Environmental Assessment

Identification of the Proposed Action

The proposed action would allow the licensee to submit revisions to the Updated Final Safety Analysis Report (UFSAR) to the NRC within 6 months after completion of the SONGS Unit 3 refueling outage, but not less frequently than every 24 months. In addition, pursuant to 10 CFR 50.59(b)(2), reports containing a brief description of changes, tests, and experiments, including associated safety evaluation summaries, will be submitted at the same time as revisions to the UFSAR.

The proposed action is in accordance with the licensee's application for the exemption dated December 18, 1998.

The Need for the Proposed Action

The proposed action is needed to address the undue regulatory burden for units that share a common UFSAR regarding the requirements of Section 50.71(e)(4). Section 50.71(e)(4) requires licensees to submit updates to its UFSAR annually or within 6 months after each refueling outage providing that the interval between successive updates does not exceed 24 months. Since SONGS Units 2 and 3 share a common UFSAR, the licensee must update the same document annually or within six months after a refueling outage for either unit. The underlying purpose of the rule was to relieve licensees of the burden of filing annual FSAR revisions while assuring that such revisions are made at least every 24 months.

The Commission reduced the burden, in part, by permitting a licensee to submit its FSAR revisions six months after refueling outages for its facility, but did not provide for multiple unit facilities sharing a common FSAR in the rule. Rather, the Commission stated that ''With respect to the concern about multiple facilities sharing a common FSAR, licensees will have maximum flexibility for scheduling updates on a case-by-case basis'' (57 FR 39355). Allowing the exemption would maintain the UFSAR current within 24 months of the last revisions. Submission of the 10 CFR 50.59 design change report for either unit together with the UFSAR revision as permitted by 10 CFR 50.59(b)(2), also would not exceed a 24-month interval.

Environmental Impacts of the Proposed Action

The Commisison has completed its evaluation of the proposed action and concludes that the proposed action is administrative in nature, unrelated to plant operations.

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 offsite, and there is no significant increase in occupational exposure or public radiation exposure. Therefore, there are no 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 impacts. 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 this 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 exemption 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 Statement Related to the Proposed San Onofre Nuclear Generating Station, Units 2 and 3,'' dated April 1981 (NUREG–0490).

Agencies and Persons Contacted

In accordance with its stated policy, on March 15, 1999, the staff consulted with the California State official, Mr. Steve Hsu of the Radiologic Health Branch of the State Department of Health Services, 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 December 18, 1998, 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 18th day of March 1999.

For the Nuclear Regulatory Commission.

James W. Clifford,

Senior Project Manager, Project Directorate IV–2, Division of Licensing Project Management, Office of Nuclear Reactor Regulation

[FR Doc. 99–7279 Filed 3–24–99; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Use of Low Power and Shutdown Risk in Plant Specific Reactor Regulatory Activities

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of public workshop.

SUMMARY: The Nuclear Regulatory Commission has issued guidance for power reactor licensees on acceptable methods for using probabilistic risk assessment (PRA) information and insights in support of plant-specific applications to change the current licensing basis. The use of such PRA information and guidance is voluntary. This guidance is documented in Regulatory Guide (RG) 1.174, ''An Approach for Using Probabilistic Risk Assessment in Risk-Informed Decisions on Plant-Specific Changes to the Licensing Basis.'' RG 1.174 states that a risk-informed regulatory process must consider risk associated with all operating modes (full power, low power and shutdown). The staff is developing (as necessary) acceptable methods to provide an understanding of the risk associated with low power and shutdown (LPSD) operations sufficient to support decision-making for risk-informed regulation.

SUPPLEMENTARY INFORMATION: Listed below are topics on which discussion and feedback are sought at the workshop:

1. Are LPSD core damage frequency (CDF) and large early release frequency (LERF) comparable to full power CDF and LERF? What methods and assumptions should be used to answer this question?

2. Are the LPSD CDF and LERF contributors comparable to the contributors from full power? What are the methods and assumptions should be used to answer this question?

3. How many plant operational states (POS) are needed to adequately represent the risk associated with LPSD operations?

4. Should the scope of LPSD analyses include fuel handling and storage, e.g., full core offloading? What methods and assumptions should be used to answer this question?

5. Is there a sufficient technical basis (knowledge of core melt phenomena, source terms, varying containment configurations, etc.) available to support LERF analysis for LPSD? If not, what issues require additional study? If a sufficient technical basis exists, what information sources can be cited to support the assertion?

6. Is the CDF and LERF associated with the transition from one operational state to another important? What methods and assumptions should be used to answer this question?

7. Is a traditional PRA approach needed to provide an understanding of LPSD for risk-informed regulatory decision-making? If not, what other approaches are available? What are their strengths and limitations?

8. Currently, the staff is supporting efforts to produce a nation consensus standard on full power PRA to support risk-informed decision-making. Is a standard on LPSD needed or desirable? Should it be a national consensus standard?

9. Draft NUREG–1602 provides reference material on the scope and quality of a LPSD PRA. Is the information in this draft complete and correct? Is it useful as reference material in making assessments on an application specific basis on the scope and quality of a LPSD risk assessment to support that particular application? How could it be improved?

10. Would draft NUREG–1602 be useful as a starting point to develop a standard on LPSD PRA? What would be needed? Should it specify acceptable LPSD PRA methods?

11. Given the lack of experience in performing LPSD PRAs, should a standard for LPSD PRA provide both (1) requirements for what activities should be performed and (2) detailed information/instructions on how those activities should be performed?

12. Is LERF an appropriate metric for meeting the Safety Goal Policy Statement for all POS? If not, what metrics should be used? For example, should there be a metric on long term release frequency to supplement LERF? What should it be based upon?

13. Can NUREG/CR–6595 be used to calculate LERF for LPSD conditions? If not, what additional guidance should be added to the report to support LERF calculations for LPSD conditions?

14. Are average equipment unavailabilities during LPSD conditions (resulting in average CDF and LERF estimates) sufficient to support risk-informed decision-making?

15. Is the following definition of an initiating event during LPSD adequate: ''An event that causes loss of the function(s) necessary to maintain the plant in its existing operating state?'' If not, then what changes should be made to enhance the definition?

16. Are there generic data sources for the identification and quantification of LPSD initiating events? If so, are the data sources publicly available? Are these generic data sources consistent?

17. Do certain LPSD operational states have the potential to have more human failures than full power operation? If event trees and fault trees are used to model the response of a plant to LPSD initiating events, where is the more appropriate place to model these human failures? What is the basis for this choice?

18. Are the human reliability analysis methods used in full power analyses sufficient to characterize the unique characteristics and conditions under which humans operate during LPSD? If not, what improvements are required to ensure an adequate representation of human actions during LPSD conditions? If so, how are these methods being used to identify errors of commission?

19. What are the important uncertainties (parameter, model, and completeness) that should be considered in LPSD analyses? How should these uncertainties be evaluated in LPSD analyses?

20. Are there any other issues related to Level 1 and 2 analyses that are important to the development of LPSD risk (CDF and LERF)?

Reference material (available for inspection and copying for a fee a the NRC Public Document Room, 2120 L Street N.W. (Lower Level), Washington D.C. 20555–0001; a free single copy of each document, to the extent of supply, may be requested by writing to Distribution Series, Printing and Mail Services, Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington D.C. 20555–0001) includes:

- RG 1.174, ''An Approach for Using Probabilistic Risk Assessment in Risk-Informed Decisions on Plant-Specific Changes to the Licensing Basis''.
- NUREG/CR 6143, ''Evaluation of Potential Severe Accidents During Low Power and Shutdown Operation at Grand Gulf, Unit 1,'' 1995.
- NUREG/CR–6144, ''Evaluation of Potential Severe Accidents During Low Power and Shutdown Operation at Surry, Unit 1,'' 1995.
- NUREG–1602, ''The Use of PRA in Risk-Informed Applications,'' Draft, June 1997.
- NUREG/CR–6595, ''An Approach for Estimating the Frequencies of Various Containment Failure Modes and Bypass Events,'' January 1999.

In addition (available via the ASME web site, or contact Jess Moon at ASME, email *moonj@asme.org):*

- ASME RA–s–1999, Draft #10, ''Standard for Probabilistic Risk Assessment for Nuclear Power Plant Applications,'' Draft for public review and comment.

WORKSHOP MEETING INFORMATION: The Commission intends to conduct a workshop to solicit information related to the risk associated with low power and shutdown conditions sufficient to support decision-making for risk-informed regulation. Persons other than NRC staff and NRC contractors interested in making a presentation at the workshop should notify Erasmia Lois, Office of Nuclear Regulatory Research, MS: T10–E50, U.S. Nuclear Regulatory Commission, Washington D.C., 20555–0001, (301) 415–6560, email: exl1@nrc.gov

DATES: April 27, 1999.

AGENDA: Preliminary agenda is as follows (a final agenda will be available at the workshop):

Tuesday, April 27, 1999

7:45 a.m. to 8:00 a.m. Introduction, opening remarks

8:00 a.m. to 8:45 a.m. NRC Presentations plus open discussion

—Purpose
—Status of Activities
—Plans
—Understanding of LPSD risk

8:45 a.m. to 9:15 a.m. Industry Presentations

9:15 a.m. to 9:30 a.m. BREAK

9:30 a.m. to 11:30 a.m. Industry Presentations

11:30 a.m. to 12:45 p.m. LUNCH

12:45 p.m. to 2:15 p.m. General Discussion of Issues/Topics

2:15 p.m. to 2:30 p.m. BREAK

2:30 p.m. to 4:15 p.m. General Discussion of Issues/Topics

4:15 p.m. to 4:45 p.m. Wrapup

LOCATION: DoubleTree Hotel, 1750 Rockville Pike, Rockville, Maryland.

REGISTRATION: No registration fee for workshop; however, notification of attendance is requested so that adequate space, etc. for the workshop can be arranged. Notification of attendance should be directed to Erasmia Lois,

Office of Nuclear Regulatory Research, MS: T10–E50, U.S. Nuclear Regulatory Commission, Washington D.C., 20555–0001, (301) 415–6560, email: *exl1@nrc.gov*

FOR FURTHER INFORMATION CONTACT: Mary Drouin, Office of Nuclear Regulatory Research, MS: T10–E50, U.S. Nuclear Regulatory Commission, Washington D.C., 20555–0001, (301) 415–6675, email: *mxd@nrc.gov*

Dated this 18 day of March, 1999.

For the Nuclear Regulatory Commission.

Mary Drouin,

Acting Chief, Probabilistic Risk Analysis Branch, Division of Systems Technology, Office of Nuclear Regulatory Research.

[FR Doc. 99–7275 Filed 3–24–99; 8:45 am]

BILLING CODE 7590–01–P

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 26, 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 performance of the Agreement States to assure compliance with the provisions of Section 274.

Section 274e requires that the terms of the proposed Agreement be published in the **Federal Register** for public comment once each week for four consecutive weeks. This notice is being published in fulfillment of the requirement.

I. Background

(a) Section 274d of the Act provides the mechanism for a State to assume regulatory authority, from the NRC, over certain radioactive materials [1] and activities that involve use of the materials. In a letter dated June 22, 1998, Governor Voinovich certified that the State of Ohio has a program for the control of radiation hazards that is adequate to protect public health and safety within Ohio for the materials and activities specified in the proposed Agreement, and that the State desires to assume regulatory responsibility for these materials and activities. Included with the letter was the text of the proposed Agreement, which is shown in Appendix A to this notice.

The radioactive materials and activities (which together are usually referred to as the ''categories of materials'') which the State of Ohio requests authority over are: (1) The possession and use of byproduct materials as defined in Section 11e.(1) of the Act; (2) the generation, possession, use, and disposal of byproduct materials as defined in Section 11e.(2) of the Act; (3) the possession and use of source materials; (4) the possession and use of special nuclear materials in quantities not sufficient to form a critical mass; (5) the regulation of the land disposal of byproduct materials as defined in Section 11e.(1) of the Act, source, or special nuclear waste materials received from other persons; and (6) the evaluation of radiation safety information on sealed sources or devices containing byproduct materials as defined in Section 11e.(1) of the Act, source, or special nuclear materials and the registration of the sealed sources or devices for distribution, as provided for in regulations or orders of the Commission.

(b) The proposed Agreement contains articles that:

—Specify the materials and activities over which authority is transferred;
—Specify the activities over which the Commission will retain regulatory authority;
—Continue the authority of the Commission to safeguard nuclear materials and restricted data;
—Commit the State of Ohio and NRC to exchange information as necessary to maintain coordinated and compatible programs;
—Provide for the reciprocal recognition of licenses;
—Provide for the suspension or termination of the Agreement;
—Provide for the transfer of any financial surety funds collected by Ohio for reclamation or long-term surveillance of sites for the disposal of byproduct materials (as defined in Section 11e.(2) of the Act) to the United States if custody of the

[1] The radioactive materials, sometimes referred to as ''agreement materials,'' are: (a) byproduct materials as defined in Section 11e.(1) of the Act; (b) byproduct materials as defined in Section 11e.(2) of the Act; (c) source materials as defined in Section 11z. of the Act; and (d) special nuclear materials as defined in Section 11aa. of the Act, restricted to quantities not sufficient to form a critical mass.