

For the Nuclear Regulatory Commission.

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NUCLEAR REGULATORY COMMISSION

Northeast Utilities; Notice of Document Availability and Public Meeting

On May 2, 1997, the U.S. Nuclear Regulatory Commission (NRC) received from Little Harbor Consultants, Inc. (LHC), the Independent, Third-Party Oversight Program (ITPOP) organization, its oversight plan for monitoring Northeast Nuclear Energy Company's (NNECO's) implementation of its employee safety concerns program. The oversight plan is in response to an NRC Order. On October 24, 1996, the Director of the Office of Nuclear Reactor Regulation sent an Order to NNECO requiring (1) A comprehensive plan for resolving the Millstone station employees' safety concerns and (2) an independent, third-party oversight of NNECO's implementation of this plan. Copies of LHC's oversight plan is available at the Waterford Public Library, ATTN: Mr. Vincent Juliano, 49 Rope Ferry Road, Waterford, Connecticut, and the Learning Resources Center, Three Rivers Community-Technical College, 574 New London Turnpike, Norwich, Connecticut.

The NRC will hold a public meeting regarding the oversight plan. The meeting will be held in the near future at the Waterford Town Hall in Waterford, Connecticut. The meeting will be open to public attendance and will be transcribed. The NRC has elected to hold such a public meeting because of the public's interest.

The structure of the public meeting shall be as follows:

NRC opening remarks

Members of the public comments and questions

NRC closing remarks

Meeting concludes

The purpose of this public meeting is to obtain comments from members of the public for NRC staff use in evaluating LHC's oversight plan. The staff will not offer any preliminary views on its evaluation of the oversight plan. The public meeting will be chaired by a senior NRC official who will limit presentations to the above subject.

A meeting notice will be issued stating the date and time of the meeting.

Dated at Rockville, Maryland, this 9th day of May 1997.

For the Nuclear Regulatory Commission.

Steven A. Reynolds,

Chief, Special Projects Office—Licensing, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-387 and 50-388]

Pennsylvania Power & Light Company, Susquehanna Steam Electric Station, Units 1 and 2; Exemption

I

The Pennsylvania Power & Light Company (PP&L, the licensee) is the holder of Facility Operating License Nos. NPF-14 and NPF-22, which authorize operation of the Susquehanna Steam Electric Station (SSES), Units 1 and 2. The license provides, among other things, that the licensee is subject to all rules, regulations, and orders of the Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

These facilities consist of two boiling water reactors located at the licensee's site in Luzerne County, Pennsylvania.

II

Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR) 10 CFR 50.71, "Maintenance of records, making of reports," paragraph (e)(4) states, in part, that "Subsequent revisions [to the Final Safety Analysis Report (FSAR)] must be filed annually or 6 months after each refueling outage provided the interval between successive updates to the FSAR does not exceed 24 months." The two SSES units share a common FSAR; therefore, this rule requires the licensee to update the same document within 6 months after a refueling outage for either unit.

III

It is stated in 10 CFR 50.12(a), "Specific exemptions," that, "The Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of the regulations of this part, which are—(1) Authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security. (2) The Commission will not consider granting an exemption unless special circumstances are present." In 10 CFR 50.12(a)(2)(ii), it is

further stated that special circumstances are present when "Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule."

IV

It is required in 10 CFR 50.71(e)(4) that all licensees update their FSARs at least every refueling outage and no less frequently than every 2 years. When two units share a common FSAR, the rule has the effect of making the licensee update the FSAR roughly every 12 to 18 months; this is contrary to the intent of the rule. The authors of the rule recognized the effect of the rule's language on multiple facilities sharing a common FSAR in responding to comments on the rulemaking by stating that licensees will have maximum flexibility for scheduling updates to their FSARs on a case-by-case basis; however, the final rule does not address multiple facilities (57 FR 39353, August 31, 1992).

The requested exemption would require periodic updates once per refueling cycle, based on SSES Unit 2 refueling outage schedule, but not to exceed 24 months from the last submittal. The requirement that an update be submitted within 6 months of an outage of each unit is not retained. Allowing the exemption would maintain the SSES FSAR current within 24 months of the last revision and would not exceed a 24-month interval for submission of the 10 CFR 50.59 design change report for either unit.

V

The licensee's special circumstance is that, as stated in 10 CFR 50.12(a)(2)(ii), "Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule," when it applies to the frequency of updating the FSAR for dual units. When two units share a common FSAR, the rule stated in 10 CFR 50.71(e)(4), which requires that all licensees update their FSAR at least every refueling outage and no less frequently than every 2 years, has the effect of making the licensee update the FSAR approximately every 12 to 18 months. This is contrary to the intent of the rule.

The licensee's proposed schedule for FSAR updates will ensure that the SSES FSAR will be maintained current within 24 months of the last revision and, the interval for submission of the 10 CFR 50.59 design change report will not exceed 24 months. The Commission has

determined that, pursuant to 10 CFR 50.12, an exemption is authorized by law, will not present an undue risk to the public health and safety and is consistent with common defense or security, and is otherwise in the public interest. The Commission has also determined that special circumstances are present as defined in 10 CFR 50.12(a)(2)(ii), which is, "Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule." The Commission hereby grants the licensee an exemption from the requirement of 10 CFR 50.71(e)(4) to submit updates to the SSES FSAR within 6 months of each outage. The licensee will be required to submit updates to the FSAR based upon the Unit 2 refueling cycle frequency. The exemption will allow the licensee to maintain the SSES FSAR within 24 months of the last revision and not to exceed a 24-month interval for the submission of the 10 CFR 50.59 summary report for either unit.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant effect on the quality of the human environment (62 FR 24980). This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 9th day of May 1997.

For the Nuclear Regulatory Commission.

Samuel J. Collins,

Director, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-311]

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

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-75 issued to Public Service Electric & Gas Company (the licensee) for operation of Salem Nuclear Generating Station, Unit 2, located in Salem County, New Jersey.

The proposed amendment would revise Technical Specification (TS) 3/4.7.7, "Auxiliary Building Exhaust Air

Filtration System," and add a new TS Section 3/4.7.11, "Switchgear and Penetration Area Ventilation System." The change to TS 3/4.7.7 would allow for an increase in the allowed outage time from 7 to 14 days when one auxiliary building exhaust fan is inoperable. The new TS 3/4.7.11 addresses the support function this system provides to other necessary safety support components.

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

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

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

The proposed changes for TS 3/4.7.7 involve changes to Action time periods. TS section 3/4.7.11 is newly created to address the importance of the SPAV [switchgear and penetration area ventilation] system in ensuring proper temperature control for the areas that it serves. Actions are prescribed to ensure remedial measures are performed under certain conditions. The proposed AOT's have been evaluated and are commensurate with the safety significance based upon PSA [probabilistic safety assessment] calculations using industry recognized methods. The Auxiliary Building Exhaust Air Filtration and Switchgear and Penetration Area Ventilation systems (herein referred to as "the subject HVAC [heating, ventilation, and air conditioning] systems") are support systems providing cooling to their associated supply areas. The subject HVAC systems are not accident initiators of any accidents evaluated in the Safety Analysis Report. No physical changes to the subject HVAC systems result from the proposed TS changes.

Therefore, the proposed changes do not significantly increase the probability or consequences of an accident previously evaluated.

2. The proposed change does not create the possibility of a new or different kind of

accident from any accident previously evaluated.

The proposed changes do not involve any modification or changes to the mode of operation of the subject HVAC systems. It does not change the basic way in which the subject HVAC systems are operated. By maintaining the equipment or components required in the proposed changes adequate cooling is assured to the areas served by the subject HVAC systems.

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

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

The subject HVAC systems are support systems which provide area cooling. The proposed changes do not involve any modification to the subject HVAC systems or changes to the mode of operation of the systems. The proposed changes to TS establish controls to better ensure the subject HVAC systems will be able to perform their intended design function and ensures that the safety functions of support equipment are maintained.

The proposed changes establish AOT's for the SPAV system and modify the exhaust fan AOT for the Auxiliary Building Exhaust Filtration system, but do not affect the operation of the subject HVAC systems, and thus do 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.

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

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to