

Dated this 23rd day of September 2002.
For the Nuclear Regulatory Commission.

Carl J. Paperiello,

*Deputy Executive Director for Materials,
Research and State Programs.*
[FR Doc. 02-24942 Filed 9-30-02; 8:45 am]
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NUCLEAR REGULATORY COMMISSION

Notice of Intent To Establish Peer Review Committee for Source Term Modeling

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: This notice is to announce the NRC intends to establish a new advisory committee.

SUPPLEMENTARY INFORMATION: The U. S. Nuclear Regulatory Commission (NRC) is planning to charter a new advisory committee. This action is being taken in accordance with the Federal Advisory Committee Act, after consultation with the Committee Management Secretariat, General Services Administration. The committee, to designated as the Peer Review Committee for Source Term Modeling (PRCSTM), will develop guidance documents that will assist the NRC in evaluating the impact of specific terrorist activities targeted at a range of spent fuel storage casks and radioactive material (RAM) transport packages, including spent fuel. The committee will be composed of individuals with expertise in structural, nuclear, and thermal engineering, fuel performance and source term evaluations, consequence analyses, weapons and explosives, and transportation of radioactive material. The committee will define evaluation criteria, develop the methodology, evaluate the scenarios, and write the guidance documents based on previous and current studies and experiments, and the expertise of the individuals on the panel. The resulting guidance documents will be based on the qualitative judgments of the panel.

For Further Information Please Contact: Elaine Keegan (301) 415-8517 or Charles Interrante (301) 415-3967, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Dated: September 25, 2002.

Andrew L. Bates,

Federal Advisory Committee, Management Officer.

[FR Doc. 02-24941 Filed 9-30-02; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Sunshine Act Meeting

DATE: Weeks of September 30, October 7, 14, 21, 28, November 4, 2002.

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

STATUS: Public and Closed.

MATTERS TO BE CONSIDERED:

Week of September 30, 2002

Tuesday, October 1, 2002

9:25 a.m.

Affirmation Session (Public Meeting)
a. Private Fuel Storage (Independent Spent Fuel Storage Installation) Docket No. 72-22-ISFSI; Review of LBP-02-08, consideration under NEPA of environmental justice issues

b. International Uranium (USA) Corporation (White Mesa Uranium Mill) (MLA-10/Maywood material) Appeal of LBP-02-12

9:30 a.m.

Briefing on Decommissioning Activities and Status (Public Meeting) (Contact: John Buckley, 301-415-6607)

This meeting will be webcast live at the Web address: <http://www.nrc.gov>.

Wednesday, October 2, 2002

10 a.m.

Briefing on Strategic Workforce Planning and Human Capital Initiatives (Closed—Ex. 2)

Week of October 7, 2002—Tentative

There are no meetings scheduled for the Week of October 7, 2002.

Week of October 14, 2002—Tentative

There are no meetings scheduled for the Week of October 14, 2002.

Week of October 21, 2002—Tentative

There are no meetings scheduled for the Week of October 21, 2002.

Week of October 28, 2002—Tentative

Wednesday, October 30, 2002

2 p.m.

Discussion of Security Issues (Closed—Ex. 1 & 9)

Thursday, October 31, 2002

9:25 a.m.

Affirmation Session (Public Meeting) (If needed)

9:30 a.m.

Briefing on EEO Program (Public Meeting)

Week of November 4, 2002—Tentative

There are no meetings scheduled for the Week of November 4, 2002.

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: R. Michelle Schroll (301) 415-1662.

The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/what-we-do/policy-making/schedule.html>.

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: September 26, 2002.

R. Michelle Schroll,

Acting Technical Coordinator, Office of the Secretary.

[FR Doc. 02-25066 Filed 9-27-02; 2:26 pm]

BILLING CODE 7590-01-M

NUCLEAR REGULATORY COMMISSION

Biweekly Notice; Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations

I. Background

Pursuant to Public Law 97-415, the U.S. Nuclear Regulatory Commission (the Commission or NRC staff) is publishing this regular biweekly notice. Public Law 97-415 revised section 189 of the Atomic Energy Act of 1954, as amended (the Act), to require the Commission to publish notice of any amendments issued, or proposed to be issued, under a new provision of section 189 of the Act. This provision grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from, September 6, 2002, through September 19, 2002. The last biweekly notice was published on September 17, 1992 (67 FR 58635).

Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The Commission has made a proposed determination that the following amendment requests involve 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. The basis for this proposed determination for each amendment request is shown below.

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 before action is taken. 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 Chief, Rules and Directives Branch, Division of Administrative 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 Commission's

Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. The filing of requests for a hearing and petitions for leave to intervene is discussed below.

By October 31, 2002, 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 2.714,¹ which is available at the Commission's PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC web site, <http://www.nrc.gov/reading-rm/doc-collections/cfr/>. 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 or the designated Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

¹ 1. The most recent version of Title 10 of the Code of Federal Regulations, published January 1, 2002, inadvertently omitted the last sentence of 10 CFR 2.714(d) and subparagraphs (d)(1) and (2), regarding petitions to intervene and contentions. Those provisions are extant and still applicable to petitions to intervene. Those provisions are as follows: "In all other circumstances, such ruling body or officer shall, in ruling on—

(1) A petition for leave to intervene or a request for hearing, consider the following factors, among other things:

(i) The nature of the petitioner's right under the Act to be made a party to the proceeding.

(ii) The nature and extent of the petitioner's property, financial, or other interest in the proceeding.

(iii) The possible effect of any order that may be entered in the proceeding on the petitioner's interest.

(2) The admissibility of a contention, refuse to admit a contention if:

(i) The contention and supporting material fail to satisfy the requirements of paragraph (b)(2) of this section; or

(ii) The contention, if proven, would be of no consequence in the proceeding because it would not entitle petitioner to relief."

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 a 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: Rulemaking and Adjudications Staff, or may be delivered to the Commission's PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, by the above date. Because of continuing disruptions in delivery of mail to United States Government offices, it is requested that petitions for leave to intervene and requests for hearing be transmitted to the Secretary of the Commission either by means of facsimile transmission to 301-415-1101 or by e-mail to hearingdocket@nrc.gov. A copy of the request for hearing and petition for leave to intervene should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and because of continuing disruptions in delivery of mail to United States Government offices, it is requested that copies be transmitted either by means of facsimile transmission to 301-415-3725 or by e-mail to OGCMailCenter@nrc.gov. A copy of the request for hearing and petition for leave to intervene should also be sent to the attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for a hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of 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 which is available for public inspection at the Commission's PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. 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, 304-415-4737 or by e-mail to pdr@nrc.gov.

Carolina Power & Light Company, et al., Docket No. 50-400, Shearon Harris Nuclear Power Plant, Unit 1, Wake and Chatham Counties, North Carolina

Date of amendment request: August 28, 2002.

Description of amendment request: The amendment would revise Technical Specification (TS) 3/4.9.9, "Containment Ventilation Isolation System" and associated Bases to allow the use of administrative controls on open containment penetrations during core alterations.

Basis for proposed no significant hazards consideration determination: 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 amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed changes modify TS requirements similar to that previously reviewed and approved by the NRC in Harris Nuclear Plant (HNP) License Amendment 104. The administrative controls proposed by this change are currently being used for the same applicable penetrations as part of TS 3.9.4. This change would permit opening up the applicable penetrations under administrative controls if the containment ventilation isolation system were inoperable. HNP has demonstrated (in License Amendment 104) that the radiological consequences were acceptable for a fuel handling accident occurring simultaneously with an open penetration. For the purpose of the applicable analysis, no credit was given for isolating the penetration and dose consequences remained below applicable regulatory limits. The proposed change does not modify the design or operation of equipment used to move spent fuel or to perform core alterations.

Therefore, the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

Containment penetrations are designed to form part of the containment pressure boundary. The proposed change provides for administrative controls and operating restrictions for containment penetrations consistent with guidance approved by the NRC staff. Containment penetrations are not an accident initiating system as described in the Final Safety Analysis Report [FSAR]. The proposed change does not affect other Structures, Systems, or Components. The operation and design of containment penetrations in operational modes 1-4 will not be affected by this proposed change.

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

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

The proposed changes modify similar required Actions previously reviewed and approved by the NRC in HNP License Amendment 104. The proposed change to containment penetrations does not significantly affect any of the parameters that relate to the margin of safety as described in the Bases of the TS or the FSAR. Accordingly, NRC Acceptance Limits are not significantly affected by this change.

Therefore, the proposed change does not involve a significant reduction in the margin of safety.

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.

Attorney for licensee: William D. Johnson, Vice President and Corporate Secretary, Carolina Power & Light Company, Post Office Box 1551, Raleigh, North Carolina 27602.

NRC Section Chief: Kahtan N. Jabbour, Acting.

Carolina Power & Light Company, et al., Docket No. 50-400, Shearon Harris Nuclear Power Plant, Unit 1, Wake and Chatham Counties, North Carolina

Date of amendment request: August 30, 2002.

Description of amendment request: The amendment would revise Technical Specifications Definitions 1.13, Engineered Safety Features (ESF) Response Time and 1.29, Reactor Trip System (RTS) Response Time. Also proposed in this change request are revisions to Surveillance Requirements 4.3.1.2 and 4.3.2.2 and Bases Sections B 3/4.3.1 and B 3/4.3.2. These changes will revise the definition and surveillance requirements for response

time testing of the Engineered Safety Feature Actuation System (ESFAS) and the RTS. These changes are in conformance with changes approved in WCAP-13632-P-A, Revision 2, and WCAP-14036-P-A, Revision 1.

Basis for proposed no significant hazards consideration determination: 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 amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The change to the Harris Nuclear Plant (HNP) Technical Specification (TS) does not result in a condition where the design, material, and construction standards that were applicable prior to the change are altered. The same RTS and ESFAS instrumentation is being used; the time response allocations/modeling assumptions in the Final Safety Analysis Report (FSAR) Chapter 15 analyses are still the same; only the method of verifying the time response is changed. The proposed change will not modify any system interface and could not increase the likelihood of an accident since these events are independent of this change. The proposed change will not change, degrade or prevent actions or alter any assumptions previously made in evaluating the radiological consequences of an accident described in the FSAR.

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

This change does not alter the performance of process protection racks, Nuclear Instrumentation, and logic systems used in the plant protection systems. Replacement transmitters will still have response time verified by testing before being placed in operational service. Changing the method of periodically testing these systems (assuring equipment operability) from response time testing to calibration and channel checks will not create any new accident initiators or scenarios. Periodic surveillance of these systems will continue and may be used to detect degradation that could cause the response time to exceed the total allowance. The total time response allowance for each function bounds all degradation that cannot be detected by periodic surveillance. Implementation of the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

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

This change does not affect the total system response time assumed in the safety analysis. The periodic system response time verification method for the process protection racks, Nuclear Instrumentation, and logic systems is modified to allow the use of actual test data or engineering data. The method of verification still provides

assurance that the total system response is within that defined in the safety analysis, since calibration tests will continue to be performed and may be used to detect any degradation which might cause the system response time to exceed the total allowance. The total response time allowance for each function bounds all degradation that cannot be detected by periodic surveillance. Based on the above, it is concluded that the proposed change does not result in a significant reduction in margin with respect to plant safety.

Pursuant to 10 CFR 50.91, the preceding analysis provides a determination that the proposed Technical Specifications change poses no significant hazard as delineated by 10 CFR 50.92.

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.

Attorney for licensee: William D. Johnson, Vice President and Corporate Secretary, Carolina Power & Light Company, Post Office Box 1551, Raleigh, North Carolina 27602.

NRC Section Chief: Kahtan N. Jabbour, Acting.

Dominion Nuclear Connecticut, Inc., Docket No. 50-336, Millstone Power Station, Unit No. 2, New London County, Connecticut

Date of amendment request: August 12, 2002.

Description of amendment request: The proposed amendment would revise Technical Specification (TS) 3.8.2.3, "Electrical Power Systems, D.C. Distribution—Operating," TS 3.8.2.4, "Electrical Power Systems, D.C. Distribution—Shutdown," and TS 3.8.2.5, "Electrical Power Systems, D.C. Distribution Systems (Turbine Battery)—Operating" to use standard technical specification terminology in order to provide enhanced readability and usability. The proposed amendment would also provide additional criteria for determining battery operability upon restoration from a recharge or equalizing charge.

Basis for proposed no significant hazards consideration determination: 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. Involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed Technical Specifications changes for relocation of information which defines the operability of the D.C. electrical

power subsystems will not create any new failure modes, will not cause an accident to occur, and will not result in any change in the operation of accident mitigation equipment. Relocation of this information will not have an adverse impact on any accident initiators. Proper operation of the D.C. electrical power subsystems will still be verified. As a result, the design basis accidents will remain the same postulated events described in the Millstone Unit No. 2 Final Safety Analysis Report, and the consequences of the design basis accidents will remain the same. Therefore, the proposed changes will not increase the probability or consequences of an accident previously evaluated.

The proposed changes for deletion of redundant actions requirements and reformatting of surveillance requirements associated with the D.C. electrical power subsystems will not cause an accident to occur and will not result in any change in the operation of associated accident mitigation equipment. The proposed changes will not have an adverse impact on any accident initiators. Proper operation of the D.C. electrical power subsystems will still be verified. As a result, the design basis accidents will remain the same postulated events described in the Millstone Unit No. 2 Final Safety Analysis Report, and the consequences of the design basis accidents will remain the same. Therefore, the proposed changes will not increase the probability or consequences of an accident previously evaluated.

The proposed changes to the surveillance requirements for the D.C. electrical power subsystems to add additional criteria relating to physical damage or deterioration and its impact on battery performance do not affect any existing accident initiators or precursors. The proposed changes will not create any adverse interactions with other systems that could result in initiation of a design basis accident. Proper operation of the D.C. electrical power subsystems batteries will still be verified. As a result, the design basis accidents will remain the same postulated events described in the Millstone Unit No. 2 Final Safety Analysis Report, and the consequences of the design basis accidents will remain the same. Therefore, the proposed changes will not increase the probability or consequences of an accident previously evaluated.

The proposed changes to the surveillance requirements for the D.C. electrical power subsystems to add additional criteria relating to demonstrating battery operability following a recharge or equalizing charge will not have an adverse affect on battery operability. The proposed changes will not create any adverse interactions with other systems that could result in initiation of a design basis accident. Proper operation of the D.C. electrical power subsystems batteries will still be verified. As a result, the design basis accidents will remain the same postulated events described in the Millstone Unit No. 2 Final Safety Analysis Report, and the consequences of the design basis accidents will remain the same. Therefore, the proposed changes will not increase the probability or consequences of an accident previously evaluated.

2. Create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed changes do not create any new or different accident initiators or precursors. The proposed changes do not create any new failure modes for the components of the D.C. electrical power subsystems and do not affect the interaction between the D.C. electrical power subsystems and any other system. The proposed changes do not alter the plant configuration (no new or different type of equipment will be installed) or require any new or unusual operator actions. The proposed changes do not alter the way any structure, system, or component functions and do not alter the manner in which the plant is operated. The components of the D.C. electrical power subsystems will continue to function as before, and will continue to be declared inoperable if their ability to perform a safety function is impaired. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Involve a significant reduction in a margin of safety.

The proposed changes will not reduce the margin of safety since they have no impact on any accident analysis assumption. The proposed changes do not decrease the scope of equipment currently required to be operable or subject to surveillance testing, nor do the proposed changes affect any instrument setpoints or equipment safety functions. The Technical Specifications will continue to require that a battery be declared inoperable if physical damage or abnormal deterioration of the cells, cell plates, or racks that would degrade battery performance is observed. The proposed changes do not alter the requirements of the Technical Specification with respect to the capacity of any battery. The effectiveness of Technical Specifications will be maintained since the changes will not alter the operation of any component or system, nor will the proposed changes affect any safety limits or safety system settings which are credited in a facility accident analysis. Therefore, there is no reduction in a margin of safety.

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.

Attorney for licensee: Lillian M. Cuoco, Senior Nuclear Counsel, Dominion Nuclear Connecticut, Inc., Rope Ferry Road, Waterford, CT 06385.

NRC Section Chief: James W. Andersen, Acting.

Dominion Nuclear Connecticut, Inc., Docket No. 50-423, Millstone Power Station, Unit No. 3, New London County, Connecticut

Date of amendment request: August 14, 2002.

Description of amendment request:

The proposed amendment would revise the Technical Specifications (TSs) related to Containment Systems. Specifically, the proposed changes would: (1) Add clarification to TS 1.7 "Definitions—Containment Integrity" (2) add clarifying information as well revise a portion of Surveillance Requirement (SR) 4.6.1.1 associated with the affected section of TS 3.6.1.1 "Containment Integrity;" (3) revise TS 3.6.3, "Containment Isolation Valves," to make editorial changes, to add clarifying information and to add an Action item that would increase the allowed outage time (AOT) from 4 hours to 72 hours for Containment Isolation Valves (CIVs) in closed systems, and (4) other changes that are clarifying and/or administrative in nature. In addition, the TS Bases would be revised to address the proposed changes.

Basis for proposed no significant hazards consideration determination:

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. Involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed Technical Specification changes associated with both containment integrity and CIVs that will remove ambiguity, improve usability, and increase AOT for CIVs in closed systems, will not cause an accident to occur. Operability requirements for containment integrity and CIVs will remain the same. The ability of the equipment associated with the proposed changes to mitigate the design basis accidents will not be affected. The proposed Technical Specification requirements are sufficient to ensure the required accident mitigation equipment will be available and function properly for design basis accident mitigation. The proposed allowed outage time is reasonable and consistent with standard industry guidelines to ensure the accident mitigation equipment will be restored in a timely manner. In addition, the design basis accidents will remain the same postulated events described in the Millstone Unit No. 3 Final Safety Analysis Report, and the consequences of those events will not be affected. Therefore, the proposed changes will not increase the probability or consequences of an accident previously evaluated.

The additional proposed changes to the Technical Specifications (e.g., relocating information to the Bases, renumbering of footnotes, renumbering a requirement) will not result in any technical changes to the current requirements. Therefore, these additional changes will not increase the probability or consequences of an accident previously evaluated.

2. Create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed changes to the Technical Specifications do not impact any system or component that could cause an accident. The proposed changes will not alter the plant configuration (no new or different type of equipment will be installed) or require any unusual operator actions. The proposed changes will not alter the way any structure, system, or component functions, and will not alter the manner in which the plant is operated. The response of the plant and the operators following an accident will not be different. In addition, the proposed changes do not introduce any new failure modes. Therefore, the proposed changes will not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Involve a significant reduction in a margin of safety.

The proposed Technical Specification changes associated with both containment integrity and CIVs that will remove ambiguity, improve usability, and increase AOT for CIVs in closed systems, will not cause an accident to occur. Operability requirements for containment integrity and CIVs will remain the same. The equipment associated with the proposed Technical Specification changes will continue to be able to mitigate the design basis accidents as assumed in the safety analysis. The proposed allowed outage time is reasonable and consistent with standard industry guidelines to ensure the accident mitigation equipment will be restored in a timely manner. In addition, the proposed changes will not affect equipment design or operation, and there are no changes being made to the Technical Specification required safety limits or safety system settings. The proposed Technical Specification changes will provide adequate control measures to ensure the accident mitigation functions are maintained. Therefore, the proposed changes will not result in a reduction in a margin of safety.

The additional proposed changes to the Technical Specifications (e.g., relocating information to the Bases, renumbering of footnotes, renumbering a requirement) will not result in any technical changes to the current requirements. Therefore, these additional changes will not result in a reduction in a margin of safety.

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.

Attorney for licensee: Lillian M. Cuoco, Senior Nuclear Counsel, Dominion Nuclear Connecticut, Inc., Rope Ferry Road, Waterford, CT 06385.

NRC Section Chief: James W. Andersen, Acting.

Entergy Gulf States, Inc., and Entergy Operations, Inc., Docket No. 50-458, River Bend Station, Unit 1, West Feliciana Parish, Louisiana

Date of amendment request: August 15, 2002.

Description of amendment request: The proposed amendment would revise the River Bend Station (River Bend or RBS) reactor vessel surveillance program required by Title 10 of the Code of Federal Regulations (10 CFR) part 50, appendix H, section IIIB.3. The change will incorporate the Boiling Water Reactor Vessel & Internals Project Integrated Surveillance Program into the RBS licensing basis.

Basis for proposed no significant hazards consideration determination: 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. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

Pressure-temperature (P/T) limits (RBS Technical Specifications Figure 3.4.11-1) are imposed on the reactor coolant system to ensure that adequate safety margins against nonductile or rapidly propagating failure exist during normal operation, anticipated operational occurrences, and system hydrostatic tests. The P/T limits are related to the nil-ductility reference temperature, RT_{NDT}, as described in ASME [American Society of Mechanical Engineers Boiler and Pressure Vessel Code (Code)] Section III, Appendix G. Changes in the fracture toughness properties of RPV [reactor pressure vessel] beltline materials, resulting from the neutron irradiation and the thermal environment, are monitored by a surveillance program in compliance with the requirements of 10CFR50, Appendix H. The effect of neutron fluence on the shift in the nil-ductility reference temperature of pressure vessel steel is predicted by methods given in RG [Regulatory Guide] 1.99, Rev[ision] 2.

River Bend's current P/T and Power Uprate limits were established based on adjusted reference temperatures developed in accordance with the procedures prescribed in RG 1.99, Rev 2, Regulatory Position 1. Calculation of adjusted reference temperature by these procedures includes a margin term to ensure conservative, upper-bound values are used for the calculation of the P/T limits. When permitted (two or more credible surveillance data sets available), Regulatory Position 2 (or other NRC [U.S. Nuclear Regulatory Commission]-approved) methods for determining adjusted reference temperature will be followed.

This change is not related to any accidents previously evaluated. This change will not affect P/T limits as given in RBS Technical Specifications Figure 3.4.11-1 or USAR [Updated Safety Analysis Report] Figures

5.3-4a and 5.3-4b. This change will not affect any plant safety limits or limiting conditions of operation. The proposed change will not affect reactor pressure vessel performance as no physical changes are involved and RBS vessel P/T limits will remain conservative in accordance with Reg[ulatory] Guide 1.99, Rev 2 requirements. The proposed change will not cause the reactor pressure vessel or interfacing systems to be operated outside of their design or testing limits. Also, the proposed change will not alter any assumptions previously made in evaluating the radiological consequences of accidents. Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change revises the RBS license basis to reflect participation in the ISP [Integrated Surveillance Program]. This proposed change does not involve a modification of the design of plant structures, systems, or components. The proposed change will not impact the manner in which the plant is operated as plant operating and testing procedures will not be affected by the change. The proposed change will not degrade the reliability of structures, systems, or components important to safety as equipment protection features will not be deleted or modified, equipment redundancy or independence will not be reduced, supporting system performance will not be downgraded, the frequency of operation of equipment will not be increased, and increased or more severe testing of equipment will not be imposed. No new accident types or failure modes will be introduced as a result of the proposed change. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from that previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

As stated in the River Bend SER [Safety Evaluation Report], "Appendices G and H of 10CFR50 describe the conditions that require pressure-temperature limits and provide the general bases for these limits. These appendices specifically require that pressure-temperature limits must provide safety margins at least as great as those recommended in the ASME Code, Section III, Appendix G. * * * Until the results from the reactor vessel surveillance program become available, the staff will use Regulatory Guide (RG) 1.99, Revision 1 [now Revision 2], to predict the amount of neutron irradiation damage. * * * The use of operating limits based on these criteria—as defined by applicable regulations, codes, and standards—will provide reasonable assurance that nonductile or rapidly propagating failure will not occur, and will constitute an acceptable basis for satisfying the applicable requirements of General Design Criteria (GDC) 31."

Bases for RBS Technical Specification 3.4.11 states: "The P/T limits are not derived

from Design Basis Accident (DBA) analyses. They are prescribed during normal operation to avoid encountering pressure, temperature, and temperature rate of change conditions that might cause undetected flaws to propagate and cause nonductile failure of the RCPB [Reactor Coolant Pressure Boundary], a condition that is unanalyzed. * * * Since the P/T limits are not derived from any DBA, there are no acceptance limits related to the P/T limits. Rather, the P/T limits are acceptance limits themselves since they preclude operation in an unanalyzed condition."

The proposed change will not affect any safety limits, limiting safety system settings, or limiting conditions of operation. The proposed change does not represent a change in initial conditions, or in a system response time, or in any other parameter affecting the course of an accident analysis supporting the Bases of any Technical Specification. The proposed change does not involve revision of the P/T limits but rather a revision to the surveillance capsule withdrawal schedule. The current P/T limits were established based on adjusted reference temperatures for vessel beltline materials calculated in accordance with Regulatory Position 1 of RG 1.99, Rev 2. P/T limits will continue to be revised as necessary for changes in adjusted reference temperature due to changes in fluence according to Regulatory Position 1 until two or more credible surveillance data sets become available. When two or more credible surveillance data sets become available, P/T limits will be revised as prescribed by Regulatory Position 2 of RG 1.99, Rev 2, or other NRC-approved guidance. Therefore, the proposed change does not involve a significant reduction in any margins of safety.

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.

Attorney for licensee: Mark Wetterhahn, Esq., Winston & Strawn, 1400 L Street, NW., Washington, DC 20005.

NRC Section Chief: Robert A. Gramm.

Entergy Gulf States, Inc., and Entergy Operations, Inc., Docket No. 50-458, River Bend Station, Unit 1, West Feliciana Parish, Louisiana

Date of amendment request: August 21, 2002.

Description of amendment request: The proposed amendment would revise Surveillance Requirement (SR) 3.0.3 to extend the delay period, before entering a Limiting Condition for Operation, following a missed surveillance. The delay period would be extended from the current limit of " * * * up to 24 hours or up to the limit of the specified Frequency, whichever is less" to " * * * up to 24 hours or up to the limit of the

specified Frequency, whichever is greater." In addition, the following requirement would be added to SR 3.0.3: "A risk evaluation shall be performed for any Surveillance delayed greater than 24 hours and the risk impact shall be managed."

The U.S. Nuclear Regulatory Commission (NRC) staff issued a notice of opportunity for comment in the **Federal Register** on June 14, 2001 (66 FR 32400), on possible amendments concerning missed surveillances, including a model safety evaluation and model no significant hazards consideration (NSHC) determination, using the consolidated line item improvement process. The NRC staff subsequently issued a notice of availability of the models for referencing in license amendment applications in the **Federal Register** on September 28, 2001 (66 FR 49714). The licensee affirmed the applicability of the following NSHC determination in its application dated August 21, 2002.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), an analysis of the issue of NSHC is presented below:

Criterion 1—The Proposed Change Does Not Involve a Significant Increase in the Probability or Consequences of an Accident Previously Evaluated

The proposed change relaxes the time allowed to perform a missed surveillance. The time between surveillances is not an initiator of any accident previously evaluated. Consequently, the probability of an accident previously evaluated is not significantly increased. The equipment being tested is still required to be operable and capable of performing the accident mitigation functions assumed in the accident analysis. As a result, the consequences of any accident previously evaluated are not significantly affected. Any reduction in confidence that a standby system might fail to perform its safety function due to a missed surveillance is small and would not, in the absence of other unrelated failures, lead to an increase in consequences beyond those estimated by existing analyses. The addition of a requirement to assess and manage the risk introduced by the missed surveillance will further minimize possible concerns. Therefore, this change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

Criterion 2—The Proposed Change Does Not Create the Possibility of a New or Different Kind of Accident From Any Previously Evaluated

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. A missed surveillance will not, in and of itself, introduce new failure

modes or effects and any increased chance that a standby system might fail to perform its safety function due to a missed surveillance would not, in the absence of other unrelated failures, lead to an accident beyond those previously evaluated. The addition of a requirement to assess and manage the risk introduced by the missed surveillance will further minimize possible concerns. Thus, this change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

Criterion 3—The Proposed Change Does Not Involve a Significant Reduction in the Margin of Safety

The extended time allowed to perform a missed surveillance does not result in a significant reduction in the margin of safety. As supported by the historical data, the likely outcome of any surveillance is verification that the LCO [Limiting Condition for Operation] is met. Failure to perform a surveillance within the prescribed frequency does not cause equipment to become inoperable. The only effect of the additional time allowed to perform a missed surveillance on the margin of safety is the extension of the time until inoperable equipment is discovered to be inoperable by the missed surveillance. However, given the rare occurrence of inoperable equipment, and the rare occurrence of a missed surveillance, a missed surveillance on inoperable equipment would be very unlikely. This must be balanced against the real risk of manipulating the plant equipment or condition to perform the missed surveillance. In addition, parallel trains and alternate equipment are typically available to perform the safety function of the equipment not tested. Thus, there is confidence that the equipment can perform its assumed safety function.

Therefore, this change does not involve a significant reduction in a margin of safety.

Based upon the reasoning presented above and the previous discussion of the amendment request, the requested change does not involve a significant hazards consideration.

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.

Attorney for licensee: Mark Wetterhahn, Esq., Winston & Strawn, 1400 L Street, NW., Washington, DC 20005.

NRC Section Chief: Robert A. Gramm.
Entergy Operations, Inc., Docket No. 50-368, Arkansas Nuclear One, Unit No. 2, Pope County, Arkansas

Date of amendment request: May 14, 2002, as supplemented by letter dated September 9, 2002. The May 14, 2002, application was originally noticed in the

Federal Register on July 23, 2002 (67 FR 48216).

Description of amendment request: The proposed amendment would revise Surveillance Requirement (SR) 4.0.3 to extend the delay period, before entering a Limiting Condition for Operation, following a missed surveillance. The delay period would be extended from the current limit of " * * * up to 24 hours to permit the completion of the surveillance when the allowable outage time limits of the ACTION requirements are less than 24 hours" to " * * * up to 24 hours or up to the limit of the specified interval, whichever is greater." In addition, the following requirement would be added to SR 4.0.3: "A risk evaluation shall be performed for any Surveillance delayed greater than 24 hours and the risk impact shall be managed." Also, the addition of a Bases Control Program is proposed as Technical Specification (TS) 6.5.14, clarifications are proposed for SR 4.0.1, and other minor changes are proposed for SR 4.0.3, consistent with NUREG-1432, Revision 2, "Standard Technical Specifications, Combustion Engineering Plants."

The U.S. Nuclear Regulatory Commission (NRC) staff issued a notice of opportunity for comment in the **Federal Register** on June 14, 2001 (66 FR 32400), on possible amendments concerning missed surveillances, including a model safety evaluation and model no significant hazards consideration (NSHC) determination, using the consolidated line item improvement process. The NRC staff subsequently issued a notice of availability of the models for referencing in license amendment applications in the **Federal Register** on September 28, 2001 (66 FR 49714). The licensee affirmed the applicability of the model NSHC determination in its application dated May 14, 2002, as supplemented by letter dated September 9, 2002. The NRC staff has augmented the model NSHC to address the ANO-2 plant-specific items regarding the addition of a Bases Control Program, clarifications for SR 4.0.1, and other minor changes for SR 4.0.3 (because the model NSHC assumes a plant's TSs already have these improvements), as presented below.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), an analysis of the issue of no significant hazards consideration is presented below:

Criterion 1—The Proposed Change Does Not Involve a Significant Increase in the Probability or Consequences of an Accident Previously Evaluated

The proposed change relaxes the time allowed to perform a missed surveillance. The time between surveillances is not an initiator of any accident previously evaluated. Consequently, the probability of an accident previously evaluated is not significantly increased. The equipment being tested is still required to be operable and capable of performing the accident mitigation functions assumed in the accident analysis. As a result, the consequences of any accident previously evaluated are not significantly affected. Any reduction in confidence that a standby system might fail to perform its safety function due to a missed surveillance is small and would not, in the absence of other unrelated failures, lead to an increase in consequences beyond those estimated by existing analyses. The addition of a requirement to assess and manage the risk introduced by the missed surveillance will further minimize possible concerns.

The addition of a Bases Control Program formalizes a means for processing changes to the Bases of the TSs and does not change the meaning of any TS. The clarifications proposed for SR 4.0.1 regarding surveillances that are not met, do not change the current intent or practice of the TSs. The other minor changes to SR 4.0.3 regarding the discovery of surveillances that were not performed, address the delay time period and make other editorial changes that do not change the current intent or practice of the TSs. As such, none of these changes affects the initiator of any accident previously evaluated nor the ability of safety systems to mitigate any accident previously evaluated.

Therefore, the changes discussed above do not involve a significant increase in the probability or consequences of an accident previously evaluated.

Criterion 2—The Proposed Change Does Not Create the Possibility of a New or Different Kind of Accident From Any Previously Evaluated

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. A missed surveillance will not, in and of itself, introduce new failure modes or effects and any increased chance that a standby system might fail to perform its safety function due to a missed surveillance would not, in the absence of other unrelated failures, lead to an accident beyond those previously evaluated. The addition of a requirement to assess and manage the risk introduced by the missed surveillance will further minimize possible concerns.

Likewise, formalizing a program to control changes to the Bases, clarifying SR 4.0.1, and the other minor changes to SR 4.0.3, do not change the meaning of any TS and thus do not involve a physical alteration of the plant or change the methods governing normal plant operation.

Therefore, the changes discussed above do not create the possibility of a new or different

kind of accident from any accident previously evaluated.

Criterion 3—The Proposed Change Does Not Involve a Significant Reduction in the Margin of Safety

The extended time allowed to perform a missed surveillance does not result in a significant reduction in the margin of safety. As supported by the historical data, the likely outcome of any surveillance is verification that the LCO [Limiting Condition for Operation] is met. Failure to perform a surveillance within the prescribed frequency does not cause equipment to become inoperable. The only effect of the additional time allowed to perform a missed surveillance on the margin of safety is the extension of the time until inoperable equipment is discovered to be inoperable by the missed surveillance. However, given the rare occurrence of inoperable equipment, and the rare occurrence of a missed surveillance, a missed surveillance on inoperable equipment would be very unlikely. This must be balanced against the real risk of manipulating the plant equipment or condition to perform the missed surveillance. In addition, parallel trains and alternate equipment are typically available to perform the safety function of the equipment not tested. Thus, there is confidence that the equipment can perform its assumed safety function.

Likewise, formalizing a program to control changes to the Bases, clarifying SR 4.0.1, and the other minor changes to SR 4.0.3, do not change the meaning of any TS and thus will not cause equipment that is relied upon to perform a safety function, to become inoperable.

Therefore, the changes discussed above do not involve a significant reduction in a margin of safety.

Based upon the reasoning presented above and the previous discussion of the amendment request, the requested change does not involve a significant hazards consideration.

The NRC staff has reviewed the above 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.

Attorney for licensee: Nicholas S. Reynolds, Esquire, Winston and Strawn, 1400 L Street, NW., Washington, DC 20005-3502.

NRC Section Chief: Robert A. Gramm.

Exelon Generation Company, LLC, Docket Nos. STN 50-454 and STN 50-455, Byron Station, Unit Nos. 1 and 2, Ogle County, Illinois; Docket Nos. STN 50-456 and STN 50-457, Braidwood Station, Unit Nos. 1 and 2, Will County, Illinois

Date of amendment request: August 7, 2002.

Description of amendment request: The proposed amendment would revise the Limiting Condition for Operation

(LCO), the associated Conditions and Required Actions of TS 3.7.1, and the values in Table 3.7.1-1. The proposed changes would revise the LCO by requiring five MSSVs per steam generator to be operable consistent with the accident analyses assumptions. The proposed change would modify the associated Required Actions of TS 3.7.1 by adding a requirement to reduce the Power Range Neutron Flux—High reactor trip setpoint when one or more steam generators with one or more MSSVs are inoperable.

Basis for proposed no significant hazards consideration determination: 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. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

The proposed change adds a requirement to appropriately reduce the Power Range Neutron Flux—High reactor trip setpoint when one or more steam generators with one or more MSSVs are inoperable. The proposed TS change does not affect the design of the MSSV or increase the likelihood of MSSV failures. Reducing the Power Range Neutron Flux—High reactor trip setpoint does not affect initiators of any accident sequence analyzed in the Byron/Braidwood Stations' Updated Final Safety Analysis Report (UFSAR). Therefore, the probability of occurrence of a previously evaluated accident is not increased.

The design basis for the MSSVs is to limit the secondary system pressure to $\leq 110\%$ of steam generator design pressure for any Anticipated Operational Occurrence (AOO) or accident considered in the Design Basis Accident (DBA) and transient analyses. If there are inoperable MSSVs, it is necessary to limit the primary system power during steady-state operation and Anticipated Operational Occurrences (AOOs) to a value that does not result in exceeding the combined steam flow capacity of the turbine (if available) and the remaining operable MSSVs. It has been demonstrated that for those events that challenge the relieving capacity of the MSSVs, *i.e.*, decreased heat removal events resulting in a Reactor Coolant System (RCS) heatup and reactivity insertion events, it is necessary to limit the AOO by reducing the setpoint of the Power Range Neutron Flux—High reactor trip function. For example, with one or more MSSVs on one or more steam generators inoperable, during an RCS heatup event (*e.g.*, turbine trip) when the Moderator Temperature Coefficient (MTC) is positive, the reactor power may increase above the value assumed in the analysis at the start of the transient. Likewise, a reactivity insertion event, such as an uncontrolled rod cluster control assembly (RCCA) withdrawal from partial power level, may result in an increase in reactor power that exceeds the combined steam flow

capacity of the turbine and the remaining operable MSSVs. Thus, for any number of inoperable MSSVs on one or more steam generators it is necessary to prevent a power increase by lowering the Power Range Neutron Flux—High reactor trip setpoint to an appropriate value. This change will ensure that the consequences of previously evaluated accidents remain bounding. Currently administrative controls are in place to address the current non-conservative TS in accordance with the direction provided in NRC Administrative Letter 98-10, "Dispositioning of Technical Specifications that are Insufficient to Assure Plant Safety."

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

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed change does not involve a physical alteration of the units. No new equipment is being introduced, and installed equipment is not being operated in a new or different manner. The design and operation of the MSSVs are unaffected by the proposed change. The proposed change will not alter the manner in which equipment operation is initiated, nor will the functional demands on equipment be changed. No change is being made to procedures relied upon to respond to off-normal events. As such, no new failure modes are being introduced. The proposed change appropriately revises the setpoints at which protective actions are initiated. The proposed change also prevents operating the plant in a configuration that could challenge the safety analyses limiting initial condition assumptions, thereby ensuring previously evaluated accidents remain bounding. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

The primary purpose of the MSSVs is to provide overpressure protection for the secondary system. The MSSVs must have sufficient capacity to limit the secondary pressure to $\leq 110\%$ of the steam generator design pressure in order to meet the requirements of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel (B&PV) Code, Section III, "Rules for Construction of Nuclear Power Plant Components." The proposed change precludes operation in a configuration that could challenge the design requirement of the MSSVs by requiring a reduction in the Power Range Neutron Flux—High reactor trip setpoint, in addition to a reduction in Thermal Power, when one or more steam generators with one or more MSSVs are inoperable. The maximum allowable power specified in TS Table 3.7.1-1 was calculated using a simple heat balance calculation as described in the attachment to NRC Information Notice 94-60, "Potential Overpressurization of the Main Steam Safety System," dated August 22, 1994, assuming updated power conditions with an appropriate allowance for Nuclear

Instrumentation System reactor trip channel uncertainties. Precluding operation in a configuration that could challenge the design requirement of the MSSVs and appropriately revising the values in Table 3.7.1-1 preserves the margin of safety. This change assures the design basis limit will not be exceeded. Therefore, the proposed change does not involve a significant reduction in a margin of safety.

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 requested amendments involve no significant hazards consideration.

Attorney for licensee: Mr. Edward J. Cullen, Deputy General Counsel, Exelon BSC—Legal, 2301 Market Street, Philadelphia, PA 19101.

NRC Section Chief: Anthony J. Mendiola.

Exelon Generation Company, LLC, Docket No. 50-171, Peach Bottom Atomic Power Station, Unit 1, York County, Pennsylvania

Date of application for amendment: May 21, 2002.

Brief description of amendment: This proposed amendment will revise the Peach Bottom Atomic Power Station, Unit 1, Technical Specifications (TS) to: (1) delete License Condition C(4) to reflect satisfaction of the minimum decommissioning trust fund amount at the time of transfer of the Facility Operating License; 2) revise License Condition C(5)(d) to reflect 30 days prior written notification to the Director of Nuclear Material Safety and Safeguards before modification of the decommissioning trust agreement in any material respect; 3) delete TS 2.1(B)3 and TS 2.4(b) to eliminate inconsistencies with reporting requirements in Title 10 U.S. Code of Federal Regulations (10 CFR) 20.2202, 10 CFR 50.73, and 10 CFR 73.71; 4) revise TS 2.2 to refer to the Facility Operating License; and 5) revise TS 2.3 to refer to the radiological hazards associated with the facility.

Basis for proposed no significant hazards consideration determination: 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:

a. Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?

No. The proposed changes do not impact the SAFSTOR status of Peach Bottom Atomic Power Station, Unit 1, or the design of any plant system, structure, or component. These

changes are administrative in nature. They do not affect security at Unit 1 or the potential of radioactive material being released. Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

b. Do the proposed changes create the possibility of a new or different kind of accident from any accident previously evaluated?

No. The changes do not alter the plant configuration. These changes are administrative in nature and do not alter assumptions made in the safety analysis and licensing basis. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

c. Do the proposed changes involve a significant reduction in a margin of safety?

No. These changes are administrative in nature. The changes will not reduce a margin of safety because they have no impact on any safety analysis assumptions. Therefore, the proposed changes will not involve a significant reduction in a margin of safety.

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 requests involve no significant hazards consideration.

Attorney for licensee: Mr. Edward Cullen, Vice President and General Counsel, Exelon Generation Company, LLC, 300 Exelon Way, Kennett Square, PA 19348.

NRC Section Chief: Claudia M. Craig.

Exelon Generation Company, LLC, Docket Nos. 50-254 and 50-265, Quad Cities Nuclear Power Station, Units 1 and 2, Rock Island County, Illinois

Date of amendment request: August 22, 2002.

Description of amendment request: The proposed change modifies the required surveillance interval for calibration of the trip units associated with the instrumentation channels of the Anticipated Transient Without Scram-Recirculation Pump Trip (ATWS-RPT) system from monthly to quarterly.

Basis for proposed no significant hazards consideration determination: 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:

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

The proposed TS [Technical Specification] change increases a STI [surveillance test interval] for ATWS-RPT System actuation

instrumentation based on generic analyses completed by the Boiling Water Reactor Owners' Group (BWROG). The NRC has reviewed and approved these generic analyses and has concurred with the BWROG that the proposed changes do not significantly affect the probability of failure or availability of the affected instrumentation systems. EGC [Exelon Generation Company, LLC] has determined these studies are applicable to QCNPSS [Quad Cities Nuclear Power Station], Units 1 and 2.

TS requirements that govern operability or routine testing of plant instruments are not assumed to be initiators of any analyzed event because these instruments are intended to prevent, detect, or mitigate accidents. Therefore, this change will not involve an increase in the probability of occurrence of an accident previously evaluated. Additionally, this change will not increase the consequences of an accident previously evaluated because the proposed change does not involve any physical changes to ATWS-RPT System components or the manner in which the ATWS-RPT System is operated. This change will not alter the operation of equipment assumed to be available for the mitigation of accidents or transients specified in the ATWS analysis contained in the QCNPSS Updated Final Safety Analysis Report (UFSAR). As justified and approved in licensing topical reports endorsing extended AOTs [allowed out-of-service times] and STIs, the proposed change establishes or maintains adequate assurance that components are operable when necessary for the prevention or mitigation of accidents or transients, and that plant variables are maintained within limits necessary to satisfy the assumptions for initial conditions in the safety analyses. Furthermore, there will be no change in the types or significant increase in the amounts of any effluents released offsite. For these reasons, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

The proposed change does not involve any physical changes to the ATWS-RPT System or associated components, or the manner in which the ATWS-RPT System functions. Therefore, this change will not create the possibility of a new or different kind of accident from any accident previously evaluated. There is no change being made to the parameters within which the plant is operated. There are no setpoints at which protective or mitigative actions are initiated that are affected by the proposed change. This proposed change will not alter the manner in which equipment operation is initiated nor will the function demands on credited equipment be changed. The change in methods governing normal plant operation is consistent with the current ATWS analysis assumptions specified in the UFSAR. Therefore, this change will not create the possibility of a new or different kind of accident from any accident previously evaluated.

Does the proposed change involve a significant reduction in a margin of safety?

Margins of safety are established in the design of components, the configuration of components to meet certain performance parameters, and in the establishment of setpoints to initiate alarms or actions. The proposed change increases a STI for ATWS-RPT System actuation instrumentation based on generic analyses completed by the BWROG. The analyses determined that there is no significant change in the availability and/or reliability of ATWS-RPT instrumentation as a result of the proposed change in STI. The extended STI does not result in significant changes in the probability of ATWS-RPT instrument failure. Furthermore, the proposed change will not reduce the probability of test-induced ATWS-RPT transients and equipment failures. Therefore, it is concluded that the proposed change will not result in a reduction in the margin of safety.

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 requested amendments involve no significant hazards consideration.

Attorney for licensee: Mr. Edward J. Cullen, Deputy General Counsel, Exelon BSC—Legal, 2301 Market Street, Philadelphia, PA 19101.

NRC Section Chief: Anthony J. Mendiola.

Nuclear Management Company, LLC, Docket No. 50-255, Palisades Plant, Van Buren County, Michigan

Date of amendment request: August 26, 2002.

Description of amendment request: The proposed amendment would revise Surveillance Requirement (SR) 3.0.3 to extend the delay period before entering a Limiting Condition for Operation (LCO) following a missed surveillance. The delay period would be extended from the current limit of “* * * up to 24 hours or up to the limit of the specified Frequency, whichever is less” to “* * * up to 24 hours or up to the limit of the specified Frequency, whichever is greater.” In addition, the following requirement would be added to SR 3.0.3: “A risk evaluation shall be performed for any Surveillance delayed greater than 24 hours and the risk impact shall be managed.”

The NRC staff issued a notice of opportunity for comment in the **Federal Register** on June 14, 2001 (66 FR 32400), on possible amendments concerning missed surveillances, including a model safety evaluation and model no significant hazards consideration (NSHC) determination, using the consolidated line-item improvement process. The NRC staff subsequently

issued a notice of availability of the models for referencing in license amendment applications in the **Federal Register** on September 28, 2001 (66 FR 49714). The licensee affirmed the applicability of the following NSHC determination in its application dated August 26, 2002.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), an analysis of the issue of no significant hazards consideration is presented below:

Criterion 1—The Proposed Change Does Not Involve a Significant Increase in the Probability or Consequences of an Accident Previously Evaluated

The proposed change relaxes the time allowed to perform a missed surveillance. The time between surveillances is not an initiator of any accident previously evaluated. Consequently, the probability of an accident previously evaluated is not significantly increased. The equipment being tested is still required to be operable and capable of performing the accident mitigation functions assumed in the accident analysis. As a result, the consequences of any accident previously evaluated are not significantly affected. Any reduction in confidence that a standby system might fail to perform its safety function due to a missed surveillance is small and would not, in the absence of other unrelated failures, lead to an increase in consequences beyond those estimated by existing analyses. The addition of a requirement to assess and manage the risk introduced by the missed surveillance will further minimize possible concerns. Therefore, this change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

Criterion 2—The Proposed Change Does Not Create the Possibility of a New or Different Kind of Accident From Any Previously Evaluated

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. A missed surveillance will not, in and of itself, introduce new failure modes or effects and any increased chance that a standby system might fail to perform its safety function due to a missed surveillance would not, in the absence of other unrelated failures, lead to an accident beyond those previously evaluated. The addition of a requirement to assess and manage the risk introduced by the missed surveillance will further minimize possible concerns. Thus, this change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

Criterion 3—The Proposed Change Does Not Involve a Significant Reduction in the Margin of Safety

The extended time allowed to perform a missed surveillance does not result in a

significant reduction in the margin of safety. As supported by the historical data, the likely outcome of any surveillance is verification that the LCO is met. Failure to perform a surveillance within the prescribed frequency does not cause equipment to become inoperable. The only effect of the additional time allowed to perform a missed surveillance on the margin of safety is the extension of the time until inoperable equipment is discovered to be inoperable by the missed surveillance. However, given the rare occurrence of inoperable equipment, and the rare occurrence of a missed surveillance, a missed surveillance on inoperable equipment would be very unlikely. This must be balanced against the real risk of manipulating the plant equipment or condition to perform the missed surveillance. In addition, parallel trains and alternate equipment are typically available to perform the safety function of the equipment not tested. Thus, there is confidence that the equipment can perform its assumed safety function.

Therefore, this change does not involve a significant reduction in a margin of safety.

Based upon the reasoning presented above and the previous discussion of the amendment request, the requested change does not involve a significant hazards consideration.

The NRC staff has reviewed the 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.

Attorney for licensee: Arunas T. Udry, Esquire, Consumers Energy Company, 212 West Michigan Avenue, Jackson, Michigan 49201.

NRC Section Chief: L. Raghavan.
PSEG Nuclear LLC, Docket No. 50-354, Hope Creek Generating Station, Salem County, New Jersey

Date of amendment request: August 20, 2002.

Description of amendment request: The proposed change will modify action statements and surveillance requirements associated with the diesel generators and make various editorial changes.

Basis for proposed no significant hazards consideration determination: 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. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes do not affect the operational limits or the physical design of the emergency diesel generators.

The emergency diesel generator system is not an accident initiator. The proposed

changes will minimize unnecessary testing that can result in accelerated degradation and will reduce the burden on plant operating personnel while continuing to ensure emergency diesel generator reliability. The editorial and administrative changes do not change the intent of any Technical Specification requirement.

Since the proposed changes do not affect any accident initiator and since the emergency diesel generators will remain capable of performing their design function, the proposed change does not involve a significant increase in the probability or off-site and on-site radiological consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes do not affect the operational limits or the physical design of the emergency diesel generators. The diesel generators will remain capable of performing their design function. No new failure mechanisms, malfunctions, or accident initiators are being introduced by the proposed changes. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed changes do not affect the operational limits or the physical design of the emergency diesel generators. The diesel generators will remain capable of performing their design function. Unnecessary testing that can result in accelerated degradation will be minimized by the proposed changes. Therefore, the proposed change does not involve a significant reduction in a margin of safety.

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.

Attorney for licensee: Jeffrie J. Keenan, Esquire, Nuclear Business Unit—N21, P.O. Box 236, Hancocks Bridge, NJ 08038.

NRC Section Chief: James W. Andersen, Acting.

Southern Nuclear Operating Company, Inc., Georgia Power Company, Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, City of Dalton, Georgia, Docket Nos. 50-321 and 50-366, Edwin I. Hatch Nuclear Plant, Units 1 and 2, Appling County, Georgia

Date of amendment request: August 9, 2002.

Description of amendment request: The proposed amendments would incorporate the Boiling Water Reactor

Vessel and Internals Project (BWRVIP) Integrated Surveillance Program for the surveillance of the Plant Hatch material capsules. The schedule for removal of the capsules is provided in the Units 1 and 2 Final Safety Analysis Reports. The proposed amendment is consistent with the NRC's Regulatory Issue Summary 2002-05, "NRC Approval of Boiling Water Reactor Pressure Vessel Integrated Surveillance Program," dated April 8, 2002 (ADAMS Accession No. ML020660522).

Basis for proposed no significant hazards consideration determination: 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. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

The proposed change to the material surveillance program will involve implementing the BWRVIP Integrated Surveillance Program (ISP). The purpose of the program is to monitor the reactor pressure vessel beltline materials for neutron embrittlement. The existing program for Hatch Units 1 and 2 includes removal and evaluation of existing material capsules in the Hatch Unit 1 and 2 Reactor vessels. The ISP combines all the individual surveillance programs for participating U.S. BWRs into a single integrated program. To insure the program is adequate, similar heats of materials are used to represent the limiting materials of the RPVs. A test matrix was developed to identify the specimens that best meet the needs of each BWR, including the Hatch units. The material associations for the ISP were chosen to best represent the limiting plate and weld materials for each plant using specimens from the entire BWR fleet. As a result, the Plant Hatch RPVs [reactor pressure vessels] will be adequately monitored for neutron embrittlement and thus the probability or consequences of RPV embrittlement are not significantly increased.

Implementing the ISP does not affect the assumptions of any previously evaluated accident, neither does it affect any of the systems designed for the prevention or mitigation of previously evaluated accidents. Therefore, their consequences are not significantly increased.

2. Does the proposed change create the possibility of a new or different kind of accident from any previously evaluated.

Implementing the ISP will not affect the operation of any plant system designed for the prevention or mitigation of accidents. As a result, no new modes of operation are introduced which may result in the need to consider a new type of event. As described above in the answer to question #1, the ISP will continue to adequately monitor the RPV materials; therefore, the possibility of an RPV embrittlement event is not created.

3. Does the proposed change involve a significant decrease in the margin of safety.

The ISP will use materials that adequately represent a particular RPV, including Plant Hatch. A test matrix, as provided in BWRVIP-86: ["BWR Vessel and Internals Project, BWR Integrated Surveillance Program Implementation Plan," includes representative materials from other plants to be used for the Hatch Units. A representative material is a plate or weld that is selected from among all the existing plant surveillance programs to represent the corresponding limiting plate or weld material in a plant. The choice of material considers chemistry, heat number, fabricator and the welding process. These are factors that determine the best representative material. As a result, the Hatch RPV will be adequately monitored for radiation embrittlement and the margin of safety is not significantly reduced.

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.

Attorney for licensee: Ernest L. Blake, Jr., Esquire, Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037.

NRC Section Chief: John A. Nakoski.

STP Nuclear Operating Company, Docket Nos. 50-498 and 50-499, South Texas Project, Units 1 and 2, Matagorda County, Texas

Date of amendment request: August 19, 2002.

Description of amendment request: The proposed amendment revises Technical Specification (TS) Section 3/4.3.2, "Engineered Safety Features Actuation System Instrumentation."

Basis for proposed no significant hazards consideration determination: 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:

Pursuant to 10 CFR 50.91, this analysis provides a determination that the proposed change to the Technical Specifications described previously, does not involve any significant hazards consideration as defined in 10 CFR 50.92, as described below:

[(1)] Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

This change to the Technical Specifications will not result in a condition where the design, material, and construction standards that were applicable prior to the change are altered. The same ESFAS [engineered safety features actuation system] instrumentation will be used and the same ESFAS system reliability is expected. The proposed change will not modify any system

interface or function and could not increase the likelihood of an accident because these events are independent of this change. The proposed activity will not change, degrade, or alter any assumptions previously made in evaluating the radiological consequences of an accident described in the safety analysis report.

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

[(2)] Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change will not alter the performance of the ESFAS mitigation systems assumed in the plant safety analysis. Changing the interval for periodically verifying ESFAS slave relays (assuring equipment operability) will not create any new accident initiators or scenarios. Only the testing frequency is changed. No physical changes will be made to the Solid State Protection System or the ESF Actuation System as a result of this change.

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

[(3)] Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change will not affect the total ESFAS response assumed in the safety analysis because the reliability of the slave relays will not be significantly affected by the increased surveillance interval. The relays have demonstrated a high reliability and insensitivity to short term wear and aging effects. The overall reliability, redundancy, and diversity assumed available for the protection and mitigation of accident and transient conditions is unaffected by this proposed Technical Specification change.

Therefore, the proposed change does not involve a reduction in a margin of safety.

Based on the above safety evaluation, the South Texas Project concludes that the change proposed by this License Amendment Request satisfies the no significant hazards consideration standards of 10 CFR 50.92(c) and, accordingly, a finding of no significant hazards is justified.

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

Attorney for licensee: A.H. Gutterman, Esq., Morgan, Lewis, & Bockius, 1111 Pennsylvania NW., Washington, DC 20004.

NRC Section Chief: Robert A. Gramm.

STP Nuclear Operating Company (STPNOC), Docket Nos. 50-498 and 50-499, South Texas Project, Units 1 and 2, Matagorda County, Texas

Date of amendment request: August 20, 2002.

Description of amendment request: The proposed amendment would delete the Appendix C of the Operating License, regarding antitrust conditions.

Basis for proposed no significant hazards consideration determination: 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:

STPNOC has determined whether a significant hazards consideration is involved with the proposed amendment by focusing on the three criteria set forth in 10 CFR 50.92 as discussed below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

This request involves an administrative change only. The Operating Licenses are being changed to remove unnecessary and outdated antitrust conditions. No actual plant equipment or accident analyses will be affected by the proposed changes. Therefore, this request will have no impact on the probability or consequences of any type of accident: new, different, or previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

This request involves an administrative change only. The Operating Licenses are being changed to remove unnecessary and outdated antitrust conditions. No actual plant equipment or accident analyses will be affected by the proposed change and no failure modes not bounded by previously evaluated accidents will be created. Therefore, this request will have no impact on the possibility of any type of accident: new, different, or previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

Margin of safety is associated with confidence in the ability of the fission product barriers (i.e., fuel and fuel cladding, Reactor Coolant System pressure boundary, and containment structure) to limit the level of radiation dose to the public. This request involves an administrative change only. The Operating Licenses are being changed to remove unnecessary and outdated antitrust conditions.

No actual plant equipment or accident analyses will be affected by the proposed change. Additionally, the proposed change will not relax any criteria used to establish safety limits, safety systems settings, or any limiting conditions of operations. Therefore, this request will not impact [a] margin of safety.

Based on the above, STPNOC concludes that the proposed amendment involves no significant hazards consideration under the criteria set forth in 10 CFR 50.92 and, accordingly, a finding of "no significant hazards consideration" is justified.

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

Attorney for licensee: A. H. Gutterman, Esq., Morgan, Lewis, & Bockius, 1111 Pennsylvania NW., Washington, DC 20004.

NRC Section Chief: Robert A. Gramm.

STP Nuclear Operating Company, Docket Nos. 50-498 and 50-499, South Texas Project, Units 1 and 2, Matagorda County, Texas

Date of amendment request: August 21, 2002.

Description of amendment request: The proposed amendment revises Technical Specifications (TS) 3/4.4.1.4.2 and 3/4.9.1.3 to delete the specific reference to the valves required to be secured to isolate uncontrolled boron dilution flow paths in MODE 5 with the loops not filled and in MODE 6.

Basis for proposed no significant hazards consideration determination: 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:

STPNOC has evaluated whether or not a significant hazards consideration is involved with the proposed amendment by focusing on the three standards set forth in 10 CFR 50.92, "Issuance of amendment," as discussed below.

[(1)] Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

There is no technical change in the requirements imposed by the Technical Specifications. The proposed changes to replace the TS reference to the specific valves to be used to isolate boron dilution flow paths with new Technical Specification requirements to assure the flow paths are secured provides the same level of assurance that the boron dilution event will be precluded.

[(2)] Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change allows alternate, equally effective, locations where the potential boron dilution flow paths can be isolated to preclude an uncontrolled boron dilution event in MODE 5 with the loops not filled and in MODE 6. Consequently, the possibility of the dilution event is unchanged. The proposed change does not otherwise alter how the plant is operated or change its design basis so that the possibility of a new accident is not created.

[(3)] Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed changes to replace the TS reference to the specific valves to be used to isolate boron dilution flow paths with new Technical Specification requirements to assure the flow paths are secured provides the same level of assurance that the boron dilution event will be precluded.

Based upon the analysis provided herein, the proposed amendments do not involve a significant hazards consideration.

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

Attorney for licensee: A.H. Gutterman, Esq., Morgan, Lewis, & Bockius, 1111 Pennsylvania NW., Washington, DC 20004.

NRC Section Chief: Robert A. Gramm.

Wolf Creek Nuclear Operating Corporation, Docket No. 50-482, Wolf Creek Generating Station, Coffey County, Kansas

Date of amendment request: August 16, 2002.

Description of amendment request: The amendment would revise Technical Specification 3.6.3, "Containment Isolation Valves," by (1) deleting the Note and adding the acronym "(CIV)" for containment isolation valve in Condition A of the Actions for the Limiting Condition for Operation, (2) revising the Completion Time for Required Condition A.1 from 4 hours to as much as 7 days depending on the category of the CIVs, (3) deleting Condition C, and (4) renumbering the later Conditions D and E. The proposed amendment is based on Topical Report WCAP-15791-P, "Risk-Informed Evaluation of Extensions to Containment Isolation Valve Completion Times."

Basis for proposed no significant hazards consideration determination: 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 changes to the Completion Times do not change the response of the plant to any accidents and have an insignificant impact on the reliability of the containment isolation valves. The containment isolation valves will remain highly reliable and the proposed changes will not result in a significant increase in the risk of plant operation. This is demonstrated by showing that the impact on plant safety as

measured by the large early release frequency (LERF) and incremental conditional large early release probabilities (ICLERP) is acceptable. These changes are consistent with the acceptance criteria in [the risk-informed] Regulatory Guides 1.174 and 1.177. Therefore, since the containment isolation valves will continue to perform their [safety] functions with high reliability as originally assumed and the increase in risk as measured by LERF and ICLERP is acceptable, there will not be a significant increase in the consequences of any accidents.

The proposed changes do not adversely affect accident initiators or precursors nor alter the design assumptions, conditions, or configuration of the facility or the manner in which the plant is operated and maintained. The proposed changes do not alter or prevent the ability of structures, systems, and components (SSCs) from performing their intended [safety] function to mitigate the consequences of an initiating event within the assumed acceptance limits. The proposed changes do not affect the source term, containment isolation, or radiological release assumptions used in evaluating the radiological consequences of an accident previously evaluated. Further, the proposed changes do not increase the types or amounts of radioactive effluent that may be released offsite, nor significantly increase individual or cumulative occupational/public radiation exposures. The proposed changes are consistent with the safety analysis assumptions and resultant consequences [in Chapter 15, "Accident Analysis," of the Updated Final Safety Analysis Report (USAR) for the plant].

Therefore, it is concluded that this change does not increase the probability of occurrence of a malfunction of equipment important to safety.

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

The proposed changes do not result in a change in the manner in which the containment isolation valves provide plant protection. There are no design changes associated with the proposed changes. The changes to Completion Times do not change any existing accident scenarios, nor create any new or different accident scenarios.

The changes do not involve a physical alteration of the plant (*i.e.*, no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. In addition, the changes do not impose any new or different requirements or eliminate any existing requirements. The changes do not alter assumptions made in the safety analysis. The proposed changes are consistent with the safety analysis assumptions and current plant operating practice.

Therefore, the possibility of a new or different malfunction of safety related equipment is not created.

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

The proposed changes do not alter the manner in which safety limits, limiting safety system settings or limiting conditions for

operation are determined. The safety analysis acceptance criteria are not impacted by these changes. The proposed changes will not result in plant operation in a configuration outside the design basis. The calculated impact on risk is insignificant and is consistent with the acceptance criteria contained in Regulatory Guides 1.174 and 1.177.

Therefore, it is concluded that this change does not involve a significant reduction in the margin of safety.

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.

Attorney for licensee: Jay Silberg, Esq., Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037.

NRC Section Chief: Stephen Dembek.

Previously Published Notices of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The following notices were previously published as separate individual notices. The notice content was the same as above. They were published as individual notices either because time did not allow the Commission to wait for this biweekly notice or because the action involved exigent circumstances. They are repeated here because the biweekly notice lists all amendments issued or proposed to be issued involving no significant hazards consideration.

For details, see the individual notice in the **Federal Register** on the day and page cited. This notice does not extend the notice period of the original notice.

Dominion Nuclear Connecticut, Inc., Docket No. 50-423, Millstone Power Station, Unit No. 3, New London County, Connecticut

Date of amendment request: July 19, 2002.

Brief description of amendment request: The proposed amendment would revise Technical Specification Surveillance Requirement (SR) 4.0.3 to extend the delay period, before entering a Limiting Condition for Operation, following a missed surveillance. The delay period would be extended from the current limit of “* * * up to 24 hours” to “* * * up to 24 hours or up to the limit of the specified surveillance interval, whichever is greater.” In addition, the following requirement would be added to SR 4.0.3: “A risk

evaluation shall be performed for any surveillance delayed greater than 24 hours and the risk impact shall be managed.” The proposed amendment would also make administrative changes to SRs 4.01 and 4.03 to be consistent with NUREG-1431, Revision 2.

*Date of publication of individual notice in **Federal Register**:* September 4, 2002 (67 FR 56604).

Expiration date of individual notice: October 4, 2002.

Notice of Issuance of Amendments to Facility Operating Licenses

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter I, which are set forth in the license amendment.

*Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for A Hearing in connection with these actions was published in the **Federal Register** as indicated.*

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.12(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendment, (2) the amendment, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment as indicated. All of these items are available for public inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. If

you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737 or by e-mail to pdr@nrc.gov.

AmerGen Energy Company, LLC, et al., Docket No. 50-219, Oyster Creek Nuclear Generating Station, Ocean County, New Jersey

Date of application for amendment: September 19, 2001, as supplemented on January 17 and July 1, 2002.

Brief description of amendment: The amendment revises Technical Specifications Subsections 3.5.A.5.b and c, concerning operability of suppression chamber-to-drywell vacuum breakers.

Date of Issuance: September 11, 2002.

Effective date: As of the date of issuance, to be implemented within 30 days of issuance.

Amendment No.: 230.

Facility Operating License No. DPR-16: Amendment revised the Technical Specifications.

*Date of initial notice in **Federal Register**:* December 20, 2001 (66 FR 65749). The January 17 and July 1, 2002, letters provided clarifying information within the scope of the original application and did not change the staff's initial proposed no significant hazards consideration determination. The Commission's related evaluation of this amendment is contained in a Safety Evaluation dated September 11, 2002.

No significant hazards consideration comments received: No.

AmerGen Energy Company, LLC, et al., Docket No. 50-219, Oyster Creek Nuclear Generating Station, Ocean County, New Jersey

Date of application for amendment: September 10, 2001.

Brief description of amendment: The amendment revised the requirements in Technical Specifications, Sections 3.4.A.7.c and 3.4.A.8.c, changing confirmation of operability of core spray pumps and system components from testing to verification.

Date of Issuance: September 10, 2002.

Effective date: As of the date of issuance, to be implemented within 30 days of issuance.

Amendment No.: 231.

Facility Operating License No. DPR-16: Amendment revised the Technical Specifications.

*Date of initial notice in **Federal Register**:* March 5, 2002 (67 FR 10008). The Commission's related evaluation of this amendment is contained in a Safety Evaluation dated September 10, 2002.

No significant hazards consideration comments received: No.

AmerGen Energy Company, LLC, et al., Docket No. 50-219, Oyster Creek Nuclear Generating Station, Ocean County, New Jersey

Date of application for amendment: August 1, 2001, as supplemented on June 19 and September 9, 2002.

Brief description of amendment: The amendment revised Technical Specifications Section 6.3, "Facility Staff Qualifications," deletes Section 6.4, "Training," and revises the Table of Contents to reflect deletion of Section 6.4. These changes reflect updating of requirements that had been outdated based on licensed operator training programs being accredited by the Institute of Nuclear Power Operations, and promulgation of applicable regulations.

Date of Issuance: September 18, 2002.

Effective date: September 18, 2002, and shall be implemented within 30 days of issuance.

Amendment No.: 232.

Facility Operating License No. DPR-16: Amendment revised the Technical Specifications.

Date of initial notice in Federal Register: October 31, 2001 (66 FR 55009). The June 19 and September 9, 2002, letters provided clarifying information within the scope of the original application and did not change the staff's initial proposed no significant hazards consideration determination. The Commission's related evaluation of this amendment is contained in a Safety Evaluation dated September 18, 2002.

No significant hazards consideration comments received: No.

Arizona Public Service Company, et al., Docket Nos. STN 50-528, STN 50-529, and STN 50-530, Palo Verde Nuclear Generating Station, Units Nos. 1, 2, and 3, Maricopa County, Arizona

Date of application for amendments: May 15, 2002, as supplemented by letter dated August 29, 2002.

Brief description of amendments: The amendments revise Limiting Condition for Operation (LCO) 3.9.3, "Containment Penetrations." The amendments would (1) modify the requirement in LCO 3.9.3.b that one door in each air lock is closed by adding the words "capable of being" before the word "closed" and (2) add a note to LCO 3.9.3 stating that containment penetration flow paths providing direct access from the containment to the outside atmosphere may be unisolated under administrative controls. The amendments would allow the containment air lock and other penetrations that provide direct access

to the outside atmosphere to be open during core alterations or movement of irradiated fuel assemblies within containment.

Date of issuance: September 11, 2002.

Effective date: September 11, 2002, and shall be implemented within 60 days of the date of issuance, including completing the changes to the Technical Specification Bases, as described in the licensee's letters of May 15 and August 29, 2002.

Amendment Nos.: Unit 1—144, Unit 2—144, Unit 3—144.

Facility Operating License Nos. NPF-41, NPF-51, and NPF-74: The amendments revised the Technical Specifications.

Date of initial notice in Federal Register: June 25, 2002 (67 FR 42816). The Commission's related evaluation of the amendments are contained in a Safety Evaluation dated September 11, 2002.

No significant hazards consideration comments received: No.

Carolina Power & Light Company, Docket No. 50-261, H. B. Robinson Steam Electric Plant, Unit No. 2, Darlington County, South Carolina

Date of application for amendment: March 26, 2002, as supplemented June 19 and August 8, 2002.

Brief description of amendment: This amendment extends the 10-year performance-based Type A test interval on a one-time basis to require the performance of a Type A test within 12.1 years from the last test, which was performed on April 9, 1992.

Date of issuance: September 16, 2002.

Effective date: September 16, 2002.

Amendment No.: 193.

Facility Operating License No. DPR-23: Amendment revises the Technical Specifications.

Date of initial notice in Federal Register: May 28, 2002 (67 FR 36928). The June 19, and August 8, 2002, supplements contained clarifying information only, and did not change the initial proposed no significant hazards consideration determination or expand the scope of the initial application. The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 16, 2002.

No significant hazards consideration comments received: No.

Carolina Power & Light Company, Docket No. 50-261, H. B. Robinson Steam Electric Plant, Unit No. 2, Darlington County, South Carolina

Date of application for amendment: February 21, 2002, as supplemented May 14 and August 2, 2002.

Brief description of amendment: The amendment modifies the containment vessel spray nozzle testing frequency from testing every "10 years" to testing "following activities which could result in nozzle blockage."

Date of issuance: September 19, 2002.

Effective date: September 19, 2002.

Amendment No.: 194.

Facility Operating License No. DPR-23: Amendment revises the Technical Specifications.

Date of initial notice in Federal Register: April 30, 2002 (67 FR 21285). The May 14 and August 2, 2002, supplements contained clarifying information only and did not change the initial proposed no significant hazards consideration determination or expand the scope of the initial application. The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 19, 2002.

No significant hazards consideration comments received: No.

Carolina Power & Light Company, Docket No. 50-400, Shearon Harris Nuclear Plant, Unit 1, Wake and Chatham Counties, North Carolina

Date of application for amendment: July 8, 2002.

Brief Description of amendment: The amendment deleted the level value in Technical Specification (TS) 3/4.8.1.1, "Electrical Power Systems—A.C. Sources—Operating" and TS 3/4.8.1.2, "Electrical Power Systems—A.C. Sources—Shutdown."

Date of issuance: September 12, 2002.

Effective date: As of date of issuance and shall be implemented within 60 days from date of issuance.

Amendment No.: 111.

Facility Operating License No. NPF-63: Amendment changes the Technical Specifications.

Date of initial notice in Federal Register: August 6, 2002 (67 FR 50950). The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 12, 2002.

No significant hazards consideration comments received: No.

Consumers Energy Company, Docket No. 50-155, Big Rock Point Nuclear Plant, Charlevoix County, Michigan

Date of amendment request: June 11, 2002, as supplemented by letter dated July 3, 2002.

Brief description of amendment: The amendment revises Defueled Technical Specification (DTS) Section 5.2, "Storage and Inspection of Spent Fuel," and DTS Section 6.6.2.9, "Spent Fuel Pool Water Chemistry Program," by adding applicability statements that specify that these specifications apply

only when irradiated fuel is stored in the spent fuel pool.

Date of issuance: September 11, 2002.

Effective date: The license amendment is effective as of the date of issuance and shall be implemented within 45 days from the date of issuance.

Amendment No.: 124.

Facility Operating License No. DPR-6: The amendment revised the Defueled Technical Specifications.

Date of initial notice in Federal Register: July 9, 2002 (67 FR 45562). The July 3, 2002, supplemental letter provided clarifying information that did not change the scope of the original **Federal Register** notice or the original no significant hazards consideration determination. The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 11, 2002.

No significant hazards considerations comments received: No.

Detroit Edison Company, Docket No. 50-341, Fermi 2, Monroe County, Michigan

Date of application for amendment: May 23, 2002.

Brief description of amendment: The amendment deletes Technical Specification 5.5.3, "Post Accident Sampling System (PASS)," and thereby eliminates the requirements to have and maintain the PASS at Fermi 2.

Date of issuance: September 5, 2002.

Effective date: As of the date of issuance and shall be implemented within 90 days.

Amendment No.: 150.

Facility Operating License No. NPF-43: Amendment revises the Technical Specifications.

Date of initial notice in Federal Register: June 25, 2002 (67 FR 42816). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 5, 2002.

No significant hazards consideration comments received: No.

Dominion Nuclear Connecticut, Inc., et al., Docket No. 50-423, Millstone Power Station, Unit No. 3, New London County, Connecticut

Date of application for amendment: June 6, 1998; April 5, 1999; April 7, April 19, July 31, and September 28, 2000; March 19, June 11, September 21, and December 20, 2001.

Brief description of amendment: The amendment revises the Millstone Power Station, Unit No. 3 licensing basis related to operation of the supplementary leak collection and release system after a postulated accident. Specifically, the proposed

revision to the Final Safety Analysis Report (FSAR) would address: (1) The manual actions required to trip the non-safety grade fans and the time requirements for control room ventilation realignment, and (2) the input assumptions and results of the loss-of-coolant accident/control rod ejection accident analyses.

Date of issuance: September 16, 2002.

Effective date: As of the date of issuance and shall be implemented within 60 days from the date of issuance.

Amendment No.: 211.

Facility Operating License No. NPF-49: Amendment revised the FSAR.

Date of initial notice in Federal Register: July 1, 1998 (63 FR 35992). The April 5, 1999; April 7, April 19, July 31, and September 28, 2001; March 19, June 11, September 21, and December 20, 2001, letters provide clarifying information that was within the scope of the original application and did not change the staff's proposed no significant hazards consideration determination. The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 16, 2002.

No significant hazards consideration comments received: No.

Duke Energy Corporation, Docket Nos. 50-369 and 50-370, McGuire Nuclear Station, Units 1 and 2, Mecklenburg County, North Carolina

Date of application for amendments: December 7, 2001, as supplemented by letter dated July 22, 2002.

Brief description of amendments: The amendments revise the Technical Specifications (TS) to permit implementation of containment local leakage rate testing addressed by 10 CFR Part 50, Appendix J, Option B, and to reference Regulatory Guide 1.163, "Performance-Based Containment Leak Test Program," dated September 1995. In addition, the TS are revised regarding soap bubble testing and leak testing of containment purge valves with resilient seals for upper and lower compartments and instrument rooms.

Date of issuance: September 4, 2002.

Effective date: As of the date of issuance and shall be implemented within 30 days from the date of issuance.

Amendment Nos.: 207 & 188.

Facility Operating License Nos. NPF-9 and NPF-17: Amendments revised the Technical Specifications.

Date of initial notice in Federal Register: December 26, 2001 (67 FR 66464). The supplement dated July 22, 2002, provided clarifying information that did not change the scope of the

December 7, 2001, application nor the initial proposed no significant hazards consideration determination. The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 4, 2002.

No significant hazards consideration comments received: No.

Duke Energy Corporation, Docket Nos. 50-269, 50-270, and 50-287, Oconee Nuclear Station, Units 1, 2, and 3, Oconee County, South Carolina

Date of application of amendments: July 11, 2002.

Brief description of amendments: The amendments revised the Technical Specifications to incorporate several administrative changes.

Date of Issuance: September 5, 2002.

Effective date: As of the date of issuance and shall be implemented within 30 days from the date of issuance.

Amendment Nos.: 328, 328 & 329.

Renewed Facility Operating License Nos. DPR-38, DPR-47, and DPR-55: Amendments revised the Technical Specifications.

Date of initial notice in Federal Register: August 6, 2002 (67 FR 50951). The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 5, 2002.

No significant hazards consideration comments received: No.

Entergy Nuclear Operations, Docket No. 50-247, Indian Point Nuclear Generating Unit No. 2, Westchester County, New York

Date of application for amendment: January 8, 2002, as supplemented on August 22, 2002.

Brief description of amendment: The amendment revised Technical Specifications Section 3.7.C, "Gas Turbine Generators," and Section 4.6, "Emergency Power System Periodic Tests," to change the minimum amount of fuel oil required to be stored from 54,200 gallons to 94,870 gallons. The amendment also revised the minimum electrical output of the gas turbine generator that is required to be tested monthly to 2000 kilowatts from the previous value of 750 kilowatts.

Date of issuance: September 18, 2002.

Effective date: As of the date of issuance to be implemented within 60 days.

Amendment No.: 233.

Facility Operating License No. DPR-26: Amendment revised the Technical Specifications.

Date of initial notice in Federal Register: March 5, 2002 (67 FR 10012). The August 22, 2002, letter provided clarifying information that did not

change the initial proposed no significant hazards consideration determination. The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 18, 2002.

No significant hazards consideration comments received: No.

Entergy Nuclear Operations, Inc., Docket No. 50-333, James A. FitzPatrick Nuclear Power Plant, Oswego County, New York

Date of application for amendment: June 7, 2002, supplemented July 17, 2002.

Brief description of amendment: The amendment changes the Technical Specifications to allow relaxation of secondary containment operability requirements while handling irradiated fuel in the secondary containment. The amendment replaces the current accident source term use in selected design basis radiological analyses with an alternative source term pursuant to 10 CFR 50.67, "Accident Source Term."

Date of issuance: September 12, 2002.

Effective date: As of the date of issuance to be implemented within 30 days.

Amendment No.: 276.

Facility Operating License No. DPR-59: Amendment revised the Technical Specifications.

Date of initial notice in Federal Register: July 9, 2002 (67 FR 45568). The July 17, 2002, letter provided clarifying information that did not change the initial proposed no significant hazards consideration determination. The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 12, 2002.

No significant hazards consideration comments received: No.

Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc., Docket No. 50-271, Vermont Yankee Nuclear Power Station, Vernon, Vermont

Date of application for amendment: March 19, 2002, as supplemented on June 4, July 16 and 24, August 22 and September 4, 2002.

Brief description of amendment: The amendment revises the technical specifications to reflect the removal of the automatic reactor scram and main steam isolation valve closure functions of the main steam line radiation monitors (MSLRM). An explicit requirement for periodic functional test and calibration of the MSLRM is added to maintain operability of the mechanical vacuum pump trip function.

Date of Issuance: September 18, 2002.

Effective date: As of the date of issuance, and shall be implemented within 60 days.

Amendment No.: 212.

Facility Operating License No. DPR-28: Amendment revised the Technical Specifications.

Date of initial notice in Federal Register: July 9, 2002 (67 FR 45573). The July 16 and 24, August 22, and September 4, 2002, supplements were within the scope of the original application and did not change the staff's proposed no significant hazards consideration determination. The Commission's related evaluation of this amendment is contained in a Safety Evaluation dated September 18, 2002.

No significant hazards consideration comments received: No.

Entergy Operations, Inc., System Energy Resources, Inc., South Mississippi Electric Power Association, and Entergy Mississippi, Inc., Docket No. 50-416, Grand Gulf Nuclear Station (GGNS), Unit 1, Claiborne County, Mississippi

Date of application for amendment: November 15, 2001, as supplemented by letters dated March 1 and June 19, 2002.

Brief description of amendment: This amendment revises the GGNS Unit 1 Technical Specification Surveillance Requirements (SRs) pertaining to testing of the standby emergency diesel generators (DGs) to allow DG testing during reactor operation. The change removes the restriction associated with these SRs that prohibits conducting the required testing of the DGs during reactor operating Modes 1, 2, or 3.

Date of issuance: September 5, 2002.

Effective date: As of the date of issuance and shall be implemented within 60 days from the date of issuance.

Amendment No.: 153.

Facility Operating License No. NPF-29: The amendment revises the Technical Specifications and Surveillance Requirements.

Date of initial notice in Federal Register: December 26, 2001 (66 FR 66464). The supplemental letters dated March 1 and June 19, 2002, provided clarifying information that did not change the scope of original **Federal Register** notice or the original no significant hazards consideration determination. The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 5, 2002.

No significant hazards consideration comments received: None.

Entergy Operations, Inc., System Energy Resources, Inc., South Mississippi Electric Power Association, and Entergy Mississippi, Inc., Docket No. 50-416, Grand Gulf Nuclear Station, Unit 1, Claiborne County, Mississippi

Date of application for amendment: February 25, 2002, as supplemented by letters dated August 16 and 22, 2002.

Brief description of amendment: This amendment adds a new Technical Specification 3.10.9, "Suppression Pool Makeup-MODE 3," to allow installation of reactor cavity gate 2 in the Upper Containment Pool (UCP) and draining the reactor cavity pool portion of the UCP while still in MODE 3, with the reactor pressure less than 230 pounds per square inch gauge (psig). It also modifies the applicability of the UCP gates surveillance requirement (TS Section 3.6.2.4, "Suppression Pool Makeup (SPMU) System,") to allow installation of UCP gates in MODES 1, 2, and 3.

Date of issuance: September 6, 2002.

Effective date: As of the date of issuance and shall be implemented within 60 days of issuance.

Amendment No.: 154.

Facility Operating License No. NPF-29: The amendment revises the Technical Specifications and Surveillance Requirements.

Date of initial notice in Federal Register: April 30, 2002 (67 FR 21289). The August 16 and 22, 2002, supplemental letters provided clarifying information that did not change the scope of the original **Federal Register** notice or the original no significant hazards consideration determination. The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 4, 2002.

No significant hazards consideration comments received: No.

Entergy Operations, Inc., System Energy Resources, Inc., South Mississippi Electric Power Association, and Entergy Mississippi, Inc., Docket No. 50-416, Grand Gulf Nuclear Station, Unit 1, Claiborne County, Mississippi

Date of application for amendment: February 19, 2002, as supplemented by letter dated July 17, 2002.

Brief description of amendment: This amendment revises Technical Specification 3.8.1, "AC Sources—Operating," to remove all current Mode restrictions associated with testing the High Pressure Core Spray Diesel Generator 13 during normal operation. The proposed changes remove the restriction associated with Surveillance Requirements (SRs) that prohibit performing the required testing in

Modes 1, 2, or 3. The specific SRs addressed in this amendment are: SR 3.8.1.11, 3.8.1.12, 3.8.1.16, and 3.8.1.19.

Date of issuance: September 10, 2002.

Effective date: As of the date of issuance and shall be implemented within 60 days from the date of issuance.

Amendment No: 155.

Facility Operating License No. NPF-29: The amendment revises the Technical Specifications and Surveillance Requirements.

Date of initial notice in Federal Register: April 30, 2002 (67 FR 21288). The supplemental letter dated July 17, 2002, provided clarifying information that did not change the scope of original **Federal Register** notice or the original no significant hazards consideration determination. The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 10, 2002.

No significant hazards consideration comments received: None.

Exelon Generation Company, LLC, Docket Nos. STN 50-454 and STN 50-455, Byron Station, Unit Nos. 1 and 2, Ogle County, Illinois, Docket Nos. STN 50-456 and STN 50-457, Braidwood Station, Unit Nos. 1 and 2, Will County, Illinois

Date of application for amendments: March 8, 2002.

Brief description of amendments: The amendments revise TS 3.8.4, "DC Sources-Operating," 3.8.5, "DC Sources-Shutdown," 3.8.6, "Battery Cell Parameters," and 3.8.8, "Inverter-Shutdown." The changes also include the relocation of the following TS items to a licensee-controlled program: (1) A number of Surveillance Requirements (SRs) that require the performance of preventive maintenance, and (2) TS Table 3.8.6-1, "Battery Cell Parameter Requirements." The amendments also add new actions and their associated completion times to TS 3.8.6 for out-of-limits conditions for battery cell voltage, electrolyte level, and electrolyte temperature. In addition, SRs are added for verification of these parameters.

Date of issuance: September 19, 2002.

Effective date: As of the date of issuance and shall be implemented within 60 days.

Amendment Nos.: 129, 129, 124 & 124.

Facility Operating License Nos. NPF-37, NPF-66, NPF-72 and NPF-77: The amendments revised the Technical Specifications.

Date of initial notice in Federal Register: May 14, 2002 (67 FR 34485). The Commission's related evaluation of

the amendments is contained in a Safety Evaluation dated September 19, 2002.

No significant hazards consideration comments received: No.

Exelon Generation Company, LLC, Docket Nos. 50-237 and 50-249, Dresden Nuclear Power Station, Units 2 and 3, Grundy County, Illinois

Date of application for amendments: August 1, 2001, as supplemented June 19 and September 9, 2002.

Brief description of amendments: The amendments revise Technical Specification 5.3, "Unit Staff Qualifications," concerning approval of the education and experience eligibility requirements for operator license applicants.

Date of issuance: September 17, 2002.

Effective date: As of the date of issuance and shall be implemented within 60 days.

Amendment Nos.: 194 & 187.

Facility Operating License Nos. DPR-19 and DPR-25: The amendments revised the Technical Specifications.

Date of initial notice in Federal Register: October 31, 2001 (66 FR 55018). The supplements dated June 19 and September 9, 2002, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination. The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 17, 2002.

No significant hazards consideration comments received: No.

Exelon Generation Company, LLC, Docket Nos. 50-373 and 50-374, LaSalle County Station, Units 1 and 2, LaSalle County, Illinois

Date of application for amendments: August 01, 2001, as supplemented June 19 and September 09, 2002.

Brief description of amendments: The amendments revise Technical Specifications requirements regarding Facility Staff Qualifications for licensed operator and non-licensed personnel training programs. The changes revise requirements that have been superseded based on licensed operator training programs being accredited by the Institute of Nuclear Power Operations, promulgation of the revised 10 CFR part 55, "Operators' Licenses," which became effective on May 26, 1987, and adoption of a systems approach to training as required by 10 CFR 50.120, "Training and qualification of nuclear power plant personnel."

Date of issuance: September 17, 2002.

Effective date: As of the date of issuance and shall be implemented within 60 days.

Amendment Nos.: 154 & 140.

Facility Operating License Nos. NPF-11 and NPF-18: The amendments revised the Technical Specifications.

Date of initial notice in Federal Register: October 31, 2001 (66 FR 55018). The supplements dated June 19 and September 09, 2002, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination. The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 17, 2002.

No significant hazards consideration comments received: No.

Exelon Generation Company, LLC, and PSEG Nuclear LLC, Docket Nos. 50-277 and 50-278, Peach Bottom Atomic Power Station, Units 2 and 3, York County, Pennsylvania

Date of application for amendments: August 1, 2001, as supplemented June 19 and September 9, 2002.

Brief description of amendments: The amendments revised Technical Specification 5.3.1 to state that the licensed operators shall comply with the qualification requirements in 10 CFR part 55, rather than the American National Standards Institute's (ANSI) standard ANSI N18.1-1971.

Date of issuance: September 17, 2002.

Effective date: As of the date of issuance, and shall be implemented within 30 days.

Amendments Nos.: 245, 249.

Facility Operating License Nos. DPR-44 and DPR-56: The amendments revised the Technical Specifications.

Date of initial notice in Federal Register: October 31, 2001 (66 FR 55018). The June 19 and September 9, 2002, letters provided clarifying information that did not change the initial proposed no significant hazards consideration determination or expand the application beyond the scope of the original **Federal Register** notice. The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 17, 2002.

No significant hazards consideration comments received: No.

Exelon Generation Company, LLC, Docket Nos. 50-254 and 50-265, Quad Cities Nuclear Power Station, Units 1 and 2, Rock Island County, Illinois

Date of application for amendments: August 1, 2001, as supplemented June 19 and September 9, 2002.

Brief description of amendments: The amendments revise Technical Specification requirements that have been superceded based on the licensed operator training program being accredited by the Institute of Nuclear Power Operations, promulgation of the revised 10 CFR part 55, and adoption of a systems approach to training as required by 10 CFR 50.120.

Date of issuance: September 18, 2002.

Effective date: As of the date of issuance and shall be implemented within 60 days.

Amendment Nos.: 208 & 203.

Facility Operating License Nos. DPR-29 and DPR-30: The amendments revised the Technical Specifications.

Date of initial notice in Federal Register: October 31, 2001 (66 FR 55018). The supplements dated June 19 and September 9, 2002, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination. The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 18, 2002.

No significant hazards consideration comments received: No.

FirstEnergy Nuclear Operating Company, Docket No. 50-346, Davis-Besse Nuclear Power Station, Unit 1, Ottawa County, Ohio

Date of application for amendment: November 9, 2000.

Brief description of amendment: This amendment revises the allowed outage time from 72 hours to 7 days for one low pressure injection train, and one containment spray system train. The supporting analysis for the request is based on the Babcock & Wilcox Owners Group (B&WOG) Topical Report BAW-2295A, Revision 1 & 2, "Justification for the Extension of Allowed Outage Time for Low pressure Injection and Reactor Building Spray Systems," and its review by the staff documented in a Safety Evaluation Report. The Davis-Besse Nuclear Power Station is the lead B&WOG plant requesting these changes to be made to the Technical Specifications.

Date of issuance: September 17, 2002.

Effective Date: As of the date of issuance and shall be implemented within 120 days.

Amendment No.: 253.

Facility Operating License No. NPF-3: Amendment revised the Technical Specifications.

Date of initial notice in Federal Register: December 27, 2000 (65 FR 81919). The Commission's related

evaluation of the amendment is contained in a Safety Evaluation dated September 17, 2002.

No significant hazards consideration comments received: No.

Florida Power and Light Company, et al., Docket Nos. 50-335 and 50-389, St. Lucie Plant, Unit Nos. 1 and 2, St. Lucie County, Florida

Date of application for amendments: January 18, 2002.

Brief description of amendments: These amendments revised Technical Specifications to relocate specific working hour limits and controls to administrative procedures.

Date of issuance: September 10, 2002.

Effective Date: As of the date of issuance and shall be implemented within 60 days of issuance.

Amendment Nos.: 185 and 128.

Facility Operating License Nos. DPR-67 and NPF-16: Amendments revised the Technical Specifications.

Date of initial notice in Federal Register: February 19, 2002 (67 FR 7418). The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 10, 2002.

No significant hazards consideration comments received: No.

Indiana Michigan Power Company, Docket Nos. 50-315 and 50-316, Donald C. Cook Nuclear Plant, Units 1 and 2, Berrien County, Michigan

Date of application for amendments: July 26, 2002, as supplemented August 23, 2002

Brief description of amendments: The amendments will add a license condition to the Operating Licenses for both units, allowing a one-time 140-hour allowed outage time for the essential service water (ESW) system, to allow ESW pump replacement during plant operation.

Date of issuance: September 9, 2002.

Effective date: As of the date of issuance and shall be implemented within 20 days.

Amendment Nos.: 270 and 251.

Facility Operating License Nos. DPR-58 and DPR-74: Amendments revised the Facility Operating License.

Date of initial notice in Federal Register: August 8, 2002 (67 FR 51603). The August 23, 2002, letter provided clarifying information within the scope of the original application and did not change the initial proposed no significant hazards consideration determination. The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 9, 2002.

No significant hazards consideration comments received: No.

Nine Mile Point Nuclear Station, LLC, Docket No. 50-220, Nine Mile Point Nuclear Station, Unit No. 1, Oswego County, New York

Date of application for amendment: October 19, 2001, as supplemented June 17, 2002.

Brief description of amendment: The amendment revised the Technical Specifications to implement programmatic controls for radiological effluent technical specifications in the Administrative Controls section, to relocate certain procedural details to licensee-controlled documents, and to add new programs to accommodate existing NRC requirements and guidance.

Date of issuance: September 11, 2002.

Effective date: September 11, 2002.

Amendment No.: 176.

Facility Operating License No. DPR-63: Amendment revises the Technical Specifications.

Date of initial notice in Federal Register: January 8, 2002 (67 FR 928). The June 17, 2002, supplemental letter did not expand the scope of the application as originally noticed and did not change the proposed no significant hazards consideration determination. The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 11, 2002.

No significant hazards consideration comments received: No.

North Atlantic Energy Service Corporation, et al., Docket No. 50-443, Seabrook Station, Unit No. 1, Rockingham County, New Hampshire

Date of amendment request: August 9, 2001, as supplemented September 17, 2001, and June 24, 2002.

Description of amendment request: The amendment combines Technical Specifications (TSs) 3/4.9.9, "Containment Purge and Exhaust Isolation System," and 3/4.9.4, "Containment Building Penetrations." By combining these two TSs, the amendment updates the Seabrook TSs related to refueling operations by adopting portions of NUREG-1431, "Standard Technical Specifications, Westinghouse Plants," Revision 2. The amendment also changes the TS index pages and the associated TS Bases. By letter dated June 24, 2002, the licensee withdrew that part of the application associated with relocation of TS 3/4.9.4, "Decay Time," to the Seabrook Station Technical Requirements Manual.

Date of issuance: September 5, 2002.

Effective date: As of its date of issuance, and shall be implemented within 90 days.

Amendment No.: 85.

Facility Operating License No. NPF-86: Amendment revised the Technical Specifications.

Date of initial notice in Federal Register: September 19, 2001 (66 FR 48290). The supplements dated September 17, 2001, and June 24, 2002, provided clarifying information that did not change the initial proposed no significant hazards consideration determination. The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 5, 2002.

No significant hazards consideration comments received: No.

Nuclear Management Company, LLC, Docket No. 50-255, Palisades Plant, Van Buren County, Michigan

Date of application for amendment: January 28, 2002.

Brief description of amendment: The amendment revises the Core Operating Limits Report analytical methods referenced in Technical Specification (TS) 5.6.5.b. Specifically, the amendment adds references to two NRC-approved Framatome ANP, Inc., reports: (1) EMF-2310(P)(A), Revision 0, "SRP [Standard Review Plan] Chapter 15 Non-LOCA [loss-of-coolant accident] Methodology for Pressurized Water Reactors [PWRs]," dated May 2001, and (2) EMF-2328(P)(A), Revision 0, "PWR Small Break LOCA Evaluation Model, S-RELAP5 Based," dated March 2001. The amendment also deletes previous references in TS 5.6.5.b describing Exxon Nuclear Company's large-break LOCA evaluation model.

Date of issuance: September 13, 2002.

Effective date: As of the date of issuance and shall be implemented within 60 days.

Amendment No.: 209.

Facility Operating License No. DPR-20: Amendment revised the Technical Specifications.

Date of initial notice in Federal Register: February 19, 2002 (67 FR 7420). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 13, 2002.

No significant hazards consideration comments received: No.

PSEG Nuclear LLC, Docket No. 50-354, Hope Creek Generating Station, Salem County, New Jersey

Date of application for amendment: April 3, 2002.

Brief description of amendment: This amendment consists of changes to the Technical Specifications (TSs) which allow the relocation of TS 3/4.4.4, "Reactor Coolant System—Chemistry,"

and the associated bases from the TSs to the Hope Creek Updated Final Safety Analysis Report (UFSAR).

Date of issuance: September 18, 2002.

Effective date: September 18, 2002, and shall be implemented within 60 days.

Amendment No.: 140.

Facility Operating License No. NPF-57: This amendment revised the Technical Specifications and the UFSAR.

Date of initial notice in Federal Register: May 14, 2002 (67 FR 34492). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 18, 2002.

No significant hazards consideration comments received: No.

Southern Nuclear Operating Company, Inc., Georgia Power Company, Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, City of Dalton, Georgia, Docket Nos. 50-321 and 50-366, Edwin I. Hatch Nuclear Plant, Units 1 and 2, Appling County, Georgia

Date of application for amendments: May 24, 2002.

Brief description of amendments: The amendments revised the Technical Specifications to allow Mode 2 (startup) operation with two out of four, rather than three out of four, required intermediate range monitor channels per trip system.

Date of issuance: September 12, 2002.

Effective date: As of the date of issuance and shall be implemented within 30 days from the date of issuance.

Amendment Nos.: 233/175.

Renewed Facility Operating License Nos. DPR-57 and NPF-5: Amendments revised the Technical Specifications.

Date of initial notice in Federal Register: July 9, 2002 (67 FR 45572). The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 12, 2002.

No significant hazards consideration comments received: No.

STP Nuclear Operating Company, Docket Nos. 50-498 and 50-499, South Texas Project, Units 1 and 2, Matagorda County, Texas

Date of amendment request: May 31, 2001, as supplemented by letters dated June 14, August 13, October 16, November 7, 2001, August 14, 2002, and September 4, 2002.

Brief description of amendments: The amendment grants conforming amendments to the operating licenses to reflect the direct transfer of Reliant Energy Incorporated's ownership interest to Texas Genco, LP.

Date of issuance: September 4, 2002.

Effective date: As of the date of issuance and shall be implemented within 30 days from the date of issuance.

Amendment Nos.: Unit 1-142; Unit 2-130.

Facility Operating License Nos. NPF-76 and NPF-80: The amendments revised the facility operating licenses.

Date of initial notice in Federal Register: September 28, 2001 (66 FR 49711). The supplemental information did not expand the scope of the application as originally noticed in the **Federal Register**. The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 4, 2002.

No significant hazards consideration comments received: No.

TXU Generation Company LP, Docket Nos. 50-445 and 50-446, Comanche Peak Steam Electric Station, Unit Nos. 1 and 2, Somervell County, Texas

Date of amendment request: April 1, 2002, as supplemented by letter dated June 6, 2002.

Brief description of amendments: The amendments include addition of topical report ERX-2001-005, "ZIRLO™ Cladding and Boron Coating Models for TXU Electric's Loss of Coolant Accident Analysis Methodologies," to the list of approved methodologies for use in generating the Core Operating Limits Report in Technical Specification (TS) 5.6.5, "Core Operating Limits Report (COLR)." In addition, the proposed changes include ZIRLO™ clad in the description of the fuel assemblies in TS 4.2.1, "Fuel Assemblies."

Date of issuance: September 4, 2002.

Effective date: As of the date of issuance and shall be implemented within 60 days from the date of issuance.

Amendment Nos.: 99 and 99.

Facility Operating License Nos. NPF-87 and NPF-89: The amendments revised the Technical Specifications.

Date of initial notice in Federal Register: May 14, 2002 (67 FR 34493). The June 6, 2002, supplemental letter provided clarifying information that did not change the scope of the original **Federal Register** notice or the original no significant hazards consideration determination. The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 4, 2002.

No significant hazards consideration comments received: No.

TXU Generation Company LP, Docket Nos. 50-445 and 50-446, Comanche Peak Steam Electric Station, Unit Nos. 1 and 2, Somervell County, Texas

Date of amendment request: March 27, 2002.

Brief description of amendments: The amendments revise Technical Specification (TS) 5.3.1 to require that each member of the unit staff, with the exception of licensed Reactor Operators (ROs) and licensed Senior Reactor Operators (SROs), shall meet or exceed the minimum qualifications of Regulatory Guide (RG) 1.8, "Qualification and Training of Personnel for Nuclear Power Plants," Revision 2, 1987. Also, a new TS 5.3.2 is added to require that the ROs and SROs shall meet or exceed the minimum qualifications of RG 1.8, Revision 3, May 2000, and the current TS 5.3.2 is renumbered to TS 5.3.3.

Date of issuance: September 4, 2002.

Effective date: As of the date of issuance and shall be implemented within 60 days from the date of issuance.

Amendment Nos.: 100 and 1000.

Facility Operating License Nos. NPF-87 and NPF-89: The amendments revised the Technical Specifications.

Date of initial notice in Federal Register: May 14, 2002 (67 FR 34493). The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 4, 2002.

No significant hazards consideration comments received: No.

Union Electric Company, Docket No. 50-483, Callaway Plant, Unit 1, Callaway County, Missouri

Date of application for amendment: June 17, 2002 (ULNRC-04684).

Brief description of amendment: The amendment revised Technical Specification 3.3.1, "Reactor Trip System (RTS) Instrumentation," by adding Surveillance Requirement (SR) 3.3.1.16 to Function 3 of TS Table 3.3.1-1. SR 3.3.1.16 verifies that the reactor trip system response times are within limits every 18 months on a staggered test basis.

Date of issuance: September 3, 2002.

Effective date: September 3, 2002, and shall be implemented within 60 days from the date of issuance.

Amendment No.: 151.

Facility Operating License No. NPF-30: The amendment revised the Technical Specifications.

Date of initial notice in Federal Register: July 23, 2002 (67 FR 48222). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 3, 2002.

No significant hazards consideration comments received: No.

Union Electric Company, Docket No. 50-483, Callaway Plant, Unit 1, Callaway County, Missouri

Date of application for amendment: February 15, 2001, as supplemented by letters dated April 20 and November 7, 2001, and March 1 and August 5, 2002.

Brief description of amendment: The amendment revises paragraph d.1.j) 2) of Technical Specification (TS) 5.5.9, "Steam Generator (SG) Tube Surveillance Program," to (1) delete the requirement that all SG tubes containing an Electrosleeve™, a Framatome proprietary process, be removed from service within two operating cycles following installation of the first Electrosleeve™; (2) add the requirement that Electrosleeves™ will not be installed in the outermost periphery tubes of the SG bundles where potentially locked tubes would cause high axial loads; (3) revise the references describing electrosleeving; and (4) add the requirement that all sleeves with detected inside diameter flaw indications will be removed from service upon detection. In addition, if an Electrosleeve™ tube pull is performed by the licensee, the licensee has agreed to provide the results of the tube examination to the NRC staff within 60 days of when the final results of the examination are made available to the licensee.

Date of issuance: September 13, 2002.

Effective date: September 13, 2002, and shall be implemented within 60 days of the date of issuance.

Amendment No.: 153.

Facility Operating License No. NPF-30: The amendment revised the Technical Specifications.

Date of initial notice in Federal Register: May 14, 2002 (67 FR 34494). The supplemental letter of August 5, 2002, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards consideration determination. The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 13, 2002.

No significant hazards consideration comments received: No.

Wolf Creek Nuclear Operating Corporation, Docket No. 50-482, Wolf Creek Generating Station, Coffey County, Kansas

Date of amendment request: June 27, 2000, and its supplements dated January

31, 2001, May 2, 2001, October 30, 2001, and May 10, 2002.

Brief description of amendment: The amendment revised the antitrust conditions for Kansas Gas and Electric Company (KGE) in Appendix C to the operating license. The revisions (1) add a statement that the antitrust conditions do not restrict the rights of Kansas Electric Power Cooperative, Inc. (KEPCo) or the duties of KGE, that may exist beyond, and are not inconsistent with, the antitrust conditions, (2) define "KGE members in licensee's service area" in the appendix to include all KEPCo members with facilities in Western Resources' and KGE's combined service area, (3) delete license conditions restricting KEPCo's use of the power from WCGS, (4) remove out-of-date conditions, and (5) update conditions to be consistent with the terms and conditions of Western Resources' Federal Energy Regulatory Commission open access transmission tariff. Western Resources is the parent company of KGE.

Date of issuance: September 6, 2002.

Effective date: September 6, 2002, and shall be implemented within 90 days from the date of issuance.

Amendment No.: 147.

Facility Operating License No. NPF-42: The amendment revised Appendix C, "Antitrust Conditions for Kansas Gas and Electric Company," to the operating license.

Date of initial notice in Federal Register: July 26, 2000 (65 FR 46010). The supplemental letters dated January 31, 2001, May 2, 2001, October 30, 2001, and May 10, 2002, provided additional clarifying information that did not expand the application beyond the scope of the initial notice or change the staff's proposed no significant hazards consideration determination. The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 6, 2002.

No significant hazards consideration comments received: No.

Dated at Rockville, Maryland, this 20th day of September, 2002.

For the Nuclear Regulatory Commission.

Stuart A. Richards,

Acting Director, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

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