

July 27, 1984

Docket No. 50-397

Mr. G. C. Sorensen, Manager
Regulatory Programs
Washington Public Power Supply System
P. O. Box 968
3000 George Washington Way
Richland, Washington 99352

Dear Mr. Sorensen:

SUBJECT: Issuance of an Exemption and Amendment No. 3 to Facility
Operating License No. NPF-21, WPPSS Nuclear Project No. 2

The U.S. Nuclear Regulatory Commission has issued the enclosed Exemption from the requirements of 10 CFR 50.44 Paragraph (c)(3)(i) in response to your letter dated May 11, 1984. It has also issued the enclosed Amendment No. 3 to Facility Operating License No. NPF-21 for WPPSS Nuclear Project No. 2, located in Richland, Washington.

This amendment changes the WNP-2 Technical Specification, Special Test Requirement 3.10.5 to allow suspension of containment inerting during the Power Ascension test Program (PATP) until either the required 100% of rated thermal power trip tests have been completed or the reactor has operated for 120 effective full power days, whichever occurs earlier.

A copy of the related safety evaluation supporting the Exemption and Amendment No. 3 to Facility Operating License No. NPF-21 is enclosed. Also enclosed is a copy of a related notice of environmental assessment and finding of no significant impact which was published in the Federal Register on July 24, (49 FR 29885).

A copy of the Exemption is being filed with the Office of the Federal Register for publication. The notice of issuance of the Amendment will be included in the Commission's next monthly Federal Register notice.

Sincerely,

A. Schwencer, Chief
Licensing Branch No. 2
Division of Licensing

Enclosures:

1. Exemption
2. Amendment No. 3 to Facility
Operating License No. NPF-21
3. Safety Evaluation
4. Notice of Environmental Assessment

cc: See next page

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*See previous concurrence

WNP-2

Mr. G. C. Sorensen, Manager
Regulatory Programs
Washington Public Power Supply System
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3000 George Washington Way
Richland, Washington 99352

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Mr. J. D. Martin
WNP-2 Plant Manager
Washington Public Power Supply System
P. O. Box 968
Richland, Washington 99352

Since WNP-2 achieved its initial criticality on January 19, 1984, the plant is required to be inerted by July 19, 1984, per the 10 CFR 50.44 requirement set forth above. By its letter dated May 11, 1984, the licensee requested a temporary exemption from the requirement of 10 CFR 50.44 so that it may continue operating the plant with a non-inerted containment during the balance of the initial startup test program as originally planned.

The exemption from the regulation is required in order to complete the balance of the power ascension test program (PATP) in accordance with the licensee's test plan. The licensee's test plan is based on maintaining the containment in a non-inerted condition until after completing the 100% rated thermal trip test, a condition which normally would be expected to occur within about 120 effective full power days of core burn-up. No changes are being made in the maximum full power days of core burn-up normally expected before inerting is required. In fact to assure this, the maximum expected value of 120 effective full power days is made part of the proposed action. The licensee's PATP schedule has not been maintained as originally planned. This has resulted in a simple stretch out of the time required to complete all post criticality PATP tests.

It is advantageous to operate the reactor without inerting during the PATP, as an uninerted containment would permit unscheduled inspections or identification of possible problems important to safety during this period. The anticipated high frequency of containment entries during the PATP period

and the required deinerting and re-inerting time (about 24 hours) would tend to discourage early and frequent containment entries for identifying and correcting any potential safety problems before they become serious safety problems.

III.

We have evaluated the licensee's requested exemption. The NRC staff believes that to now require inerting before the PATP tests have been completed could result in less assurance of safety, because of the added time and/or decreased ability to directly examine and evaluate components and systems inside containment while the PATP tests are under way. Completing the PATP tests with an uninerted containment then would reduce the likelihood of development of an event requiring protective safety actions both during the period of exemption and later. Because of the low level of fission product inventory during the PATP period, (less than 10 effective full power days (FPD) at present increasing to the maximum of only 120 FPD) and the short duration anticipated for the exemption (until about September 1984), there is an extremely low likelihood that the inerting system would be required. The inerting system is now fully operable and ready for service if needed.

Based on the information provided by the licensee and the staff's assurance that the remainder of the PATP tests will be performed in essentially the same manner as originally planned with respect to the magnitude and duration of

power levels for each remaining PATP test, the NRC staff concludes that there will be no increase in the risks of operation through completion of the PATP tests with the proposed limited exemption regarding initial inerting over the risks that were contemplated for the duration of the PATP tests at the time the plant was licensed. Therefore, since there is no perceived increased risk by the mere fact of extending the time allowed for completion of the PATP tests under uninerted conditions, the NRC staff finds that operation would be as safe under the conditions proposed by the exemption as it would have been had the tests been completed in the shorter calendar time of six months after initial criticality.

The inerting requirement resulted from a staff judgement that the safety benefits attributable to having an inerted containment during normal operations outweighed the associated disadvantages. This judgement does not prevail during the PATP because of the need for frequent containment entries for inspection and surveillance purposes. The staff has reviewed the licensee's submittals, agrees with the statements, and finds that the proposed exemption from 10 CFR 50.44, paragraph (c)(3)(i) is acceptable.

IV.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, the exemption is authorized by law, will not endanger life or property or the common defense and security and is otherwise in the public interest. Therefore, the Commission hereby grants the exemption as follows:

"An exemption is granted from the requirements of 10 CFR 50.44 Paragraph (c)(3)(i) until either the required 100 percent rated thermal power trip startup tests have been completed or the reactor has operated for 120 effective full power days, whichever is earlier."

Pursuant to 10 CFR 51.32, the Commission has determined that the issuance of the exemption will have no significant impact on the environment (49 FR 29885).

A copy of the Commission's Safety Evaluation dated July 27, 1984, related to this action is available for public inspection at the Commissions Public Document Room, 1717 H Street, N. W., Washington, D.C., and at the

This Exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Darrell G. Eisenhut, Director
Division of Licensing, NRR

Dated at Bethesda, Maryland
this July 27, 1984

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7/26/84



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

WASHINGTON PUBLIC POWER SUPPLY SYSTEM

DOCKET NO. 50-397

WPPSS NUCLEAR PROJECT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

License No. NPF-21
Amendment No. 3

1. The Nuclear Regulatory Commission (the Commission or the NRC) has found that:
 - A. The application for amendment filed by the Washington Public Power Supply System (the licensee), dated May 11, 1984 complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in CFR Chapter I;
 - B. The facility will operate in conformity with the application as amended, the provisions of the Act, and the 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 regulation set forth in 10 CFR Chapter I;
 - D. The issuance of this amendment will not be inimical to the common defense and security or 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-21 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 3, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license.

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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.

FOR THE NUCLEAR REGULATORY COMMISSION



A. Schwencer, Chief
Licensing Branch No. 2
Division of Licensing

Attachment:
Changes to the Technical Specifications

Date of Issuance: July 27, 1984

ATTACHMENT TO LICENSE AMENDMENT NO. 3

FACILITY OPERATING LICENSE NO. NPF-21

DOCKET NO. 50-397

Replace the following page of the Appendix "A" Technical Specifications with enclosed page. The revised page is identified by Amendment number and contain vertical lines indicating the area of change.

REMOVE

3/4.10-5

INSERT

3/4.10-5

SPECIAL TEST EXCEPTIONS

3/4.10.5 OXYGEN CONCENTRATION

LIMITING CONDITION FOR OPERATION

3.10.5 The provisions of Specification 3.6.6.2 may be suspended during the performance of the Startup Test Program until either the required 100% of RATED THERMAL POWER trip tests have been completed or the reactor has operated for 120 Effective Full Power Days.

APPLICABILITY: OPERATIONAL CONDITION 1

ACTION

With the requirements of the above specification not satisfied, be in at least STARTUP within 6 hours.

SURVEILLANCE REQUIREMENTS

4.10.5 The number of months since initial criticality shall be verified to be less than or equal to 6 months at least once per 31 days during the Startup Test Program.

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
SUPPORTING EXEMPTION FROM 10CFR 50.44 AND
AMENDMENT NO. 3 TO FACILITY OPERATING LICENSE NO. NPF-21
WASHINGTON PUBLIC POWER SUPPLY SYSTEM
RICHLAND, WASHINGTON
WPPSS NUCLEAR PROJECT NO. 2
DOCKET NO. 50-397

Introduction

Inerting the containment for the WNP-2 plant is required by 10 CFR 50.44 (revised) and by the plant's Technical Specifications. In 10 CFR 50.44, "Standards for Combustible Gas Control System in Light Water Cooled Power Reactors," Section 50.44 (c).(3).(i) states in part that, "Effective May 4, 1982 or 6 months after initial criticality, whichever is later, an inerted atmosphere shall be provided for each boiling light-water nuclear power reactor with a Mark I or Mark II type containment."

Additionally, the currently effective Technical Specifications for the WNP-2 plant includes a requirement for the plant to be operated with an inerted containment. However, provision 3.10.5 of these Technical Specifications (special test requirement) suspends the inerting requirement during the performance of the startup test program until six months after initial criticality.

Evaluation

Since WNP-2 achieved its initial criticality on January 19, 1984, the plant is required to be inerted by July 19, 1984, per the 10 CFR 50.44 requirement set forth above. By its letter dated May 11, 1984, the licensee requested a temporary exemption from the requirement of 10 CFR 50.44 so that it may continue operating the plant with a non-inerted containment during the balance of the initial startup test program as originally planned.

The proposed change to Technical Specification Section 3.10.5 and an exemption from the regulation is required in order to complete the balance of the power ascension test program (PATP) in accordance with the licensee's test plan. The licensee's test plan is based on maintaining the containment in a non-inerted condition until after completing the 100% rated thermal trip test, a condition which normally would be expected to occur within about 120 effective full power days of core burn-up. No changes are being made in the maximum full power days of core burn-up normally expected before inerting is required. In fact to assure this, the maximum expected value of 120 effective full power days is made part of the proposed action. The licensee's PATP

schedule has not been maintained as originally planned. This has resulted in a simple stretch out of the time required to complete all post criticality PATP tests.

It is advantageous to operate the reactor without inerting during the PATP, as an uninerted containment would permit unscheduled inspections or identification of possible problems important to safety during this period. The anticipated high frequency of containment entries during the PATP period and the required deinerting and re-inerting time (about 24 hours) would tend to discourage early and frequent containment entries for identifying and correcting any potential safety problems before they become serious safety problems.

Further, the NRC staff believes that to now require inerting before the PATP tests have been completed could result in less assurance of safety, because of the added time and/or decreased ability to directly examine and evaluate components and systems inside containment while the PATP tests are under way. Completing the PATP tests with an uninerted containment (exemption granted) then would reduce the likelihood of development of an event requiring protective safety actions both during the period of exemption and later. Because of the low level of fission product inventory during the PATP period, (less than 10 effective full power days at present increasing to the maximum of only 120 FPD) and the short duration anticipated for the exemption (until about September 1984), there is an extremely low likelihood that the inerting system would be required. The inerting system is now fully operable and ready for service if needed.

Based on the information provided by the licensee and the staff's assurance that the remainder of the PATP tests will be performed in essentially the same manner as originally planned with respect to the magnitude and duration of power levels for each remaining PATP test. The NRC staff concludes that there will be no increase in the risks of operation through completion of the PATP tests with the proposed limited exemption regarding initial inerting over the risks that were contemplated for the duration of the PATP tests at the time the plant was licensed. Therefore, since there is no perceived increase risk by the mere fact of extending the time allowed for completion of the PATP tests under uninerted conditions, the NRC staff finds that operation would be as safe under the conditions proposed by the exemption as it would have been had the test been completed in the shorter calendar time of six months after initial criticality.

After the containment has once been inerted, inspection personnel entering the containment after it has then been deinerted may be in some danger, because of the possibility that non-breathable nitrogen pockets may remain if the operator fails to initiate the mixing system. These risks are minimized during normal plant operation. However, during PATP, the risk is greater due to the large number of personnel entries into the containment.

The inerting requirement resulted from a staff judgement that the safety benefits attributable to having an inerted containment during normal operations outweighed the associated disadvantages. This judgement does not prevail during the PATP because of the need for frequent containment entries

for inspection and surveillance purposes. The staff has reviewed the licensee's submittals, agrees with the statements, and finds that the proposed exemption from 10 CFR 50.44, paragraph (c)(3)(i) is acceptable.

As set forth in the Commission's decision in Shoreham (Long Island Lighting Company) (Shoreham Nuclear Power Station, Unit 1), CLI-84-8 (May 16, 1984), the Commission regards the use of the exemption authority under 10 CFR § 50.12 as extraordinary. The availability of an exemption requires a finding of exigent circumstances that favor the granting of an exemption. Pursuant to the Commission's Shoreham decision, a determination as to whether exigent circumstances warrant an exemption should include a consideration of the stage of the facility's life, any financial or economic hardships, any internal inconsistencies in the regulation, the applicant's good faith effort to comply with the regulation from which an exemption is sought, the public interest in adherence to the Commission's regulations, and the safety significance of the issue involved.

With regard to the stage of the facility's life, WNP-2 construction is complete and the PATP is in progress with a commercial operation declaration scheduled for September 1984. Absent the requested exemption and consequent authorization to continue the PATP with deirerted containment atmosphere, access to containment will be severely restricted. Frequent containment entries are required during PATP to adjust control systems, calibrate instruments and monitor containment conditions as the plant ascends in power. Without the requested exemption, considerable delay to deinert and rinert before and after containment entries will be encountered. At this point in the PATP, to require inerting would significantly extend the time to complete the PATP and, therefore, delay commercial operation. The stage of the facility's life would appear to favor issuance of the exemption.

With regard to financial or economic hardship, the licensee projects commercial operation for September 1984. Absent the requested exemption, several delays in the PATP can be expected for containment entries. As noted above, such delays would extend the commercial operation date. Due to the Pacific Northwest power distribution system, actual costs lost due to a delay in commercial operation are difficult to determine but are estimated to be \$500,000 for each day's delay in commercial operation. In these circumstances, denial of the requested exemption would appear to have a significant financial and economic impact. On the other hand, the staff has identified no financial or economic hardships which would result if the exemption were granted. Financial and economic considerations appear to favor issuance of the exemption.

No internal inconsistencies in the regulation are apparent and in this instance, this factor appears to weigh neither in favor or nor against a finding of exigent circumstances and issuance of the requested exemption.

As to good faith efforts, the installation and acceptance testing of the Nitrogen Inerting System has been completed and the system is ready for service if needed. The licensee states that the regulatory requirement from which exemption is sought anticipated that power ascension test programs could be completed within six months and consequently the core fission product inventory that would build up over the life of the program was acceptable. While the regulation contemplated a six month period, typical BWR

programs have proven to actually require an average of 330 days. With this simple stretch in time, no significant increase in core inventory occurs and the same effective core history is experienced. Accordingly, for the reasons stated above, frequent containment entries, and the potential danger to the health and safety of plant operators, the staff agrees with the licensee that the containment should remain deinerted until completion of the PATP. In this instance the licensee has made a bona fide effort to comply, and is able and ready to do so if safety considerations warrant compliance. Therefore, the equities lie in favor of granting the exemption.

Notice of Consideration of Issuance of Amendment and Opportunity for Prior Hearing in connection with the action involving this exemption to the regulations was published in the Federal Register on June 18, 1984 (49 FR 24957). No request for hearing or petition for leave to intervene was filed following this notice. One letter, dated July 13, 1984, was received from Mr. Larry Caldwell in response to this Federal Register Notice. He objected to the proposed changes and exemption stating in part, "Any increment of safety for the public, be it ever so small, should supersede the 'speed and convenience' these proposed changes and exemptions would provide..." As stated above, there is no adverse increment of safety in the proposed action. On the contrary, not to grant the action proposed would be denying the licensee the advantages of permitting prompt containment entries for early identification and correction of any potential safety problems that might arise during this initial power ascension test program.

Finally, while the public interest favors adherence to the Commission's regulations, the staff has concluded that in this instance, where an exemption from compliance with 10 CFR 50.44 for containment inerting has no adverse safety significance (as noted above). Therefore, the granting of this exemption will have no effect on the public health and safety and will also efficient and expeditious testing of facility components and systems, and should therefore be granted.

In accordance with the Commission's directions in Shoreham then, taking into account the equities of the situation, the staff finds that those equities weigh in favor of granting the requested exemption. In sum, the staff finds, based on the status of the facility PATP, the potential for adverse economic impacts absent an exemption, the licensee's good faith efforts at compliance with the regulation and lack of adverse safety significance or any detriment to the public interest from granting the requested exemption, that exigent circumstances exist which favor the granting of an exemption under 10 CFR § 50.12(a).

Based on the foregoing, conditioned as noted, and in accord with the Commission's decision on Shoreham, CLI-84-8, and 10 CFR 50.12(a), the staff has concluded that the exemption from the requirements of 10 CFR 50.44 paragraph (c).(3).(i) as discussed above is authorized by law, will not endanger life or property or the common defense and security and is otherwise in the public interest.

This amendment involves an exemption from the requirement of 10 CFR 50.44 in addition to the change to the Technical Specification, Special Test

Requirement 3.10.5. Because an exemption is involved, this amendment does not meet the eligibility criteria for categorical exclusion set forth in 10 CFR Section 51.22(c)(9). Pursuant to 10 CFR 51.21, an environmental assessment and finding of no significant impact was prepared in connection with the issuance of this amendment and published in the Federal Register on July 24, 1984 (49 FR 29885).

Conclusion

With respect to this amendment, we have concluded, based on the considerations discussed above, that, there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and such activities will be conducted in compliance with the Commission's regulations and the issuance of this amendment will not be inimical to the common defense and security of to the health and safety of the public.

Dated:

LB#2/DL	CSB/DSI	LB#2/DL
RAuluck:dh	WButler	ASchwencer
07/26/84 *	07/23/84 *	07/26/84 *

*See previous concurrence.

UNITED STATES NUCLEAR REGULATORY COMMISSIONWASHINGTON PUBLIC POWER SUPPLY SYSTEMDOCKET NO. 50-397NOTICE OF ENVIRONMENTAL ASSESSMENT AND FINDING OFNO SIGNIFICANT IMPACT

The U. S. Nuclear Regulatory Commission (The Commission) is considering issuance of an amendment to Facility Operating License No. NPF-21, issued to Washington Public Power Supply System (the licensee), for operation of the WPPSS Nuclear Project No. 2, located in Richland, Washington.

ENVIRONMENTAL ASSESSMENT

Identification of Proposed Action: This amendment would change the WNP-2 Technical Specification, Special Test Requirement 3.10.5 to allow suspension of containment inerting during the Power Ascension Test Program (PATP) until either the required 100% of rated thermal power trip tests have been completed or the reactor has operated for 120 effective full power days, whichever occurs earlier. This amendment will also be an exemption from the requirement stated in 10 CFR 50.44, paragraph (C)(3)(i) which states: "Effective May 4, 1982 or 6 months after initial criticality, whichever is later, an inerted atmosphere shall be provided for each boiling light-water nuclear power reactor with a Mark I or Mark II type containment."

The Need for the Proposed Action: The proposed change to the Technical Specifications (TS) and an exemption from the regulation is required in order to complete the balance of the power ascension test program (PATP) in

accordance with the approved test plan. The approved test plan is based on maintaining the containment in a non-inerted condition until after completing the 100% rated thermal trip test, a condition which normally would be expected to occur within about 120 effective full power days of core burn-up. The licensee elected to achieve initial criticality with the reactor head off whereas other licensees have elected to achieve initial criticality after the reactor head is on, an event which can be expected to occur on the order of two months later in the PATP schedule. Also, the licensee's PATP schedule has not been maintained as originally planned. This has resulted in a simple stretch out of the time required to complete all post criticality PATP tests. These two factors combined, have created the need to extend the period of non-inerted PATP operations beyond the calendar time of six months provided by 10 CFR 50.44.

Environmental Impacts of the Proposed Action: There are no environmental impacts of the proposed action. No changes are being made in the maximum full power days of core burn-up normally expected before inerting is required. In fact to assure this, the maximum expected value of 120 effective full power days is made part of the proposed action. The purpose of allowing an initial period of non-inerted operations has been and continues to be, to permit ready access to systems and components inside containment during the period of the initial plant power ascension test program. When these tests have been completed, which occurs essentially at the point where the full rated thermal power trip tests of the PATP have been completed, the exemption from 10 CFR 50.44 is no longer applicable. Thus, should a release occur during the extended PATP it would not be greater than any release contemplated during the originally scheduled PATP. Also, there is nothing in the proposed change that would suggest that the probability of release would be increased.

Further, the proposed change does not otherwise affect radiological plant effluents, nor any significant occupational exposures. Therefore, the Commission concludes that there are no significant radiological environmental impacts associated with this proposed amendment. Notice of Consideration of Issuance of Amendment and Opportunity for Prior Hearing in connection with this action involving this exemption to the regulations was published in the Federal Register on June 18, 1984 (49 FR 24957). No request for hearing or petition for leave to intervene was filed following this notice.

With regard to potential non-radiological impacts, the proposed change to the TS involves a system located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, the Commission concludes that there are no significant non-radiological environmental impacts associated with the proposed amendment.

Alternative to the Proposed Action: Since we have concluded that there is no measurable environmental impact associated with the proposed changes to the TS, any alternatives to these changes will have either no environmental impact or greater environmental impact.

The principal alternative would be to deny the requested amendment. This would not reduce environmental impacts of plant operation and would result in reduced operational flexibility.

Alternative Use of Resources: This action does not involve the use of resources not previously considered in connection with the "Final Environmental Statement Relating to Operation of WPPSS Nuclear Project No. 2," dated December 1981 and the "Final Environmental Statement Related to the Proposed Hanford Number Two Nuclear Power Plant," dated December 1972.

Agencies and Persons Consulted: The NRC staff reviewed the licensee's request and did not consult other agencies or persons.

FINDINGS OF NO SIGNIFICANT IMPACT

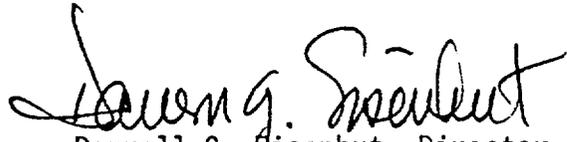
The Commission has determined not to prepare an environmental impact statement for the proposed license amendment.

Based upon the foregoing environmental assessment, we conclude that the proposed action will not have a significant effect on the quality of the human environment.

For further details with respect to this action, see the application for amendment dated May 11, 1984, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, DC, and at the Richland City Library, Swift and Northgate Street, Richland, Washington 00535.

Dated at Bethesda, Maryland this 19th day of July 1984.

FOR THE NUCLEAR REGULATORY COMMISSION



Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

Issuance of Amendment No. 3 to Facility Operating License No. NPF-21,
WPPSS Nuclear Project No. 2

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