

February 23, 1995

Mr. E. E. Fitzpatrick, Vice President
Indiana Michigan Power Company
c/o American Electric Power Service Corporation
1 Riverside Plaza
Columbus, OH 43215

SUBJECT: DONALD C. COOK NUCLEAR PLANT, UNIT NOS. 1 AND 2 - ISSUANCE OF AMENDMENTS RE: IMPLEMENTATION OF IN-SERVICE INSPECTION RELIEF (TAC NOS. M91025 AND M91026)

Dear Mr. Fitzpatrick:

The Commission has issued the enclosed Amendment No. 190 to Facility Operating License No. DPR-58 and Amendment No. 176 to Facility Operating License No. DPR-74 for the Donald C. Cook Nuclear Plant, Unit Nos. 1 and 2. The amendments consist of changes to the Technical Specifications (TS) in response to your application dated November 18, 1994.

The amendments change TS 4.0.5 for both units to delete the wording "except where specific written relief has been granted by the Commission pursuant to 10 CFR 50, Section 50.55a(g)(6)(i)." This change allows D. C. Cook to implement certain 10 CFR 50.55a relief requests while the relief requests are being reviewed by the NRC at the beginning of an updated interval.

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

Sincerely,
ORIGINAL SIGNED BY JOHN HANNON FOR
John B. Hickman, Project Manager
Project Directorate III-1
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

Docket Nos. 50-315 and 50-316

- Enclosures: 1. Amendment No. 190 to DPR-58
2. Amendment No. 176 to DPR-74
3. Safety Evaluation

cc w/encls: See next page
*SEE PREVIOUS CONCURRENCE
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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

February 23, 1995

Mr. E. E. Fitzpatrick, Vice President
Indiana Michigan Power Company
c/o American Electric Power Service Corporation
1 Riverside Plaza
Columbus, OH 43215

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(TAC NOS. M91025 AND M91026)

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Sincerely,

A handwritten signature in black ink, appearing to read "John B. Hickman, Jr.", written over a horizontal line.

John B. Hickman, Project Manager
Project Directorate III-1
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

Docket Nos. 50-315 and 50-316

Enclosures: 1. Amendment No. 190 to DPR-58
2. Amendment No. 176 to DPR-74
3. Safety Evaluation

cc w/encls: See next page

Mr. E. E. Fitzpatrick
Indiana Michigan Power Company

Donald C. Cook Nuclear Plant

cc:

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December 1993

DATED: February 23, 1995

AMENDMENT NO. 190 TO FACILITY OPERATING LICENSE NO. DPR-58-D. C. COOK-UNIT 1
AMENDMENT NO. 176 TO FACILITY OPERATING LICENSE NO. DPR-74-D. C. COOK-UNIT 2

Docket File

PUBLIC

PDIII-1 Reading

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cc: Plant Service list

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

INDIANA MICHIGAN POWER COMPANY

DOCKET NO. 50-315

DONALD C. COOK NUCLEAR PLANT, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 190
License No. DPR-58

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Indiana Michigan Power Company (the licensee) dated November 18, 1994, 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.

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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. DPR-58 is hereby amended to read as follows:

Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 190, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



John N. Hannon, Director
Project Directorate III-1
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: February 23, 1995

ATTACHMENT TO LICENSE AMENDMENT NO. 190
TO FACILITY OPERATING LICENSE NO. DPR-58
DOCKET NO. 50-315

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

REMOVE

3/4 0-2

INSERT

3/4 0-2

3/4.0 APPLICABILITY

SURVEILLANCE REQUIREMENTS

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

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 specified surveillance interval.

4.0.3 Performance of a Surveillance Requirement within the specified time interval shall constitute compliance with OPERABILITY requirements for a Limiting Condition for Operation and associated ACTION statements unless otherwise required by the specification. Surveillance requirements do not have to be performed on inoperable equipment.

4.04 Entry into an OPERATIONAL MODE or other specified applicability condition shall not be made unless the Surveillance Requirement(s) associated with the Limiting Condition for Operation have been performed within the stated surveillance interval or as otherwise specified.

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 50, Section 50.55a.



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

INDIANA MICHIGAN POWER COMPANY

DOCKET NO. 50-316

DONALD C. COOK NUCLEAR PLANT, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 176
License No. DPR-74

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Indiana Michigan Power Company (the licensee) dated November 18, 1994, 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.

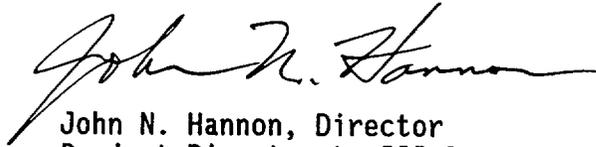
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-74 is hereby amended to read as follows:

Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 176, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



John N. Hannon, Director
Project Directorate III-1
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: February 23, 1995

ATTACHMENT TO LICENSE AMENDMENT NO. 176

FACILITY OPERATING LICENSE NO. DPR-74

DOCKET NO. 50-316

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

REMOVE

3/4 0-2

INSERT

3/4 0-2

3/4.0 APPLICABILITY

SURVEILLANCE REQUIREMENTS

- 4.0.1 Surveillance requirements shall be applicable during the OPERATIONAL MODES or other conditions specified for individual Limiting Conditions for Operation unless otherwise stated in an individual Surveillance Requirement.
- 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 specified surveillance interval.
- 4.0.3 Performance of a Surveillance Requirement within the specified time interval shall constitute compliance with OPERABILITY requirements for a Limiting Condition for Operation and associated ACTION statements unless otherwise required by the specification. Surveillance requirements do not have to be performed on inoperable equipment.
- 4.0.4 Entry into an OPERATIONAL MODE or other specified applicability condition shall not be made unless the Surveillance Requirement(s) associated with the Limiting Condition for Operation have been performed within the stated surveillance interval or as otherwise specified.
- 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 50, Section 50.55a.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 190 TO FACILITY OPERATING LICENSE NO. DPR-58
AND AMENDMENT NO. 176 TO FACILITY OPERATING LICENSE NO. DPR-74

INDIANA MICHIGAN POWER COMPANY

DONALD C. COOK NUCLEAR PLANT, UNIT NOS. 1 AND 2

DOCKET NOS. 50-315 AND 50-316

1.0 INTRODUCTION

By letter dated November 18, 1994, the Indiana Michigan Power Company (the licensee) requested amendments to the Technical Specifications (TS) appended to Facility Operating License Nos. DPR-58 and DPR-74 for the Donald C. Cook Nuclear Plant, Unit Nos. 1 and 2. The proposed amendments would change TS 4.0.5 for both units to delete the wording "except where specific written relief has been granted by the Commission pursuant to 10 CFR 50, Section 50.55a(g)(6)(i)." This change would allow the licensee to implement certain 10 CFR 50.55a relief requests while the relief requests were being reviewed by the NRC at the beginning of an updated interval.

2.0 EVALUATION

The regulations for nuclear industry codes and standards are stated in 10 CFR 50.55a. By rulemaking published June 12, 1971, effective July 12, 1971, 10 CFR 50.55a was issued to establish minimum quality standards for the design, fabrication, erection, construction, testing, and inspection of certain systems and components of boiling and pressurized water-cooled nuclear power reactor plants by requiring conformance with appropriate industry codes and standards. The regulations have been revised a number of times since first promulgated, including adding design requirements for assuring access for inspection and testing. Before March 15, 1976, the regulations contained no requirements for inservice testing (IST) of pumps and valves. The American Society of Mechanical Engineers (ASME) Code first included Subsections IWP and IWV to Section XI in the Summer 1973 Addenda. The rules effective March 15, 1976 (41 Federal Register 6256, published February 12, 1976), required that an operating license for a utilization facility be subject to the conditions specified in 10 CFR 50.55a(g), which included requirements for the inservice inspection (ISI) of components, and the new IST of pumps and valves. The regulations provide for alternatives to the requirements, if compliance would result in hardship without a compensating increase in the level of quality and safety, or if the proposed alternatives would give an acceptable level of quality and safety. Also, because a number of plants were designed before the inservice inspection and testing requirements were imposed, and therefore, may not have included all the necessary access provisions, the regulations provide for relief from Code requirements if a licensee determines that conformance is

impractical for its facility. These provisions are stated in 10 CFR 50.55a, paragraphs (a)(3)(i), (a)(3)(ii), (f)(6)(i), and (g)(6)(i).

After publishing the rules that took effect March 15, 1976, the NRC issued letters to licensees informing them of the rule change and recommending that they propose TS changes for both ISI and IST with the following standard statements:

The following language should be substituted, as appropriate, into the Technical Specifications where existing surveillance requirements are superseded by ASME Section XI inservice inspection and testing requirements:

- a. Inservice inspection of ASME Code Class 1, Class 2, and Class 3 components shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code, and applicable Addenda as required by 10 CFR 50.55a(g), except where specific written relief has been granted by the NRC pursuant to 10 CFR 50, Section 50.55a(g)(6)(i).
- b. Inservice testing of ASME Code Class 1, Class 2, and Class 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 50.55a(g), except where specific written relief has been granted by the NRC pursuant to 10 CFR 50, Section 50.55a(g)(6)(i).

In the letters issued to then current operating plants, the NRC further discussed the regulation which, at that time, required updates of the ISI programs at 40-month intervals and the IST programs at 20-month intervals. The NRC suggested that licensees submit requests for relief from ASME Code requirements as far in advance as possible of the start of any 20-month period for testing pumps and valves, but at least 90 days before that period (these inspection and testing periods were later changed to 120-month intervals for both ISI and IST). The NRC stressed the need to incorporate 10 CFR 50.55a(g) by reference in TS (1) to avoid duplication of requirements, (2) to alleviate the need for TS changes, whenever a testing program is updated, and (3) to simplify the process for obtaining relief from impractical ASME Code requirements.

The NRC discussed relief requests as follows in the letters to licensees:

Generally, the licensee will know well in advance of the beginning of any inspection period, whether or not a particular ASME Code requirement will be impractical for his facility. Thus, the licensee should request relief from ASME Code requirements, as far as possible, in advance of, but not less than 90 days before, the start of the inspection period. Early submittals are particularly important for the first 40-month inservice and 20-month pump and valve testing period, because they will enable the NRC staff to evaluate the information received from all licensees and determine which ASME Code requirements may be generally impractical for various classes of plants. Early submittals will thereby facilitate earlier feedback to licensees regarding the acceptability of their requests.

The NRC staff recognizes that it will not be possible, in all cases, for a licensee to determine, in advance, that any particular ASME Code requirement will be impractical for his facility. In cases where, during the process of inservice testing, certain requirements are found to be impractical, due to unforeseen circumstances, the licensee may request relief at that time. These occurrences are not expected to be many, and are expected to result in only minor changes to an inservice testing program.

All relief from ASME Code requirements that are determined to be impractical for a facility will be granted in the form of a letter, within the provisions of §50.55a(g)(6)(i). This written relief should be incorporated into the document describing the inservice inspection and testing program retained by the licensee...the written relief itself will not become an explicit part of the facility license...

During development of the revised standard TS, the NRC approved a change from the ISI and IST surveillance requirements as originally proposed in the 1976 letters to licensees. The standard TS change corrected what appeared to be a more restrictive limitation than the regulatory requirements of 10 CFR 50.55a in prohibiting the licensee from implementing relief for impractical Code requirements before obtaining approval from the NRC. The administrative section of the revised standard TS includes the following applicable requirements for the ISI and IST programs:

5.7.2.11 Inservice Inspection Program

This program provides controls for inservice inspection of ASME Code Class 1, 2, and 3 components, including applicable supports. The program shall include the following:

- a. Provisions that inservice inspection of ASME Code Class 1, 2, and 3 components shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR 50.55a;....

5.7.2.12 Inservice Testing Program

This program provides controls for inservice testing of ASME Code Class 1, 2, and 3 components including applicable supports. The program shall include the following:

- a. Provisions that inservice testing of ASME Code Class 1, 2, and 3 pumps, valves, and snubbers shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR 50.55a;....

The revised standard TS reflect the position that the licensee must establish and implement the program in accordance with 10 CFR 50.55a. For preparing an updated ISI or IST program, the regulations allow a licensee, up to a full year after the beginning of the updated interval, to obtain NRC approval of relief from those Code requirements that the licensee has determined are impractical for its facility and are not included in the revised ISI or IST

program. The regulations state that the need for relief be demonstrated to the satisfaction of the Commission, no later than 12 months from the interval start date. If a licensee finds a specific need for relief later in the interval, it should submit the relief request for NRC approval after identification of the impractical requirement.

The licensee proposes to delete the phrase "except where specific written relief has been granted by the Commission pursuant to 10 CFR 50, Section 50.55a(g)(i)." The revised TS will also eliminate the reference to "Section 50.55a(g)" and reference "Section 50.55a" to reflect the separation between ISI and IST that was effective in the most recent rulemaking to Section 50.55a. Requirements for IST are now addressed in Section 50.55a(f) while requirements for ISI remain in Section 50.55a(g). TS 4.0.5.a. will read as follows:

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 50, Section 50.55a.

For 120-month updated programs, relief requests should be submitted prior to the interval start date to allow a period for NRC review 12 months after the interval start date (i.e., submit the updated program 3 to 6 months prior to the start date, or earlier). Upon determining an impractical requirement and not including that requirement in the revised IST or ISI program, the licensee must follow the requirements of 10 CFR 50.55a(f)(5)(iv) or (g)(5)(iv), as applicable. The change to the specification does not allow the licensee to implement alternative testing under 10 CFR 50.55a, paragraphs (a)(3)(i) and (a)(3)(ii), until the NRC has determined that such alternatives are authorized and has issued a safety evaluation to the licensee. However, this TS change will enable licensees to avoid situations where compliance with the current TS cannot be achieved for the period between preparation and submittal of a relief request as part of a revised IST or ISI program and NRC issuance of a safety evaluation granting the relief, during the first 12 months of the program. This situation could occur at the beginning of a new interval. For impractical conditions identified subsequent to the first 12 months, the NRC must evaluate the licensee's determination of impracticality pursuant to Section 50.55a(f)(6)(i) or 50.55a(g)(6)(i) prior to the next test or inspection required to be completed after the impractical requirement has been identified. The guidance in NRC Generic Letter 91-18, "Information to Licensees Regarding Two NRC Inspection Manual Sections on Resolution of Degraded and Nonconforming Conditions on Operability," should be followed for assessing the operability of equipment when an ASME Code noncompliance is identified.

Following implementation of the TS change, when a Code requirement is practical but an alternate method is requested, approval from the NRC is required before implementing the alternative method of testing (1) proposed to achieve levels of quality and safety equivalent to those of the Code method or (2) proposed to avoid an undue hardship without yielding a compensating increase in the level of quality and safety. Additionally, for IST, the licensee may use the guidance in Generic Letter (GL) 89-04, "Guidance on Developing Acceptable Inservice Testing Programs," for alternatives that the

staff has determined are acceptable for implementation.

In its letter of November 18, 1994, the licensee discussed the guidance in draft NUREG-1482, "Guidelines for Inservice Testing at Nuclear Power Plants." Draft NUREG-1482 was published for comment in consideration of publishing the report in final form to give guidance on IST issues. The staff is evaluating the comments received and has not yet published the report in the final form. Additional staff guidance, if any, on IST and ISI issues will be published in an appropriate document at such time as such guidance or recommendations are available. However, notwithstanding any draft guidance or recommendations published by the staff, NRC requirements regarding the ASME Boiler and Pressure Vessel Code are as set out in the regulations at 10 CFR Section 50.55a.

Based on above, the staff finds the change is acceptable for implementation.

3.0 STATE CONSULTATION

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

4.0 ENVIRONMENTAL CONSIDERATION

The amendments change the requirements with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and change surveillance requirements. The 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 (59 FR 65817). 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.

5.0 CONCLUSION

The staff 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 Contributor: J. Colaccino

Date: February 23, 1995