, Maryland, this 24th day of July 1997.

For the Nuclear Regulatory Commission.

Peter S. Tam,

*Acting Director, Project Directorate II-2,
Division of Reactor Projects—I/II, Office of
Nuclear Reactor Regulation.*

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NUCLEAR REGULATORY COMMISSION

Updated Standard Review Plan Chapter 7: Issuance, Availability

The Nuclear Regulatory Commission (NRC) has prepared an update to Chapter 7, Instrumentation and Controls, of NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants," (SRP). The updated SRP Chapter 7, Revision 4, incorporates changes in the NRC review criteria in the area of instrumentation and control (I&C) systems, particularly digital computer-based I&C systems of nuclear power plants that have occurred since

the last major revision of the SRP in 1981.

The revisions were derived from the following programmatic areas: NRC regulatory documents issued after the 1981 SRP revision; NRC staff positions related to digital I&C system retrofits at operating nuclear power plants as documented in relevant safety evaluation reports; NRC staff endorsement of industry consensus standards applicable to I&C systems; NRC staff positions related to evolutionary and advanced light water reactor design reviews as presented in SECY-91-292, "Digital Computer Systems for Advanced Light Water Reactors," and the Staff Requirements Memorandum on SECY-93-087, "Policy, Technical, and Licensing Issues Pertaining to Evolutionary and Advanced Light Water Reactor (ALWR) Designs;" NRC design certification safety evaluation reports for the General Electric Advanced Boiling Water Reactor Design and the ABB-CE System 80+ Design; and nuclear power plant operating experience. The revised text for the SRP Chapter 7 update includes the resolution of public comments received in response to the draft version issued on December 6, 1996.

The updated SRP Chapter 7 is a "rule" for the purposes of the Small Business Regulatory Enforcement Fairness Act (5 U.S.C., Chapter 8). The staff believes that SRP Chapter 7, Revision 4 is a non-major rule and is in the process of confirming this with the Office of Management and Budget (OMB).

The updated SRP Chapter 7, Revision 4 does not, by itself, establish any new or revised requirements. It incorporates previously established NRC staff positions, and lessons learned from the completed reviews of I&C systems in the advanced light water reactors and digital I&C system retrofits of operating reactors. The review guidance described in the updated SRP Chapter 7 will be used by the NRC staff in the evaluation of future submittals in connection with applications for construction permits, standard design certifications and design approvals, combined operating licenses, and operating plant license amendments.

The updated SRP Chapter 7, Revision 4, is being made available to the public as part of the NRC's policy to inform the nuclear industry and the general public of regulatory procedures and policies. SRP Chapter 7 will be revised periodically, as appropriate, to accommodate future new technologies, information, and experience. The NRC encourages comments from interested parties. Comments and suggestions will