demonstrated a high reliability in controlling fires during the incipient stage, thereby limiting fire damage and propagation until extinguishment can be achieved through manual actions. The licensee has stated that an upgrade of the existing Thermo-Lag fire barriers to achieve literal compliance with the regulation is not feasible due to the locations of the raceways; however, the protection provided by the existing Thermo-Lag and supplemented with fire suppression capability by the additional sprinkler heads would protect one train of safe shutdown cables and satisfy the underlying purpose of the rule. On the basis of its review and evaluation of the technical information provided in the licensee's exemption request and the licensee's response to the request for additional information, the NRC staff concludes that the licensee's proposed alternative means of protection coupling the existing barriers with enhanced suppression capability provides a level of safety equivalent to that prescribed by the regulation.

V.

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 50 when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present. Special circumstances are present whenever, according to 10 CFR 50.12(a)(2)(ii), ''Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule.''

The underlying purpose of 10 CFR part 50, Appendix R, Section III.G, Fire Protection of Safe Shutdown Capability, is to ensure the capability to achieve and maintain safe shutdown conditions during and after any postulated fire in the plant. The staff has concluded that the licensee's proposed alternative means of protection, as described in its request for exemption from the technical requirements of Section III.G.2.c for auxiliary building fire area AB–95–3B and G, AB–119–6A (elevations 95 and 119) and the intermediate building fire area IB–119–201A (elevation 119), would provide reasonable assurance that a level of safety equivalent to that specified by the regulation would be met. Therefore, application of the one hour barrier requirement under the above circumstances is not necessary to achieve the underlying purpose of the rule.

VI.

In consideration of the foregoing, the NRC staff has concluded that the licensee's proposed use of an enhanced automatic fire suppression system coverage for these specific areas in lieu of upgrading the existing Thermo-Lag fire barriers to satisfy the 1-hour fire rating requirement, is authorized by law, will not present an undue risk to public health and safety and is consistent with the common defense and security. The NRC staff has determined that there are special circumstances present, as specified in 10 CFR 50.12(a)(2)(ii), in that application of 10 CFR 50, Appendix R, Section III G.2.c, is not necessary in order to achieve the underlying purpose of this regulation.

Accordingly, the Commission hereby grants, pursuant to 10 CFR 50.12(a), the requested exemption. The granting of this exemption is contingent upon (1) the installation of the enhanced fire suppression capability as described in the licensee's request, and (2) maintaining in place the existing fire barriers that are the subject of this exemption.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (62 FR 56207).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 29th day of October 1997.

For the Nuclear Regulatory Commission.

Samuel J. Collins,

Director, Office of Nuclear Reactor Regulation.

[FR Doc. 97–29140 Filed 11–3–97; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50–302]

Florida Power Corporation; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission or NRC) is considering issuance of an exemption from certain requirements of its regulations to Florida Power Corporation (the licensee), holder of Facility Operating License No. DPR–72 for operation of the Crystal River Unit 3 Nuclear Generating Plant (CR3) located in Citrus County, Florida.

Environmental Assessment

Identification of Proposed

The proposed action is in accordance with the licensee's application dated September 5, 1997, for exemption from certain requirements of Appendix R, ''Fire Protection Program for Nuclear Power Facilities Operating Prior to January 1, 1979,'' to Title 10 of the *Code of Federal Regulations* part 50 (10 CFR part 50), Section III, Paragraph O, ''Oil Collection System for Reactor Coolant Pump.'' Specifically, the licensee requests an exemption from the Appendix R, Section III.O technical requirements for an oil collection system capable of collecting all potential leakage for the CR3 Reactor Coolant (RCP) Motor Remote Oil Addition Lines (ROALs).

The Need for the Proposed

10 CFR part 50, Appendix A, ''General Design Criteria for Nuclear Power Plants,'' Criterion 3 ''Fire Protection,'' specifies that ''Structures, systems, and components important to safety shall be designed and located to minimize, consistent with other safety requirements, the probability and effect of fires and explosions.'' 10 CFR part 50, Appendix R, sets forth the fire protection features required to satisfy the General Design Criterion 3 of the Commission's regulations. Pursuant to 10 CFR part 50, Appendix R, Section III, Paragraph O, ''Oil Collection System for Reactor Coolant Pump,'' the RCP shall be equipped with an oil collection system which ''* * * shall be capable of collecting lube oil from all potential pressurized and unpressurized leakage sites in the reactor coolant pump lube oil systems.''

In 1985, CR3 added ROALs to the original RCP oil fill lines in order to eliminate the need to shutdown the reactor, and to reduce personnel radiation and heat stress exposure during periodic RCP oil additions. At that time, the licensee did not consider the ROALs as a part of the RCP lube oil systems and as a result, did not provide a lube oil collection system to collect potential leakages. As part of its current Appendix R design review project, the licensee has now determined the ROALs to be a part of the RCP lube oil systems, therefore, requiring a lube oil collection system.

The licensee states that because the ROALs are of a rugged leak tight design and used only periodically in accordance with controlled plant procedures, the ROALs do not impact post fire safe shutdown capability. As a result, the licensee believes that a lube oil collection system for the ROALs is

not necessary to achieve the underlying purpose of the rule. Exemption from Appendix R, Paragraph O, requirements is needed for the licensee to have ROALs without a lube oil collection system for collecting oil from potential leak sites.

Environmental Impacts of the Proposed Action

With regard to environmental impact, the Commission has evaluated the proposed action as described below.

The proposed action will not result in an increase in the probability or consequences of accidents or result in a change in occupational or offsite dose. Therefore, there are no radiological impacts associated with the proposed action.

The proposed action will not result in a change in nonradiological plant effluents and will have no other nonradiological environmental impact.

Accordingly, the Commission concludes that there are no environmental impacts associated with this action.

Alternative to the Proposed Action

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 did not involve the use of any resources not previously considered in the Final Environmental Statements related to operation of CR3, dated May 1973.

Agencies and Persons Consulted

In accordance with its stated policy, on October 29, 1997 the staff consulted with the Florida State Official, Mr. Bill Passetti of the Florida Department of Health and Rehabilitative Services, 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 exemption. Based upon the foregoing environmental assessment, the Commission concludes 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 request for exemption dated September 5, 1997, which is available for public inspection at the Commission's Public Document Room, 2120 L Street, NW., Washington, DC and at the local public document room located at Coastal Region Library, 8619 W. Crystal Street, Crystal River, Florida.

Dated at Rockville, Maryland, this 29th day of October 1997.

For the Nuclear Regulatory Commission.

Leonard A. Wiens,

Acting Director, Project Directorate II–3, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–315 and 50–316]

Indiana Michigan Power Company; Donald C. Cook Nuclear Plant, Unit Nos. 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 its regulations for Facility Operating License Nos. DPR–58 and DPR–74, issued to Indiana Michigan Power Company (the licensee), for operation of the Donald C. Cook Nuclear Plant, Unit Nos. 1 and 2, located in Berrien County, Michigan.

Environmental Assessment

Identification of the Proposed Action

The proposed action is in response to the licensee's application dated August 5, 1997, for exemption from the requirements of 10 CFR 50.71(e)(4) regarding submission of revisions to the Final Safety Analysis Report (FSAR) and design change reports for facility changes made under 10 CFR 50.59 for the Donald C. Cook Nuclear Plant, Unit Nos. 1 and 2. Under the proposed exemption, the licensee would schedule updates to the single, unified FSAR for the two units that comprise the Donald C. Cook Nuclear Plant once per Unit 1 fuel cycle.

The Need for the Proposed Action

Section 50.71(e)(4) of Title 10 of the Code of Federal Regulations requires licensees to submit updates to their UFSAR within 6 months after each refueling outage providing that the interval between successive updates does not exceed 24 months. Since the Donald C. Cook Nuclear Plant, Unit Nos. 1 and 2, share a common FSAR, the licensee must update the same document within 6 months after a refueling outage for either unit. Because the Donald C. Cook Nuclear Plant units have alternating refueling outages, the regulatory requirement to submit an update after the completion of one unit's refueling outage when the other unit is scheduled for a refueling outage within 6 to 12 months results in an administrative burden which does not significantly enhance safety. The proposed exemption is needed to permit a single update of the unified FSAR for the two Donald C. Cook Nuclear Plant units per each Unit 1 fuel cycle.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that it will not alter or affect plant operation. Allowing the exemption would maintain the Donald C. Cook Nuclear Plant FSAR current within 24 months of the last revision and would not exceed the 24-month interval for submission of the 10 CFR 50.59 design change report for either unit.

No changes are being made in the types or amounts of any radiological effluent that may be released offsite and there is no increase in the allowable individual or cumulative occupational exposure. Therefore, there are no significant radiological impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action will not change nonradiological plant effluents and will have no other nonradiological environmental impact. Therefore, there are no significant nonradiological impacts associated with the proposed action.

Accordingly, the Commission concludes that there are no 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 action, the NRC 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