

NUCLEAR REGULATORY COMMISSION

[Docket No. STN 50-530]

Arizona Public Service Co., et al., Palo Verde Nuclear Generating Station, Unit 3; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from Title 10 of the Code of Federal Regulations (10 CFR) §§ 50.44, 50.46, and part 50, appendix K for Facility Operating License No. NPF-74, issued to Arizona Public Service Company (APS or the licensee), for operation of the Palo Verde Nuclear Generating Station, Unit 3 (PVNGS), located in Maricopa County, Arizona. Therefore, as required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

Environmental Assessment

Identification of the Proposed Action

The proposed action would continue to temporarily exempt Arizona Public Service Company from requirements of 10 CFR 50.44, 10 CFR 50.46, and 10 CFR part 50, Appendix K for PVNGS, Unit 3. The Code of Federal Regulations specifically refers to or presumes use of zircaloy or ZIRLO cladding for controlling hydrogen generation, emergency core cooling system performance, and bounding post-loss-of-coolant accident (LOCA) scenarios. The proposed action would allow APS to continue testing a lead fuel assembly (LFA) containing fuel rods fabricated with an advanced zirconium based cladding material, Alloy A. The cladding material had been previously approved for limited use and testing at PVNGS for seven cycles of burnup, which ended with Cycle 9 for Unit 3. The proposed action would allow the Unit 3 LFA to continue an additional cycle to Cycle 10 (U3C10).

The proposed action is in accordance with the licensee's application dated March 2, 2001, as supplemented by letters dated August 28, 2001, and September 25, 2001.

The Need for the Proposed Action

The proposed action is needed because Alloy A does not fall within the specifically defined cladding material stated in the Code of Federal Regulations. The proposed exemption is based on the latest Westinghouse report documenting the results of data confirming the superior performance of Alloy A and justifying the continued irradiation of this clad material in Unit

3 Cycle 10, "Performance of Alloy A Clad Rods and LFA in Palo Verde Unit 3," February 2001. The first and second exemptions allowing use of Alloy A were based on Westinghouse Report CEN-411(V)-P, "Safety Evaluation Report for Use of Advanced Zirconium Based Cladding Materials in PVNGS Unit 3 Batch F Demonstration Assemblies," December 1991, and Westinghouse Report CEN-429-P, "Safety Analysis Report for Use of Advanced Zirconium Based Cladding Material in PVNGS Unit 3 Lead Fuel Assemblies," August 1996, respectively. The reports described, and the staff agrees, that the intent of the regulations would continue to be met since Alloy A falls within the range of the properties for Zircaloy 4. Thus, the proposed action is necessary to allow the irradiation of the LFA containing Alloy A.

Environmental Impacts of the Proposed Action

The NRC has completed its evaluation of the proposed action and concludes that there is no significant environmental impact if the exemption is granted. The predicted chemical, mechanical, and material performance characteristics of Alloy A cladding have been within those approved for zircaloy cladding over the past seven cycles. A detailed analysis will be performed on the assembly prior to its use in U3C10. Additionally, a poolside inspection will be performed prior to the assembly being reloaded. The lead fuel assembly will be placed in a core location which does not experience the highest power density throughout the cycle. Therefore, continued use of the LFA in Cycle 10, and the proposed exemption will not present any undue risk to public health and safety.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types of 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 nonradiological impacts, the proposed action does not have a potential to affect any historic sites. It does not affect nonradiological plant effluents and has no other environmental impact. Therefore, there are no significant nonradiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental

impacts associated with the proposed action.

Environmental Impacts of the 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

The action does not involve the use of any different resource than those previously considered in the Final Environmental Statement for the Palo Verde, Unit 3, dated February 1982 (NUREG-0841).

Agencies and Persons Consulted

On October 9, 2001, the staff consulted with the Arizona State official, Mr. William Wright of the Arizona Radiation Regulatory Agency, 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 NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC 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 March 2, 2001, as supplemented by letters dated August 28, 2001, and September 25, 2001. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the ADAMS Public Library component on the NRC Web site, <http://www.nrc.gov> (the Public Electronic Reading Room). If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC PDR Reference staff at 1-800-397-4209, or 301-415-4737, or by e-mail at pdr@nrc.gov.

Dated at Rockville, Maryland, this 10th day of October 2001.

For the Nuclear Regulatory Commission.
Stephen Dembek,
*Chief, Section 2, Project Directorate IV,
 Division of Licensing Project Management,
 Office of Nuclear Reactor Regulation.*
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NUCLEAR REGULATORY COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: Nuclear Regulatory Commission.

DATE: Weeks of October 15, 22, 29, November 5, 12, 19, 2001.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

MATTERS TO BE CONSIDERED:

Week of October 15, 2001

Thursday, October 18, 2001

9 a.m. Meeting with NRC Stakeholders—Progress of Regulatory Reform (Public Meeting) (Location—Two White Flint North Auditorium)

Week of October 22, 2001—Tentative

There are no meetings scheduled for the Week of October 22, 2001.

Week of October 29, 2001—Tentative

There are no meetings scheduled for the Week of October 29, 2001.

Week of November 5, 2001—Tentative

There are no meetings scheduled for the Week of November 5, 2001.

Week of November 22, 2001—Tentative

Thursday, November 15, 2001

2 p.m. Discussion of Intragovernmental Issues (Closed-Ex. 1)

Week of November 19, 2001—Tentative

There are no meetings scheduled for the Week of November 19, 2001.

* The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings call (recording)—(301) 415-1292. Contact person for more information: David Louis Gamberoni (301) 415-1651.

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The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/SECY/smj/schedule.htm>

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This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like

to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to dkw@nrc.gov.

Dated: October 11, 2001.

David Louis Gamberoni,

Technical Coordinator, Office of the Secretary.

[FR Doc. 01-26109 Filed 10-12-01; 11:46 am]

BILLING CODE 7590-01-M

POSTAL RATE COMMISSION

[Order No. 1326; Docket No. MC2001-3]

Ride-Along Experiment Extension

AGENCY: Postal Rate Commission.

ACTION: Notice and order on extension of ride-along experiment.

SUMMARY: The Postal Service seeks a limited extension of the ride-along experiment, which allows qualifying Standard mail to travel for a flat fee when included in a host Periodicals publication. This would allow the experiment to continue without disruption while permanent ride-along status is considered in the pending omnibus rate case. The Commission invites public participation, makes several procedural rulings, and notes the possibility that this case may be quickly settled.

DATES: Notices of intervention and answers to a motion for waiver of certain filing rules are due on or before October 19, 2001.

ADDRESSES: Send correspondence to the attention of Steven W. Williams, acting secretary, Postal Rate Commission, 1333 H Street NW., suite 300, Washington, DC 20268-0001.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, 202-789-6820.

SUPPLEMENTARY INFORMATION:

A. Authority To Consider the Service's Request

39 U.S.C. 3623.

B. Procedural History

1. A notice and order (No. 1308) concerning the underlying experimental docket (No. MC2000-1) appeared at 66 FR 15775.

2. This notice and order (No. 1326) was issued October 5, 2001.

C. Background

On September 28, 2001, the U.S. Postal Service filed a request with the Postal Rate Commission for an extension of the ride-along experiment, which is now underway pursuant to docket no. MC2000-1. The experiment allows one qualifying Standard mail piece to "ride along" with a host Periodicals publication for a flat fee of 10 cents.

Without the extension, the experiment would expire on February 26, 2002, while the Service's request for permanent ride-along status (and a flat fee of 12.4 cents) is pending as part of the recently-filed omnibus rate and classification case (docket no. R2001-1). To address this situation, the Service proposes changing the expiration date to coincide with implementation of related rate schedules (or Periodicals rates generally) resulting from the omnibus case decision. Request of the United States Postal Service for a recommended decision on extension of the experimental ride-along classification for Periodicals, September 28, 2001 (request). The request was filed pursuant to chapter 36 of the Postal Reorganization Act, 39 U.S.C. 3602 *et seq.* It affects domestic mail classification schedule (DMCS) section 443.1a and rate schedules 421 (footnote 12) and 423 (footnote 5).

In support of its request, the Service has filed the prepared direct testimony of witness Koroma (USPS-T-1). Request, attachment A. This testimony incorporates by reference witness Koroma's testimony (USPS-T-44) in the omnibus case. The Service also has filed a motion seeking waiver (to the extent applicable) of Commission rules 54 and 64; a proposed stipulation and agreement; and a related notice. Motion of the United States for waiver of rules, September 28, 2001; Stipulation and Agreement, September 28, 2001; Notice of United States Postal Service filing of proposed stipulation and agreement, September 28, 2001 (notice).

Potential for expedition, including settlement. The Service's notice indicates that the limited nature of the proposed change lends itself to exploration of the possibility of settlement, and states that it has filed the stipulation and agreement to encourage parties to consider expeditious resolution. It further suggests that parties contact Postal Service counsel with questions or with signature pages for the stipulation and agreement. Notice at 1. Similarly, the Service's request indicates that it does not expect this proposal to be controversial; cites the interest of