

valves that isolate non-essential service water loads in response to an accident signal, and (2) the licensee failed to consider the impact of CFCU service water outlet valve sequencing delays on overall post-accident system performance. The 1976 modification was implemented to limit the potential for water hammer of the service water system during the isolation of the non-essential loads.

#### *Environmental Impacts of the Proposed Action*

The radiological environmental impact of the proposed action has already been evaluated and approved by the staff. In support of Amendment No. 190 for Unit 1 and Amendment No. 173 for Unit 2, issued February 6, 1997, the staff performed its own analysis of the offsite doses resulting from a Loss of Coolant Accident. The staff's analysis was performed using the CFCU response time in the proposed action and the staff concluded that the offsite doses are within the applicable dose acceptance criteria of 10 CFR Part 100. 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 involves features located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect nonradiological plant effluent 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. The principal alternative to the action would be to deny the request. Such action would not change any 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 Salem Nuclear Generating Station Units 1 and 2," dated April 1973.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on April 14, 1997, the staff consulted

with the New Jersey State official, Richard Pinney, of the Department of Environmental Protection, 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 letters dated October 25, 1996, December 11, 1996, January 28, March 27, and April 24, 1997, and Amendment Nos. 190 and 173, dated February 6, 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 the local public document room located at the Salem Free Public Library, 112 W. Broadway, Salem, New Jersey 08079.

Dated at Rockville, Maryland, this 7th day of May, 1997.

For the Nuclear Regulatory Commission.

**John F. Stolz,**

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

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## **NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 50-272 and 50-311]

### **Public Service Electric and Gas Company; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License Nos. DPR-70 and DPR-75 issued to Public Service Electric & Gas Company (the licensee) for operation of Salem Nuclear Generating Station, Units 1 and 2, located in Salem County, New Jersey.

The proposed amendments would revise Technical Specification (TS) 3.5.2 to eliminate the flow path from the residual heat removal (RHR) system to the reactor coolant system (RCS) hot legs that is specified in Limiting Condition for Operation (LCO) 3.5.2.c.2.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed change involves removing the RHR hot leg injection flow path (RH26 valve) during the hot leg recirculation phase of accident mitigation. There are no physical plant modifications being made as a result of the proposed changes and no new accident initiators are created by the proposed changes. This change only involves a system used for ECCS [emergency core cooling system] accident mitigation and is consistent with the flow requirement assumptions made in the safety analysis for hot leg recirculation. Therefore, the proposed changes do not involve a significant increase in the probability of an accident previously evaluated.

Removal of the RHR hot leg injection flow path does not impact the ability of the ECCS to mitigate the consequences of an accident but clarifies the flow paths in the ECCS that are required to meet the accident analysis. Operation of one Intermediate Head Safety Injection (IHSI) pump during hot leg recirculation continues to provide adequate core cooling flow such that the hot leg flow directly from the RHR system is not required. Therefore, the proposed change does not involve a significant increase in the consequences of an accident previously evaluated.

2. The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed change to LCO 3.5.2.c.2 does not involve any physical changes to the plant components, systems, or structures. This change does not affect the ability of the Emergency Core Cooling System to meet the flow required in the accident analysis to remove core decay heat without creating superheated steam during hot leg recirculation. There are no new failure modes introduced as a result of the proposed change

since the RH26 valve will remain in the closed position with power to the valve removed during operation in Modes 1—3 as required by TS surveillance requirement 4.5.2.a.1.e and will remain in the closed position following a LOCA [loss-of-coolant accident] in Modes 1—3. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. The proposed change does not involve a significant reduction in a margin of safety.

Hot leg recirculation occurs approximately 14 hours into the accident. At this time, the RCS pressure is at equilibrium with the containment pressure, which is conservatively assumed to be at 25.0 psig. At this pressure, the enthalpy of saturated steam is 1160.1 BTU/lbm, and of saturated liquid is 208.52 BTU/lbm. Decay heat generation at this time is 24,540 BTU/sec. Therefore, the required hot leg injection flowrate to prevent superheat is  $24,540 / (1160.1 - 208.52) = 25.77$  lbm/sec. The flow delivered by one Intermediate Head Safety Injection (IHSI) pump to two hot legs is 76.03 lbm/sec at a backpressure of 25.0 psig. For the break locations considered for long-term transients, nearly all of this flow will enter the vessel and will be available to cool the core. Additional cooling will be provided by simultaneous cold leg injection flow. Therefore, sufficient injection flow exists to prevent superheat and the change to the hot leg recirculation does not affect the LOCA mass and energy of containment integrity calculation.

With the elimination of the RCS hot leg flow path, the ECCS system will continue to meet the limiting design basis hot leg flow requirement assuming a single failure which can result in operation of a single IHSI pump aligned for hot leg recirculation.

Therefore, the proposed change does not reduce the margin of safety since the accident analysis flow requirements and design basis single failure requirements continue to be met for hot leg recirculation.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the

30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By June 13, 1997, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available 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 Salem Free Public Library, 112 West Broadway, Salem, New Jersey 08079. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary of the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to

participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. 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 John F. Stolz, Director, Project Directorate I-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 Mark J. Wetterhahn, Esquire, Winston and Strawn, 1400 L Street, NW., Washington, DC 20005-3502, 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 April 25, 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 Salem Free Public Library, 112 West Broadway, Salem, New Jersey 08079.

Dated at Rockville, Maryland, this 7th day of May, 1997.

For the Nuclear Regulatory Commission.

**Leonard N. Olshan,**

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

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-302]

### Florida Power Corporation; Crystal River Nuclear Generating Plant Unit 3; Exemption

#### I

Florida Power Corporation (the licensee) is the holder of Facility Operating License No. DPR-72, which authorizes operation of the Crystal River Nuclear Generating Plant Unit 3. The license provides, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

The facility is of a pressurized water reactor type and is located in Citrus County, Florida.

#### II

Title 10 CFR 73.55, "Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage," paragraph (a), in part, states that "The licensee shall establish and maintain an onsite physical protection system and security organization which will have as its objective to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety."

10 CFR 73.55(d), "Access Requirements," paragraph (1), specifies that "The licensee shall control all points of personnel and vehicle access into a protected area." 10 CFR 73.55(d)(5) requires that "A numbered picture badge identification system shall be used for all individuals who are authorized access to protected areas without escort." 10 CFR 73.55(d)(5) also states that an individual not employed by the licensee (i.e., contractors) may be authorized access to protected areas

without escort provided the individual "receives a picture badge upon entrance into the protected area which must be returned upon exit from the protected area \* \* \*."

The licensee proposed to implement an alternative unescorted access control system which would eliminate the need to issue and retrieve badges at each entrance/exit location and would allow all individuals with unescorted access to keep their badge with them when departing the site.

An exemption from 10 CFR 73.55(d)(5) is required to allow contractors who have unescorted access to take their badges offsite instead of returning them when exiting the site.

By letter dated June 22, 1995, as supplemented November 22, 1995 and January 31, 1996, the licensee submitted its exemption request for this purpose.

#### III

Pursuant to 10 CFR 73.5, "Specific exemptions," the Commission may, upon application of any interested person or upon its own initiative, grant such exemptions in this part as it determines are authorized by law and will not endanger life or property or the common defense and security, and are otherwise in the public interest. Pursuant to 10 CFR 73.55, the Commission may authorize a licensee to provide alternative measures for protection against radiological sabotage provided the licensee demonstrates that the alternative measures have "the same high assurance objective" and meet "the general performance requirements" of the regulation, and "the overall level of system performance provides protection against radiological sabotage equivalent" to that which would be provided by the regulation.

Currently, unescorted access into the protected areas of Crystal River Unit 3 is controlled through the use of a photograph on a badge and a separate keycard (hereafter, these are referred to as badge). The security officers at each entrance station use the photograph on the badge to visually identify the individual requesting access. The badges for both licensee employees and contract personnel, who have been granted unescorted access, are issued upon entrance at each entrance/exit location and are returned upon exit. The badges are stored and are retrievable at each entrance/exit location. In accordance with 10 CFR 73.55(d)(5), contractors are not allowed to take badges offsite. In accordance with the CR3 physical security plan, neither licensee employees nor contractors are allowed to take badges offsite.