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April 17, 2000

Mr. S. E. Scace - Director
Nuclear Oversight and Regulatory Affairs
c/o Mr. David A. Smith
Northeast Nuclear Energy Company
P. O. Box 128
Waterford, CT 06385-0128

SUBJECT: MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3 - ISSUANCE OF
AMENDMENT RE: LIMITING CONDITIONS FOR OPERATIONS
(TAC NO. MA8107)

Dear Mr. Scace:

The Commission has issued the enclosed Amendment No. 179 to Facility Operating License No. NPF-49 for the Millstone Nuclear Power Station, Unit No. 3, (Millstone 3) in response to your application dated February 1, 2000.

The amendment revises limiting conditions for operation (LCOs) 3.0.1 and 3.0.2 and adds LCO 3.0.5 to the Technical Specifications (TSs) for Millstone 3. LCO 3.0.5 establishes allowances for restoring equipment to service under administrative controls when the equipment has been removed from service or declared inoperable to comply with actions in the TSs.

A copy of the related Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,
/RA/

Victor Nerses, Sr. Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-423

Enclosures: 1. Amendment No. 179 to NPF-49
2. Safety Evaluation

cc w/encls: See next page

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

April 17, 2000

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Nuclear Oversight and Regulatory Affairs
c/o Mr. David A. Smith
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cc w/encls: See next page

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Unit 3

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Unit 3

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

NORTHEAST NUCLEAR ENERGY COMPANY, ET AL.

DOCKET NO. 50-423

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 179
License No. NPF-49

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Northeast Nuclear Energy Company, et al. (the licensee) dated February 1, 2000, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

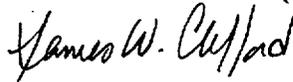
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-49 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 179 , and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of the date of issuance, and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



James W. Clifford, Chief, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: April 17, 2000

ATTACHMENT TO LICENSE AMENDMENT NO. 179

FACILITY OPERATING LICENSE NO. NPF-49

DOCKET NO. 50-423

Replace the following pages of the Appendix A Technical Specifications, with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove

3/4 0-1
3/4 0-2
B 3/4 0-3

Insert

3/4 0-1
3/4 0-2
B 3/4 0-3
B 3/4 0-3a

3/4 LIMITING CONDITIONS FOR OPERATION AND SURVEILLANCE REQUIREMENTS

3/4.0 APPLICABILITY

LIMITING CONDITION FOR OPERATION

3.0.1 Compliance with the Limiting Conditions for Operation contained in the succeeding specifications is required during the OPERATIONAL MODES or other conditions specified therein; except that upon failure to meet the Limiting Conditions for Operation, the associated ACTION requirements shall be met, except as provided in Specification 3.0.5.

3.0.2 Noncompliance with a specification shall exist when the requirements of the Limiting Condition for Operation and associated ACTION requirements are not met within the specified time intervals, except as provided in Specification 3.0.5. If the Limiting Condition for Operation is restored prior to expiration of the specified time intervals, completion of the ACTION requirements is not required.

3.0.3 When a Limiting Condition for Operation is not met, except as provided in the associated ACTION requirements, within 1 hour action shall be initiated to place the unit in a MODE in which the specification does not apply by placing it, as applicable, in:

- a. At least HOT STANDBY within the next 6 hours,
- b. At least HOT SHUTDOWN within the following 6 hours, and
- c. At least COLD SHUTDOWN within the subsequent 24 hours.

Where corrective measures are completed that permit operation under the ACTION requirements, the action may be taken in accordance with the specified time limits as measured from the time of failure to meet the Limiting Condition for Operation. Exceptions to these requirements are stated in the individual specifications.

This specification is not applicable in MODE 5 or 6.

3.0.4 Entry into an OPERATIONAL MODE or other specified condition shall not be made when the conditions for the Limiting Condition for Operation are not met and the associated ACTION requires a shutdown if they are not met within a specified time interval. Entry into an OPERATIONAL MODE or specified condition may be made in accordance with ACTION requirements when conformance to them permit continued operation of the facility for an unlimited period of time. This provision shall not prevent passage through or to OPERATIONAL MODES as required to comply with ACTION requirements. Exceptions to these requirements are stated in the individual specifications.

3.0.5 Equipment removed from service or declared inoperable to comply with ACTIONS may be returned to service under administrative control solely to perform testing required to demonstrate its OPERABILITY or the OPERABILITY of other equipment. This is an exception to Specifications 3.0.1 and 3.0.2 for the system returned to service under administrative controls to perform the testing required to demonstrate OPERABILITY.

4.0.1 Surveillance Requirements shall be met during the OPERATIONAL MODES or other conditions specified for individual Limiting Conditions for Operation unless otherwise stated in an individual Surveillance Requirement.

3/4.0 APPLICABILITY

LIMITING CONDITION FOR OPERATION

4.0.2 Each Surveillance Requirement shall be performed within the specified time interval with a maximum allowable extension not to exceed 25% of the surveillance interval.

4.0.3 Failure to perform a Surveillance Requirement within the allowed surveillance interval, defined by Specification 4.0.2, shall constitute noncompliance with the OPERABILITY requirements for a Limiting Condition for Operation. The time limits of the ACTION requirements are applicable at the time it is identified that a Surveillance Requirement has not been performed. The ACTION requirements may be delayed for up to 24 hours to permit the completion of the surveillance when allowable outage time limits of the ACTION requirements are less than 24 hours. Surveillance Requirements do not have to be performed on inoperable equipment.

4.0.4 Entry into an OPERATIONAL MODE or other specified condition shall not be made unless the Surveillance Requirement(s) associated with the Limiting Condition for Operation has been performed within the stated surveillance interval or as otherwise specified. This provision shall not prevent passage through or to OPERATIONAL MODES as required to comply with ACTION requirements.

4.0.5 Surveillance Requirements for inservice inspection and testing of ASME Code Class 1, 2, and 3 components shall be applicable as follows:

- a. Inservice inspection of ASME Code Class 1, 2, and 3 components and inservice testing of ASME Code Class 1, 2, and 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR Part 50, Section 50.55a;
- b. Surveillance intervals specified in Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda for the inservice inspection and testing activities required by the ASME Boiler and Pressure Vessel Code and applicable Addenda shall be applicable as follows in these Technical Specifications:

<u>ASME Boiler and Pressure Vessel Code and applicable Addenda terminology for inservice inspection and testing activities</u>	<u>Required frequencies for performing inservice inspection and testing activities</u>
Weekly	At least once per 7 days
Monthly	At least once per 31 days
Quarterly or every 3 months	At least once per 92 days
Semiannually or every 6 months	At least once per 184 days
Every 9 months	At least once per 276 days
Yearly or annually	At least once per 366 days

- c. The provisions of Specification 4.0.2 are applicable to the above required frequencies for performing inservice inspection and testing activities;

3/4.0 APPLICABILITY

BASES

MODE, is not reduced. For example, if HOT STANDBY is reached in 2 hours, the time allowed to reach HOT SHUTDOWN is the next 11 hours because the total time to reach HOT SHUTDOWN is not reduced from the allowable limit of 13 hours. Therefore, if remedial measures are completed that would permit a return to POWER operation, a penalty is not incurred by having to reach a lower MODE of operation in less than the total time allowed.

The same principle applies with regard to the allowable outage time limits of the ACTION requirements, if compliance with the ACTION requirements for one specification results in entry into a MODE or condition of operation for another specification in which the requirements of the Limiting Condition for Operation are not met. If the new specification becomes applicable in less time than specified, the difference may be added to the allowable outage time limits of the second specification. However, the allowable outage time limits of ACTION requirements for a higher MODE of operation may not be used to extend the allowable outage time that is applicable when a Limiting Condition for Operation is not met in a lower MODE of operation.

The shutdown requirements of Specification 3.0.3 do not apply in MODES 5 and 6, because the ACTION requirements of individual specifications define the remedial measures to be taken.

Specification 3.0.4 establishes limitations on MODE changes when a Limiting Condition for Operation is not met. It precludes placing the facility in a high MODE of operation when the requirements for a Limiting Condition for Operation are not met and continued noncompliance to these conditions would result in a shutdown to comply with the ACTION requirements if a change in MODES were permitted. The purpose of this specification is to ensure that facility operation is not initiated or that higher MODES of operation are not entered when corrective action is being taken to obtain compliance with a specification by restoring equipment to OPERABLE status or parameters to specified limits. Compliance with ACTION requirements that permit continued operation of the facility for an unlimited period of time provides an acceptable level of safety for continued operation without regard to the status of the plant before or after a MODE change. Therefore, in this case, entry into an OPERATIONAL MODE or other specified condition may be made in accordance with the provisions of the ACTION requirements. The provisions of this specification should not, however, be interpreted as endorsing the failure to exercise good practice in restoring systems or components to OPERABLE status before plant startup.

When a shutdown is required to comply with ACTION requirements, the provision of Specification 3.0.4 do not apply because they would delay placing the facility in a lower MODE of operation.

Specification 3.0.5 establishes the allowance for restoring equipment to service under administrative controls when it has been removed from service or declared inoperable to comply with ACTIONS. The sole purpose of this Specification is to provide an exception to Specifications 3.0.1 and 3.0.2 (e.g., to not comply with the applicable Required Action(s)) to allow the performance of required testing to demonstrate either:

- a. The OPERABILITY of the equipment being returned to service; or
- b. The OPERABILITY of other equipment.

BASES

The administrative controls ensure the time the equipment is returned to service in conflict with the requirements of the ACTIONS is limited to the time absolutely necessary to perform the required testing to demonstrate OPERABILITY. This Specification does not provide time to perform any other preventive or corrective maintenance.

An example of demonstrating the OPERABILITY of the equipment being returned to service is reopening a containment isolation valve that has been closed to comply with Required Actions and must be reopened to perform the required testing.

An example of demonstrating the OPERABILITY of other equipment is taking an inoperable channel or trip system out of the tripped condition to prevent the trip function from occurring during the performance of required testing on another channel in the other trip system. A similar example of demonstrating the OPERABILITY of other equipment is taking an inoperable channel or trip system out of the tripped condition to permit the logic to function and indicate the appropriate response during the performance of required testing on another channel in the same trip system.

Specifications 4.0.1 through 4.0.5 establish the general requirements applicable to Surveillance Requirements. These requirements are based on the Surveillance Requirements stated in the Code of Federal Regulations, 10 CFR 50.36(c)(3):



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

April 17, 2000

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. _____

TO FACILITY OPERATING LICENSE NO. NPF-49

NORTHEAST NUCLEAR ENERGY COMPANY, ET AL.

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3

DOCKET NO. 50-423

1.0 INTRODUCTION

By letter dated February 1, 2000, the Northeast Nuclear Energy Company, et al., (the licensee) submitted a request for changes to the Technical Specifications (TSs) for Millstone Nuclear Power Station, Unit No. 3 (Millstone 3). The requested changes would revise limiting conditions for operation (LCOs) 3.0.1 and 3.0.2 and add LCO 3.0.5 to the TSs. LCO 3.0.5 establishes allowances for restoring equipment to service under administrative controls when the equipment has been removed from service or declared inoperable to comply with actions in the TSs.

2.0 BACKGROUND

Millstone 3 is a Westinghouse pressurized water reactor plant. In the Bases for the improved standard technical specifications for Westinghouse plants, NUREG-1431, "Standard Technical Specifications Westinghouse Plants dated April 1995," the staff stated the following as the basis for LCO 3.0.5:

LCO 3.0.5 establishes the allowance for restoring equipment to service under administrative controls when it has been removed from service or declared inoperable to comply with ACTIONS [in the TSs]. The sole purpose of this Specification is to provide an exception to LCO 3.0.2 (e.g., to not comply with the applicable Required Action(s) to allow the performance of SRs [surveillance requirements] to demonstrate:

- a. The OPERABILITY of the equipment being returned to service; or
- b. The OPERABILITY of other equipment

The administrative controls ensure that the time the equipment is returned to service in conflict with the requirements of the ACTIONS is limited to the time absolutely necessary to perform the allowed SRs. This Specification does not provide time to perform any other preventive or corrective maintenance.

An example of demonstrating the OPERABILITY of the equipment being returned to service is reopening a containment isolation valve that has been closed to comply with Required Actions and must be reopened to perform the SRs [to demonstrate the equipment being returned to service is OPERABLE].

The licensee provided the above basis for LCO 3.0.5 in its application; although, it did not include the example paragraph given in NUREG-1431.

3.0 EVALUATION

The licensee has proposed to add the wording for LCO 3.0.5 that is in NUREG-1431 to the TSs for Millstone 3. The licensee has also proposed to add the phrase "except as provided in Specification 3.0.5" to LCOs 3.0.1 and 3.0.2 of the TSs.

LCO 3.0.1 requires that the action statements for an LCO must be met if the equipment covered by the LCO does not meet the conditions in the LCO. For example, if an LCO stated that a pump must generate at least 300 gpm, and the surveillance for the pump showed that the pump could generate only 299 gpm, then LCO 3.0.1 requires the licensee to follow the remedial actions associated with that pump's LCO. If the remedial action was not sufficient to meet the conditions in the LCO, the pump must be declared inoperable. Should the licensee elect to repair the pump so that it can be returned to an operable status, LCO 3.0.1 does not allow the licensee to place the pump into service so a surveillance test may be run to demonstrate its operability (that the pump can generate at least 300 gpm and, thus meets the LCO). Adding LCO 3.0.5 would alleviate this problem by allowing an exception to LCO 3.0.1 so that the pump can be tested.

LCO 3.0.2 in the TSs states that a noncompliance with a specification exists when the requirements of the LCO and associated action requirements are not met within the specified time interval. This statement means that an LCO and action may allow the licensee time to return equipment back to operability and, if the test to demonstrate operability could be run within that time interval, the licensee would be able to conduct the test. However, if the time interval expires, then the licensee would be back to the same situation previously discussed for LCO 3.0.1.

Therefore, the staff concludes that both LCOs 3.0.1 and 3.0.2 of the TSs need to have the statement proposed by the licensee incorporated. With that statement, LCO 3.0.5 would allow the necessary test to be conducted on the inoperable equipment and would require the licensee to have administrative controls to (1) conduct the tests to prove operability in as short a time as necessary, and (2) conduct only those tests. The staff concludes that LCO 3.0.5 imposes adequate controls on the licensee to perform the tests necessary to return equipment to operable status as soon as reasonably possible.

In the Bases from the standard technical specifications for Westinghouse plants in NUREG-1431, there was the statement that LCO 3.0.5 would be an exception to only LCO 3.0.2; however, the licensee has applied it to LCOs 3.0.1 and 3.0.2 of the TSs. The reason for this difference is that LCOs 3.0.1 and 3.0.2 in the standard technical specifications are not the same as the corresponding LCOs in the licensee's current TSs. Therefore, the licensee is correct in applying the exception of LCO 3.0.5 to LCOs 3.0.1 and 3.0.2 of the TSs for Millstone 3, as previously discussed.

Based on the above, the staff concludes that the proposed revised LCOs 3.0.1 and 3.0.2, and the addition of LCO 3.0.5 to the TSs are acceptable. The proposed changes provide a safe means to allow only testing of equipment so that the equipment can be acceptably returned to service.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Connecticut State official was notified of the proposed issuance of the amendment. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (65 FR 11092). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Jack Donohew

Date: April 17, 2000