NUCLEAR REGULATORY COMMISSION

[Docket No. 50–336]

Northeast Nuclear Energy Company, The Connecticut Light and Power Company, and The Western Massachusetts Electric Company; Millstone Nuclear Power Station, Unit 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from the requirements of Title 10 of the Code of Federal Regulations, Part 50 (10 CFR Part 50), Appendix R, Sections III.G and III.J to Facility Operating License No. DPR–65, issued to the Northeast Nuclear Energy Company, et al., (NNECO or the licensee), for operation of the Millstone Nuclear Power Station, Unit 2, located in Waterford, Connecticut.

Environmental Assessment

Identification of the Proposed Action

Three fire areas at Millstone Nuclear Power Station, Unit 2 do not fully meet the requirements of 10 CFR Part 50, Appendix R, Section III.G. These three areas are the Intake Structure (Appendix R Fire Area R–16), the East 480 Volt Switchgear Room (Appendix R Fire Area R–11), and the Charging Pump Room (Appendix R Fire Area R–4).

The Intake Structure and East 480 Volt Switchgear Room are classified as alternate shutdown areas and are required to meet 10 CFR Part 50, Appendix R, Section III.G.3. The last paragraph of Section III.G.3 requires that a fire detection and a fixed fire suppression system be installed in the area, room, or zone under consideration. The Intake Structure and East 480 Volt Switchgear Rooms do not have fixed fire suppression systems. NNECO has requested exemptions to these requirements because the configuration of the intake structure and East 480 Volt Switchgear rooms, the combustibles loading, the administrative procedures that limit and control transient combustibles, the in-place fire detection systems, the fire brigade and availability of manual fire suppression equipment, and the ability to provide AC power from Millstone, Unit 1 allow the licensee to meet the underlying purpose of the rule. The underlying purpose of the requirement to install a fixed fire suppression system in these areas, as required by Section III.G.3 of Appendix R, is to limit fire damage to the dedicated or alternate shutdown capability.

The Charging Pump Room is required to meet 10 CFR part 50, appendix R, Section III.G.2 requirements. Section III.G.2 requires separation of cables and equipment and associated non-safety circuits of redundant trains by one of three means (Section III.G.2a, b, or c). NNECO requests an exemption from this requirement because the Charging Pump Area does not fully meet any of the three options. NNECO's basis for the exemption request is that the configuration of the charging pump room, the combustibles loading, the cable separation modifications, the in-place fire detection systems, the fire brigade and availability of manual fire suppression equipment, and preplanned fire fighting strategies allow the licensee to meet the underlying purpose of the rule. The underlying purpose of the three applicable options under Section III.G.2, is to provide reasonable assurance that at least one train of equipment relied on to achieve and maintain safe shutdown is free of fire damage.

The licensee also requested a fourth exemption from the requirements of 10 CFR part 50, appendix R, Section III.J to the extent that it requires emergency lighting units with at least an 8-hour battery power supply to light yard area access and egress routes for operation of safe shutdown equipment. The licensee based this exemption request primarily on in-place security lighting allowing the licensee to meet the underlying purpose of the rule. The underlying purpose of the rule is to ensure that lighting of sufficient duration and reliability is provided to allow operation of equipment required for post-fire, safe shutdown of the reactor.

The proposed action is in accordance with the licensee's application for exemption dated July 31, 1998, as supplemented by letters dated September 24 and November 13, 1998.

The Need for the Proposed Action

The proposed action is needed for the licensee to avoid the burden of full compliance with the regulations. Full compliance with the regulations would require the licensee to install fire suppression systems in the case of the Intake Structure and East 480 Volt Switchgear Rooms; and, a cable separation, fire suppression and/or fire barrier modification in the case of the Charging Pump Room. In the case of the yard area, full compliance would require battery powered lights to illuminate a large outdoor area for an 8-hour period. It is not considered practical to illuminate large outdoor areas with battery powered lighting for an 8-hour period. The licensee already has diesel powered security lighting in the same area and portable lighting equipment is also available. As noted above, the underlying purpose of the rule can be met without the burden of installing this equipment.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action. The underlying purpose of the rules the licensee is requesting to be exempted from is to ensure that the plant can be safely shut down in the event of a fire.

For the Intake Structure, based on the amount of combustible loading and combustible loading configuration, the licensee's administrative procedures that limit and control transient combustibles, the existing fire detection system, and the expected fire brigade response and subsequent extinguishment using manual equipment, the possibility of a fire developing to involve all three of the service water pumps is not considered likely. However, if this were to occur, the loss of all three of the service water pumps would not adversely impact the safe shutdown capability of the plant, based on the ability to provide power via a backfeed from Millstone Unit 1, and the ability of the plant to make necessary repairs to a service water pump, strainer, and power cable to achieve cold shutdown. The licensee stated that the Appendix R safe shutdown strategy for a fire in the Intake Structure accounts for the loss of all three service water pumps. In addition, the configuration for alternate shutdown in the Intake Structure had been previously found acceptable in the NRC SE dated July 17, 1990. The configuration has not changed since this approval.

For the East 480V Switchgear Room, based on the amount of combustible loading and combustible loading configuration, the licensee's administrative procedures that limit and control transient combustibles, the existing fire detection system, the expected fire brigade response and subsequent fire extinguishment using manual fire suppression equipment, and the close proximity to the Control Room, there is reasonable assurance that a fire would not involve the entire area or spread beyond the area. The loss of the equipment in the east 480V switchgear room does not adversely impact the safe shutdown capability of the plant based on the ability to provide power via a backfeed from Millstone Unit 1. In addition, the configuration for alternate shutdown in the east 480V switchgear room has previously been

found acceptable in the NRC SE, dated July 17, 1990. The configuration has not changed since this approval.

For the Charging Pump Room, based on the configuration of the Charging Pump Room, the combustibles loading, the in-place fire detection systems, the expected fire brigade response and subsequent fire extinguishment using manual fire suppression equipment, and preplanned fire fighting strategies there is reasonable assurance that a fire would not cause the loss of all charging pumps.

Based on the availability and reliability of the security lighting and the availability of portable lighting, there is reasonable assurance that the access and egress routes through the yard area that are relied on for safe shutdown of the facility can be accessed in the event of a fire.

On the basis of its review, the staff concludes that the licensee will still have the capability to safely shut down the plant, in the event of a fire, after these exemptions have been granted.

The proposed action will not increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released off site, 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.

With regard to potential non-radiological impacts, the proposed action does not involve any historic sites. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

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

Alternatives to the Proposed Action

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the ''no-action'' alternative). 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 for the Millstone Nuclear Power Station, Unit 2.

Agencies and Persons Consulted

In accordance with its stated policy, on February 19, 1999, the staff consulted with the Connecticut State official, Dwayne Gardner of the Division of Radiation, Department of Environmental Protection, regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

On the basis of 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 July 31, 1998, as supplemented by letters dated September 24 and November 13, 1998, 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 Learning Resources Center, Three Rivers Community-Technical College, 574 New London Turnpike, Norwich, CT 06360 and Waterford Public Library, 49 Rope Ferry Road, Waterford, CT 06385.

Dated at Rockville, Maryland, this 5th day of March 1999.

For the Nuclear Regulatory Commission.

Elinor G. Adensam,

Director, Project Directorate I–2, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

State of Ohio: NRC Staff Assessment of a Proposed Agreement Between the Nuclear Regulatory Commission and the State of Ohio

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of a proposed Agreement with the State of Ohio.

SUMMARY: By letter dated June 22, 1998, former Governor George V. Voinovich of Ohio requested that the U. S. Nuclear Regulatory Commission (NRC) enter into an Agreement with the State as authorized by Section 274 of the Atomic Energy Act of 1954, as amended (Act). Under the proposed Agreement, the Commission would give up, and Ohio would take over, portions of the Commission's regulatory authority exercised within the State. As required by the Act, NRC is publishing the proposed Agreement for public comment. NRC is also publishing the summary of an assessment by the NRC staff of the Ohio regulatory program. Comments are requested on the proposed Agreement, especially its effect on public health and safety. Comments are also requested on the NRC staff assessment, the adequacy of the Ohio program staff, and the State's commitments concerning the program staff, as discussed in this notice.

The proposed Agreement would release (exempt) persons who possess or use certain radioactive materials in Ohio from portions of the Commission's regulatory authority. The Act requires that NRC publish those exemptions. Notice is hereby given that the pertinent exemptions have been previously published in the **Federal Register** and are codified in the Commission's regulations as 10 CFR Part 150.

DATES: The comment period expires April 12, 1999. Comments received after this date will be considered if it is practical to do so, but the Commission cannot assure consideration of comments received after the expiration date.

ADDRESSES: Written comments may be submitted to Mr. David L. Meyer, Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Washington, DC 20555–0001. Copies of comments received by NRC may be examined at the NRC Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC. Copies of the proposed Agreement, copies of the request for an Agreement by the Governor of Ohio including all information and documentation submitted in support of the request, and copies of the full text of the NRC staff assessment are also available for public inspection in the NRC's Public Document Room.

FOR FURTHER INFORMATION CONTACT: Richard L. Blanton, Office of State Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001. Telephone (301) 415–2322 or e-mail rlb@nrc.gov.

SUPPLEMENTARY INFORMATION: Since Section 274 of the Act was added in 1959, the Commission has entered into Agreements with 30 States. The Agreement States currently regulate approximately 16,000 agreement material licenses, while NRC regulates approximately 5800 licenses. Under the proposed Agreement, approximately 550 NRC licenses will transfer to Ohio. NRC periodically reviews the