

Materials and Operator Licensing Proceedings," of NRC's rules and practice for domestic licensing proceedings in 10 CFR part 2. Pursuant to § 2.1205(a), any person whose interest may be affected by the proceeding may file a request for a hearing in accordance with § 2.1205(d). A request for a hearing must be filed within thirty (30) days of the date of publication of this **Federal Register** notice.

The request for a hearing must be filed with the Office of the Secretary either:

1. By delivery to the Rulemakings and Adjudications Staff of the Office of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738; or

2. By mail, telegram or facsimile addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Attention: Rulemakings and Adjudications Staff.

In addition to meeting other applicable requirements of 10 CFR Part 2 of the NRC's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

1. The interest of the requester in the proceeding;

2. How that interests may be affected by the results of the proceeding, including the reasons why the requestor should be permitted a hearing, with particular reference to the factors set out in § 2.1205(h);

3. The requester's area of concern about the licensing activity that is the subject matter of the proceeding; and

4. The circumstances establishing that the request for a hearing is timely in accordance with § 2.1205(d)—that is, filed within 30 days of the date of this notice.

In accordance with 10 CFR 2.1205(f), each request for a hearing must also be served, by delivering it personally or by mail, to:

1. The applicant, University of Wyoming, Environmental Health & Safety, 303 Merica Hall, PO Box 3413, Laramie, Wyoming 82071-3413; and

2. The NRC staff, by delivery to the General Counsel, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, or by mail, addressed to the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Dated at Arlington, Texas, this 20th day of September 2001.

For the Nuclear Regulatory Commission.

D. Blair Spitzberg,

Chief, Fuel Cycle Decommissioning Branch, Division of Nuclear Materials Safety, Region IV.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-237 and 50-249]

Exelon Generation Company, LLC Dresden Nuclear Power Station, Units 2 and 3; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from certain requirements of 10 CFR 50.55a(g)(6)(ii)(A)(2) for Facility Operating License Nos. DPR-19 and DPR-25, issued to Exelon Generation Company, LLC (Exelon, or the licensee) for operation of the Dresden Nuclear Power Station, Units 2 and 3, located in Grundy County, Illinois. Therefore, as required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

Environmental Assessment

Identification of the Proposed Action

The proposed action would grant a schedular exemption for Dresden Nuclear Power Station (DNPS), Units 2 and 3, from implementation of inservice examinations of the reactor pressure vessel (RPV) vertical welds and the top shell course to vessel flange weld, per American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code Section XI, Table IWB-2500, items B1.12 and B1.30, by the end of the current ten year intervals, as required by 10 CFR 50.55a, "Codes and standards," paragraph (g)(6)(ii)(A)(2). The current intervals end on January 19, 2003, for DNPS Unit 2 and October 31, 2002, for DNPS Unit 3. This schedular exemption requests an extension for the performance of the third interval inspections of these welds until the completion of the D2R18 outage for Unit 2 in October 2003, and until the completion of the D3R18 outage in October 2004 for Unit 3.

The proposed action is in accordance with the licensee's application dated June 12, 2001, as supplemented by letter dated July 23, 2001.

The Need for the Proposed Action

The proposed schedular exemption is needed to prevent an extension of the upcoming refueling outages. 10 CFR 50.55a(g)(6)(ii)(A)(2) requires DNPS to perform an examination of its RPV welds during the current ten-year inspection interval which concludes for each unit during the upcoming refueling outages, D2R17 and D3R17, scheduled for October 2001 and September 2002, respectively. Using conventional equipment, the licensee could fulfill

this commitment during the upcoming refueling outages and perform examinations of approximately 60 percent of the RPV welds which is typical for similar BWR plants.

However, the licensee has proposed to implement the improved AIRIS 21 system technology which will provide increased RPV weld coverage. The AIRIS 21 system, which requires additional refueling bridge support in order to perform inspections, would add approximately 64 hours of critical time to each refueling outage. In lieu of extending the refueling outages, the licensee has proposed to spread the RPV weld examinations over the next two refueling outages for both DNPS Units 2 and 3. A one-cycle extension would allow optimum coverage without imposing production penalties associated with a refueling outage extension.

10 CFR 50.12 permits the Nuclear Regulatory Commission to grant exemptions which are authorized by law, will not present undue risk to the health and safety of the public, and are consistent with the common defense and security, provided that special circumstances are present. Pursuant to 10 CFR 51.12 (a)(2), the Commission believes that special circumstances exist in that the requested schedular extension is required to prevent extended shutdown of DNPS, Units 2 and 3. Preparations for a refueling outage are proceeding based on a scheduled shutdown in October 2001. An extended outage would present undue hardship and costs due to lost generation. The requested exemption will only provide temporary relief from the applicable regulation and does not jeopardize the health and safety of the public.

Environmental Impacts of the Proposed Action

The NRC has completed its evaluation of the proposed action and concludes that there are no significant adverse environmental impacts associated with the proposed action.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released offsite, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential non-radiological environmental impacts, the proposed action does not have a potential to affect any historic sites. It

does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological impacts associated with the proposed action.

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

Environmental Impacts of the Alternatives to the Proposed Action

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the “no action” alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources

The action does not involve the use of any different resource than those previously considered in the Final Environmental Statement for the Dresden Nuclear Power Station, Units 2 and 3, dated November 1973.

Agencies and Persons Consulted

On July 24, 2001, the staff consulted with the Illinois State official, Frank Niziolek, of the Illinois Department of Nuclear Safety, regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee’s letter dated June 12, 2001, as supplemented by letter dated July 23, 2001. Documents may be examined, and/or copied for a fee, at the NRC’s Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the ADAMS Public Library component on the NRC Web site, <http://www.nrc.gov> (the Public Electronic Reading Room). If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC PDR Reference staff at 1-800-397-4209, or 301-415-4737, or by e-mail at pdr@nrc.gov.

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

For The Nuclear Regulatory Commission.

Anthony J. Mendiola,
Chief, Section 2, Project Directorate III,
Division of Licensing Project Management,
Office of Nuclear Reactor Regulation.
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NUCLEAR REGULATORY COMMISSION

Notice of Availability of Model Application Concerning Technical Specification Improvement To Modify Requirements Regarding Missed Surveillances Using the Consolidated Line Item Improvement Process

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of Availability.

SUMMARY: Notice is hereby given that the staff of the Nuclear Regulatory Commission (NRC) has prepared a model application relating to the modification of requirements regarding missed surveillances imposed on licensees through technical specifications. The purpose of this model is to permit the NRC to efficiently process amendments that propose to modify requirements for missed surveillances as generically approved by this notice. Licensees of nuclear power reactors to which the model applies could request amendments utilizing the model application.

DATES: The NRC staff issued a **Federal Register** Notice (66 FR 32400, June 14, 2001) which provided a Model Safety Evaluation relating to modification of requirements regarding missed surveillances¹ similarly, the NRC staff, herein provides a Model Application. The NRC staff can most efficiently consider applications based upon the Model Application, which reference the Model Safety Evaluation, if the application is submitted within a year of this **Federal Register** Notice.

FOR FURTHER INFORMATION CONTACT:

Robert Dennig, Mail Stop: O-12H4, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone 301-415-1161.

SUPPLEMENTARY INFORMATION:

¹ [In conjunction with the proposed change, technical specifications (TS) requirements for a Bases Control Program, consistent with the TS Bases Control Program described in Section 5.5 of the applicable vendor’s standard TS (STS), shall be incorporated into the licensee’s TS, if not already in the TS.]

Background

Regulatory Issue Summary 2000-06, “Consolidated Line Item Improvement Process for Adopting Standard Technical Specification Changes for Power Reactors,” was issued on March 20, 2000. The consolidated line item improvement process (CLIIP) is intended to improve the efficiency of NRC licensing processes. This is accomplished by processing proposed changes to the standard technical specifications (STS) in a manner that supports subsequent license amendment applications. The CLIIP includes an opportunity for the public to comment on proposed changes to the STS following a preliminary assessment by the NRC staff and finding that the change will likely be offered for adoption by licensees. The CLIIP directs the NRC staff to evaluate any comments received for a proposed change to the STS and to either reconsider the change or to proceed with announcing the availability of the change for proposed adoption by licensees. Those licensees opting to apply for the subject change to technical specifications are responsible for reviewing the staff’s evaluation, referencing the applicable technical justifications, and providing any necessary plant-specific information. Each amendment application made in response to the notice of availability will be processed and noticed in accordance with applicable rules and NRC procedures.

This notice involves the modification of requirements regarding missed surveillances in technical specifications. This change was proposed for incorporation into the standard technical specifications by all Owners Groups participants in the Technical Specification Task Force (TSTF) and is designated TSTF-358 Revision 5. The change referenced in the **Federal Register** Notice (FRN) 66FR32400, of June 14, 2001, is TSTF-358 Revision 5 with some modifications that are identified in the FRN. The modified TSTF-358 Revision 5 is further revised by the response to the public comments, as noted in the responses. The TSTF-358 Revision 5 as submitted, and as revised by both the FRN and the public comments (“fully modified TSTF-358 Revision 5”), can both be viewed on the NRC’s web page at <http://www.nrc.gov/NRR/sts/sts.htm>.

Applicability

This proposed change to modify technical specification requirements for missed surveillances is applicable to all licensees who currently have or who will adopt, in conjunction with the