

June 13, 2001

Mr. Oliver D. Kingsley, President
Exelon Nuclear
Exelon Generation Company, LLC
Executive Towers West III
1400 Opus Place, Suite 500
Downers Grove, IL 60515

SUBJECT: BYRON STATION, UNITS 1 AND 2 AND BRAIDWOOD STATION, UNITS 1
AND 2 - REQUEST FOR TECHNICAL SPECIFICATIONS CHANGE -
RELOCATION OF ASTM REFERENCE RELATED TO DIESEL FUEL OIL
TESTING (TAC NOS. MB0657, MB0658, MB0655, MB0656)

Dear Mr. Kingsley:

The U.S. Nuclear Regulatory Commission (NRC) has issued the enclosed Amendment No. 122 to Facility Operating License No. NPF-37 and Amendment No. 122 to Facility Operating License No. NPF-66 for the Byron Station, Unit Nos. 1 and 2, respectively, and Amendment No. 116 to Facility Operating License No. NPF-72 and Amendment No. 116 to Facility Operating License No. NPF-77 for the Braidwood Station, Unit Nos. 1 and 2, respectively. The amendments are in response to your application dated November 30, 2000.

Subsequent to the date of the original amendment request, ComEd was merged into Exelon Generation Company, LLC (Exelon or licensee). By letter dated February 7, 2001, Exelon informed the NRC that it assumed responsibility for all pending NRC actions that were requested by ComEd.

The amendments revise TS 5.5.13, "Diesel Fuel Oil Testing Program," to relocate the specific American Society for Testing and Materials (ASTM) Standard reference from the Administrative Controls Section of TS to a licensee-controlled document, i.e., the Diesel Fuel Oil Program in the Technical Requirements Manual (TRM). In addition, the "clear and bright" test used to establish the acceptability of new fuel oil for use prior to addition to storage tanks has been expanded to allow a water and sediment content test to be performed to establish the acceptability of new fuel oil in lieu of the "clear and bright" test.

Mr. O. Kingsley

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

Sincerely,

/RA/

Mahesh Chawla, Project Manager, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-454, STN 50-455,
STN 50-456 and STN 50-457

Enclosures: 1. Amendment No. 122 to NPF-37
2. Amendment No. 122 to NPF-66
3. Amendment No. 116 to NPF-72
4. Amendment No. 116 to NPF-77
5. Safety Evaluation

cc w/encls: See next page

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Byron/Braidwood Stations

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-2-

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

Sincerely,

/RA/

Mahesh Chawla, Project Manager, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-454, STN 50-455,
STN 50-456 and STN 50-457

Enclosures: 1. Amendment No. 122 to NPF-37
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cc w/encls: See next page

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EXELON GENERATION COMPANY, LLC

DOCKET NO. STN 50-454

BYRON STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 122
License No. NPF-37

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Exelon Generation Company, LLC (the licensee) dated November 30, 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-37 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A as revised through Amendment No. 122 and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this 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 its issuance and shall be implemented within 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

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

Attachment:
Changes to the Technical
Specifications

Date of Issuance: June 13, 2001

EXELON GENERATION COMPANY, LLC

DOCKET NO. STN 50-455

BYRON STATION, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 122
License No. NPF-66

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Exelon Generation Company, LLC (the licensee) dated November 30, 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-66 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A (NUREG-1113), as revised through Amendment No. 122 and the Environmental Protection Plan contained in Appendix B, both of which were attached to License No. NPF-37, dated February 14, 1985, are hereby incorporated into this 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 its issuance and shall be implemented within 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

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

Attachment:
Changes to the Technical
Specifications

Date of Issuance: June 13, 2001

ATTACHMENT TO LICENSE AMENDMENT NOS. 122 AND 122

FACILITY OPERATING LICENSE NOS. NPF-37 AND NPF-66

DOCKET NOS. STN 50-454 AND STN 50-455

Revise the Appendix A Technical Specifications by removing the pages identified below and inserting the attached pages. The revised pages are identified by the captioned amendment number and contain marginal lines indicating the area of change.

Remove Pages

5.5-21

Insert Pages

5.5-21

EXELON GENERATION COMPANY, LLC

DOCKET NO. STN 50-456

BRAIDWOOD STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 116
License No. NPF-72

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Exelon Generation Company, LLC (the licensee) dated November 30, 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-72 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A as revised through Amendment No. 116 and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this 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 its issuance and shall be implemented within 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

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

Attachment:
Changes to the Technical
Specifications

Date of Issuance: June 13, 2001

EXELON GENERATION COMPANY, LLC

DOCKET NO. STN 50-457

BRAIDWOOD STATION, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 116
License No. NPF-77

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Exelon Generation Company, LLC (the licensee) dated November 30, 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-77 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A as revised through Amendment No. 116 and the Environmental Protection Plan contained in Appendix B, both of which were attached to License No. NPF-72, dated July 2, 1987, are hereby incorporated into this 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 its issuance and shall be implemented within 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

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

Attachment:
Changes to the Technical
Specifications

Date of Issuance: June 13, 2001

ATTACHMENT TO LICENSE AMENDMENT NOS. 116 AND 116

FACILITY OPERATING LICENSE NOS. NPF-72 AND NPF-77

DOCKET NOS. STN 50-456 AND STN 50-457

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

Remove Pages

5.5-21

Insert Pages

5.5-21

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 122 TO FACILITY OPERATING LICENSE NO. NPF-37,
AMENDMENT NO. 122 TO FACILITY OPERATING LICENSE NO. NPF-66,
AMENDMENT NO. 116 TO FACILITY OPERATING LICENSE NO. NPF-72,
AND AMENDMENT NO. 116 TO FACILITY OPERATING LICENSE NO. NPF-77
EXELON GENERATION COMPANY, LLC
BYRON STATION, UNIT NOS. 1 AND 2
BRAIDWOOD STATION, UNIT NOS. 1 AND 2
DOCKET NOS. STN 50-454, STN 50-455, STN 50-456 AND STN 50-457

1.0 INTRODUCTION

By letter dated November 30, 2000, Commonwealth Edison Company(ComEd) submitted a request for an amendment of their Technical Specification (TS) for emergency diesel generator fuel oil specifications in Byron and Braidwood Stations, Units 1 and 2. The proposed change consists of modifying current TS 5.5.13 by: (1) relocating the reference to ASTM Standards D-2276 for testing diesel fuel oil for particulate concentration from the Administrative Control Section of the TS to the Technical Requirements Manual (TRM), which is a licensee controlled document; and (2) extending the methodology for determining acceptability of the new fuel oil, prior to its addition to the storage tanks, by adding to the existing "clear and bright" test a quantitative test for determining water and sediment content.

ComEd has further stated that the proposed change is consistent with the changes previously approved by the NRC for the Seabrook Station and the Virgil C. Summer Station, as documented in References 1 and 2, respectively.

Subsequent to the date of the original amendment request, ComEd was merged into Exelon Generation Company, LLC (Exelon or licensee). By letter dated February 7, 2001, Exelon informed the NRC that it assumed responsibility for all pending NRC actions that were requested by ComEd.

2.0 BACKGROUND

The diesel fuel oil testing is a means of determining whether new and stored fuel oil is of the appropriate grade (i.e., proper fuel oil quality) and of assuring that it has not been contaminated with substances that would have an immediate, detrimental impact on diesel engine combustion.

The purpose of the Diesel Fuel Oil Program is to establish the following:

- Acceptability of new fuel oil for use prior to addition to storage tanks;
- Other properties of new fuel oil are within limits within 30 days following sampling and addition to storage tanks; and
- Total particulate concentration of the fuel oil is ≤ 10 mg/l when tested every 31 days in accordance with ASTM D-2276, Method A-2 or A-3.

Section 182a of the Atomic Energy Act requires applicants for nuclear power plant operating licenses to state the TSs to be included as part of the license. The Commission's regulatory requirements related to the content of the TSs are set forth in 10 CFR 50.36. That regulation requires the TSs to include items in five specific categories, including: (1) safety limits, limiting safety system settings, and limiting control settings; (2) limiting conditions for operation; (3) surveillance requirements; (4) design features; and (5) administrative controls. However, the regulation does not specify the particular requirements to be included in a plant's TSs.

Under 10 CFR 50.36(c)(2)(ii), a limiting condition for operation must be included in TSs for any item meeting one or more of the following four criteria:

- 1) installed instrumentation that is used to detect, and indicate in the control room a significant abnormal degradation of the reactor coolant pressure boundary;
- 2) a process variable, design feature, or operating restriction that is an initial condition of a design basis accident or transient analysis that either assumes the failure of or presents a challenge to the integrity of a fission product barrier;
- 3) a structure, system, or component that is part of the primary success path and which functions or actuates to mitigate a design basis accident or transient that either assumes the failure of or presents a challenge to the integrity of a fission product barrier; and
- 4) a structure, system, or component which operating experience or probabilistic risk assessment has shown to be significant to public health and safety.

As a result, existing TS requirements that fall within or satisfy any of the criteria in 10 CFR 50.36 must be retained in the TSs, while those TS requirements that do not fall within or satisfy these criteria may be relocated to other licensee controlled documents.

3.0 EVALUATION

The proposed change to TS 5.5.13.c will restructure the plants' TS for diesel fuel oil testing specifications by relocating the reference to the ASTM D-2276 standard, "Particulate Contaminant in Aviation Turbine Fuels," method A-2 or A-3 from the Administrative Control Section of the TS to the TRM. Relocation to the licensee controlled document will provide the flexibility to maintain the capability for implementing the required testing for particulate concentration in both the new and the stored fuel oil. This will include sampling and testing

requirements in accordance with the most up-to-date standards, whenever there are changes in the United States Environmental Protection Agency (EPA) regulations for fuel oil, or newer editions of the ASTM standards. The staff reviewed the above proposed change and concurs with the licensee justification that, the relocation of the reference to the ASTM standard from the TSs to the plant TRM will reduce administrative burden, have no safety consequences, and will contribute to more efficient operation of the plant.

The proposed change to 5.5.13.a.3 will extend the presently used methodology for testing the quality of the new fuel oil prior to its addition to the storage tanks. Currently, the test is accomplished by the "clear and bright" test, as referenced in the ASTM D-4176 standard. The proposed change will extend method for testing of fuel oil, by permitting the acceptability of the new or stored fuel oil to be determined by its water and sediment content, rather than by performing the "clear and bright" test. Diesel fuel oil has high sulfur content and has been dyed in accordance with the EPA mandated requirements. Thus, the presence of the dye will not permit using the color scale in the "clear and bright" test, and fuel oil quality can be evaluated only by determining water and sediment content via the quantitative centrifuge method. This method as specified in the standard ASTM D-2709-96e, "Test Method for Water and Sediment in Distillate Fuels By Centrifuge," is currently being utilized in determining the quality of stored diesel fuel oil.

The staff has reviewed the above licensee proposed change to the TS and finds that the proposal of an additional procedure for determining water and sediment content to be appropriate as a testing method for new and stored fuel oil, which otherwise could not be evaluated. For proper operation of the emergency diesel generators (EDGs) and the diesel driven auxiliary feedwater (AF) pump, it is necessary to ensure the proper quality of the fuel oil. The required testing of new and stored fuel oil properties, for EDGs and the diesel driven AF pumps for quality of water and sediment content, meets the 10 CFR 50.36(c)(3) surveillance requirements and the current applicable ASTM Standards, and is acceptable to the NRC staff.

Based on the above, the staff finds the proposal relocating the specific ASTM Standard reference from current TS 5.5.13.c to the Diesel Fuel Oil Program in the TRM will not affect the fuel oil properties, the operability of the safety-related EDGs and the AF System will be maintained and will meet 10 CFR 50.36(c)(3) requirements. In addition, relocation of these standards has no impact on the important plant safety functions and does not meet any of the criteria set out in 10 CFR 50.36(c)(2)(ii). Therefore, the relocation of these ASTM standards from TS to plant TRM is acceptable. The proposed change will reduce licensee administrative burden and contribute to the improvement of the plant safety, therefore, the staff finds the proposed change acceptable.

4.0 SUMMARY

The staff evaluated the licensee's proposed change to the TS for testing requirements for diesel generator fuel oil used in the emergency diesel generator. The licensee proposed to (1) relocate the reference to the ASTM standard for testing fuel oil for particulate concentration from the Administrative Controls Section of the TS to the licensee controlled Technical Requirements Manual and (2) extend the test requirements for the new or stored oil by including an additional test alternative for determination of the water and sediment content. Based on its evaluation, the staff concludes that the licensee proposed change meets the

requirements of TS 5.5.13, 10 CFR 50.36(c)(3), and the applicable ASTM, D-2709-96e industry standard, and, therefore is acceptable.

5.0 STATE CONSULTATION

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

6.0 ENVIRONMENTAL CONSIDERATION

The amendments change a requirement with respect to the 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 amendments involve 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 amendments involve no significant hazards consideration, and there has been no public comment on such finding (66 FR 15924). Accordingly, the amendments meet 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 amendments.

7.0 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 amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors: K. Parczewski
N. Le

Date: June 13, 2001

