

March 1, 1995

Mr. Gregory M. Rueger
Nuclear Power Generation, B14A
Pacific Gas and Electric Company
77 Beale Street, Room 1451
P.O. Box 770000
San Francisco, California 94177

Dear Mr. Rueger:

SUBJECT: ISSUANCE OF AMENDMENTS FOR DIABLO CANYON NUCLEAR POWER PLANT,
UNIT NO. 1 (TAC NO. M84006) AND UNIT NO. 2 (TAC NO. M84007)

The Commission has issued the enclosed Amendment No. 97 to Facility Operating License No. DPR-80 and Amendment No. 96 to Facility Operating License No. DPR-82 for the Diablo Canyon Power Plant (DCPP), Unit Nos. 1 and 2, respectively. The amendments are in response to your application dated July 9, 1992.

These amendments extend the DCPP operating license expiration dates to September 22, 2021, for Unit 1, and to April 26, 2025, for Unit 2 or 40 years after the date of the issuance of the "low-power" operating licenses.

A copy of the related Safety Evaluation is enclosed. A notice of issuance will be included in the Commission's next regular biweekly Federal Register notice.

Sincerely,

Melanie A. Miller, Senior Project Manager
Project Directorate IV-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket Nos. 50-275 and 50-323

Enclosures: 1. Amendment No. 97 to DPR-80
2. Amendment No. 96 to DPR-82
3. Safety Evaluation

cc w/encls: See next page

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DOCUMENT NAME: DC84006.AMD

nam 3/1/95

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

March 1, 1995

Mr. Gregory M. Rueger
Nuclear Power Generation, B14A
Pacific Gas and Electric Company
77 Beale Street, Room 1451
P.O. Box 770000
San Francisco, California 94177

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A copy of the related Safety Evaluation is enclosed. A notice of issuance will be included in the Commission's next regular biweekly Federal Register notice.

Sincerely,

A handwritten signature in cursive script that reads "Melanie A. Miller".

Melanie A. Miller, Senior Project Manager
Project Directorate IV-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket Nos. 50-275 and 50-323

Enclosures: 1. Amendment No. 97 to DPR-80
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3. Safety Evaluation

cc w/encls: See next page

Mr. Gregory M. Rueger
Pacific Gas and Electric Company

Diablo Canyon

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c/o U.S. Nuclear Regulatory Commission
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Chairman
San Luis Obispo County Board of
Supervisors
Room 370
County Government Center
San Luis Obispo, California 93408

Diablo Canyon Independent Safety
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505 Van Ness, Room 4102
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

PACIFIC GAS AND ELECTRIC COMPANY

DOCKET NO. 50-275

DIABLO CANYON NUCLEAR POWER PLANT, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 97
License No. DPR-80

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Pacific Gas & Electric Company (the licensee) dated July 9, 1992, 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 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 as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-80 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 97, are hereby incorporated in the license. Pacific Gas & Electric Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan, except where otherwise stated in specific license conditions.

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

FOR THE NUCLEAR REGULATORY COMMISSION



Melanie A. Miller, Senior Project Manager
Project Directorate IV-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Attachment: Page 9 of license*

Date of Issuance: March 1, 1995

*Page 9 is attached, for convenience, for the composite license to reflect this change.

E. Physical Protection

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Diablo Canyon Power Plant, Units 1 and 2 Physical Security Plan," with revisions submitted through March 4, 1988; "Diablo Canyon Power Plant, Units 1 and 2 Security Force Training and Qualification Plan," with revisions submitted through August 16, 1985; and "Diablo Canyon Power Plant, Units 1 and 2 Safeguards Contingency Plan," with revisions submitted through November 9, 1987. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

F. Antitrust

Pacific Gas and Electric Company shall comply with the antitrust conditions in Appendix C to this license.

G. Reporting

PG&E shall report any violations of the requirements contained in Sections 2.C(3) through 2.C(10), 2.E and 2.F, of this License within 24 hours. Initial notification shall be made in accordance with the provisions of 10 CFR 50.72 with written follow-up in accordance with the procedures described in 10 CFR 50.73 (b), (c), (d) and (e).

H. Financial Protection

PG&E shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.

I. Term of License

This License is effective as of the date of issuance and shall expire at midnight on September 22, 2021.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by:
Edson G. Case for

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Attachments:

1. Appendix A - Technical Specifications
2. Appendix B - Environmental Protection Plan
3. Appendix C - Antitrust Conditions

Date of Issuance: November 2, 1984

Amendment No. ~~32~~, 97



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

PACIFIC GAS AND ELECTRIC COMPANY

DOCKET NO. 50-323

DIABLO CANYON NUCLEAR POWER PLANT, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 96
License No. DPR-82

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Pacific Gas & Electric Company (the licensee) dated July 9, 1992, 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 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 as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-82 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 96 , are hereby incorporated in the license. Pacific Gas & Electric Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan, except where otherwise stated in specific license conditions.

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

FOR THE NUCLEAR REGULATORY COMMISSION



Melanie A. Miller, Senior Project Manager
Project Directorate IV-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Attachment: Page 7 of license*

Date of Issuance: March 1, 1995

*Page 7 is attached, for convenience, for the composite license to reflect this change.

H. Financial Protection

PG&E shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.

I. Term of License

This License is effective as of the date of issuance and shall expire at midnight on April 26, 2025.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by:
Harold R. Denton

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Attachments:

1. Appendix A - Technical Specifications (NUREG-1151)
2. Appendix B - Environmental Protection Plan
3. Appendix C - Antitrust Conditions

Date of Issuance: August 26, 1985

ATTACHMENT TO LICENSE AMENDMENTS

AMENDMENT NO. 97 TO FACILITY OPERATING LICENSE NO. DPR-80

AND AMENDMENT NO. 96 TO FACILITY OPERATING LICENSE NO. DPR-82

DOCKET NOS. 50-275 AND 50-323

Revise the above licenses by removing the pages identified below and inserting the enclosed pages. The revised pages are identified by the captioned amendment number and contain marginal lines indicating the area of change. Overleaf pages are also included, as appropriate.

REMOVE

9, Unit 1 License
7, Unit 2 License

INSERT

9, Unit 1 License
7, Unit 2 License

E. Physical Protection

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Diablo Canyon Power Plant, Units 1 and 2 Physical Security Plan," with revisions submitted through March 4, 1988; "Diablo Canyon Power Plant, Units 1 and 2 Security Force Training and Qualification Plan," with revisions submitted through August 16, 1985; and "Diablo Canyon Power Plant, Units 1 and 2 Safeguards Contingency Plan," with revisions submitted through November 9, 1987. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

F. Antitrust

Pacific Gas and Electric Company shall comply with the antitrust conditions in Appendix C to this license.

G. Reporting

PG&E shall report any violations of the requirements contained in Sections 2.C(3) through 2.C(10), 2.E and 2.F, of this License within 24 hours. Initial notification shall be made in accordance with the provisions of 10 CFR 50.72 with written follow-up in accordance with the procedures described in 10 CFR 50.73 (b), (c), (d) and (e).

H. Financial Protection

PG&E shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.

I. Term of License

This License is effective as of the date of issuance and shall expire at midnight on September 22, 2021.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by:
Edson G. Case for

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Attachments:

1. Appendix A - Technical Specifications
2. Appendix B - Environmental Protection Plan
3. Appendix C - Antitrust Conditions

Date of Issuance: November 2, 1984

Amendment No. ~~32~~, 97

H. Financial Protection

PG&E shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.

I. Term of License

This License is effective as of the date of issuance and shall expire at midnight on April 26, 2025.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by:
Harold R. Denton

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Attachments:

1. Appendix A - Technical Specifications (NUREG-1151)
2. Appendix B - Environmental Protection Plan
3. Appendix C - Antitrust Conditions

Date of Issuance: August 26, 1985



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 97 TO FACILITY OPERATING LICENSE NO. DPR-80
AND AMENDMENT NO. 96 TO FACILITY OPERATING LICENSE NO. DPR-82
PACIFIC GAS AND ELECTRIC COMPANY
DIABLO CANYON NUCLEAR POWER PLANT, UNITS 1 AND 2
DOCKET NOS. 50-275 AND 50-323

1.0 INTRODUCTION

By letter of July 9, 1992, Pacific Gas and Electric Company (or the licensee) submitted a request for changes to the operating licenses for its Diablo Canyon Nuclear Power Plant, Units 1 and 2. The proposed amendments would change the expiration date for the Unit 1 Operating License from April 23, 2008, to September 22, 2021, and the expiration date for the Unit 2 Operating License from December 9, 2010, to April 26, 2025.

The staff issued a notice of "Proposed No Significant Hazards Consideration Determination" in the Federal Register (57 FR 32575) dated July 22, 1992. This notice allowed for public comment and for a request for a hearing from "any person whose interest may be affected by this proceeding." By letter dated August 19, 1992, San Luis Obispo Mothers for Peace (SLOMP) filed a petition for leave to intervene and requested an evidentiary hearing. An Atomic Safety and Licensing Board was established to consider this matter and SLOMP was admitted into the proceeding as an intervenor pursuant to 10 CFR 2.714 after a prehearing conference held on December 10, 1992 (LBP-93-1, 37 NRC 1).

The staff issued an Environmental Assessment (EA) dated February 10, 1993 (58 FR 7899), as required by 10 CFR 51.21 and 51.22, in which it concluded that the May 1973 Final Environmental Statement for Diablo Canyon remains valid and pursuant to 10 CFR 51.31 an environmental impact statement need not be prepared for this action.

2.0 DISCUSSION

Section 103.c of the Atomic Energy Act of 1954 provides that a license is to be issued for a specified period not exceeding 40 years. The Code of Federal Regulations in 10 CFR 50.51 specifies that each license will be issued for a fixed period of time not to exceed 40 years from date of issuance. Also, 10 CFR 50.56 and 10 CFR 50.57 allow the issuance of an operating license pursuant to 10 CFR 50.51 after the construction of the facility has been substantially completed, in conformity with the construction permit and when other

provisions specified in 10 CFR 50.57 are met. The currently licensed term for Diablo Canyon is 40 years, commencing with the issuance of the construction permit on April 23, 1968 for Unit 1 and December 9, 1970 for Unit 2. Accounting for the time that was required for plant construction, this represents an effective operating license term of less than 27 years for Unit 1 and 25 years for Unit 2. Consistent with Section 103.c of the Atomic Energy Act and Sections 50.51, 50.56 and 50.57 of the Commission's regulations, the licensee, by its application of July 9, 1992, seeks extension of the operating license term from the date of operating license issuance for each unit, namely 40 years from September 22, 1981 for Unit 1 and 40 years from April 26, 1985 for Unit 2. This action would extend the period of operation to the full 40 years provided by the Atomic Energy Act and the Code of Federal Regulations.

3.0 EVALUATION

The licensee's request for extension of the operating license is based on the fact that a 40-year service life was considered during the design and construction of the plant. Although this does not mean that some components will not wear out during the plant lifetime, design features were incorporated which maximize the inspectability of structures, systems and equipment. The reactor coolant system components and support systems are analyzed for the integration effects of radiation damage and cyclic loadings (with added margin) which could reasonably be expected to occur in a 40-year lifetime. Surveillance and maintenance practices which were implemented in accordance with the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code for Inservice Inspection and Inservice Testing of Pumps and Valves and the facility Technical Specifications (TS) provide assurance that any unexpected degradation in plant equipment will be identified and corrected. These TS are part of the plant's operating license and have been approved by the NRC, as are all subsequent changes to the TS. The specific provisions and requirements for ASME Code testing are set forth in 10 CFR 50.55a.

The design of the reactor vessel and its internals considered the effects of 40 years of operation at full power and a comprehensive vessel material surveillance program is maintained in accordance with 10 CFR Part 50, Appendix H that ensures the fracture toughness requirements of Appendix G are met. As stated in the Final Safety Analysis Report Update, reactor vessel surveillance capsules are provided for post-irradiation testing of Charpy V-notch and tensile specimens; wedge opening loading fracture mechanics test specimens for Unit 1 and compact tension and bend bar fracture mechanics test specimens for Unit 2 are also provided.

As discussed above, the useful life of the Diablo Canyon units was intended to be 40 years. The Diablo Canyon reactor vessels were designed for transients considered to envelop design conditions over a 50-year operating period. The Pressurized Thermal Shock (PTS) rule, 10 CFR 50.61, establishes screening criteria that indicate a limiting level of nuclear reactor vessel embrittlement beyond which plant operation cannot continue without further plant specific evaluation. The licensee submitted a revised projection of embrittlement of its reactor vessels on December 4, 1992, which accounts for the proposed license extensions intended to recapture the construction period.

Since the review and approval of the licensee's assessment of projected embrittlement of the Diablo Canyon reactor vessels will be conducted for compliance with 10 CFR 50.61, a separate assessment for the purpose of this proposed amendment will not be performed.

Aging analysis has been performed for all safety-related electrical equipment in accordance with 10 CFR 50.49, "Environmental Qualification of Electrical Equipment Important to Safety for Nuclear Power Plants," identifying qualified lifetimes for this equipment. These lifetimes have been incorporated into plant equipment maintenance and replacement practices to ensure that all safety-related electrical equipment remains qualified and available to perform its safety-related function regardless of the overall age of the plant.

The staff's Safety Evaluation for environmental qualification (EQ) of safety-related electrical equipment was issued in Supplements 15 (dated September 1981) and 31 (dated April 1985) to the Diablo Canyon Safety Evaluation Report (SER). In Supplement 31 to the SER, the staff concluded that the Diablo Canyon EQ Program is acceptable and that compliance with 10 CFR 50.49 has been demonstrated.

The staff published its original Safety Evaluation for Diablo Canyon on October 16, 1974. While changes have been made to the plant design since the original plant construction was completed, each of these changes that involved an unreviewed safety question has been reviewed and approved by the staff with the details being documented in the staff's related Safety Evaluation. Further, as required by 10 CFR 50.71(e), these changes and their effect on accident analyses, if any, are routinely updated in the Final Safety Analysis Report (FSAR) Update. Based on the ongoing review process, the staff has not identified any concerns associated with approval of the proposed amendment to extend the expiration date of the license that are not already addressed by licensee commitments, operating procedures, and license requirements.

4.0 FINAL NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

The licensee's request for amendment to the operating licenses for Diablo Canyon Units 1 and 2, including a proposed determination by the staff of no significant hazards consideration, was noticed in the Federal Register on July 22, 1992 (57 FR 32575). Comments were received on the proposed finding, and a hearing was held on two contentions submitted by SLOMP, one regarding the adequacy of the licensee's maintenance program and the other concerning the fire-retardant material, Thermo-Lag. The Atomic Safety and Licensing Board (ASLB), in its initial decision dated November 4, 1994 (LBP-94-35, 40 NRC 180), found that Pacific Gas and Electric had justified the license extension it sought and, subject to certain directions, as well as normal NRC staff review, should be granted the extensions (40 NRC at 185). The ASLB authorized the staff to extend the Diablo Canyon operating licenses expiration dates (40 NRC at 282) and directed the licensee to improve its Telatemp sticker program, complete conversion of the radiation monitoring program, and undertake a study, to be submitted to the staff for review, concerning methods for improving communications between maintenance and other departments (40 NRC at 273). By letter dated December 9, 1994, the licensee informed the staff

that it would complete all work and provide appropriate reports to the NRC by the end of 1995.

A final no significant hazards consideration determination need be made only where a license amendment is issued prior to the conclusion of any hearing held on the application. There is no need for the staff to make a final determination in this instance where a hearing has been concluded and license amendment issuance has been authorized by an ASLB. For the same reasons, the comments received on the staff's proposed no significant hazards consideration determination need not be addressed.

5.0 STATE CONSULTATION

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

6.0 ENVIRONMENTAL CONSIDERATION

A Notice of Issuance of Environmental Assessment and Finding of No Significant Impact relating to the proposed extension of the Facility Operating License termination dates for the Diablo Canyon Nuclear Power Plant was published in the Federal Register on February 10, 1993 (58 FR 7899).

7.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that:

- (a) There is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner,
- (b) Such activities will be conducted in compliance with the Commission's regulations, and
- (c) 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: S. Peterson

Date: March 1, 1995