

July 22, 2004

Mr. Michael Kansler
President
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

SUBJECT: PILGRIM NUCLEAR POWER STATION - ISSUANCE OF AMENDMENT RE:
ELIMINATION OF REQUIREMENTS FOR HYDROGEN ANALYZERS
(TAC NO. MC1674)

Dear Mr. Kansler:

The Commission has issued the enclosed Amendment No. 206 to Facility Operating License No. DPR-35 for the Pilgrim Nuclear Power Station (Pilgrim). This amendment is in response to your application dated December 24, 2003.

The amendment revises the Pilgrim Technical Specifications (TSs) by eliminating the requirements associated with hydrogen analyzers. The changes support implementation of a revision to Title 10 of the *Code of Federal Regulations*, Section 50.44, "Standards for Combustible Gas Control System in Light-Water-Cooled Power Reactors." A notice of availability for this TS improvement using the consolidated line item improvement process was published in the Federal Register on September 25, 2003 (68 FR 55416).

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

Sincerely,

/RA/

Travis L. Tate, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-293

Enclosures: 1. Amendment No. 206 to
License No. DPR-35
2. Safety Evaluation

cc w/encls: See next page

Pilgrim Nuclear Power Station

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The amendment revises the Pilgrim Technical Specifications (TSs) by eliminating the requirements associated with hydrogen analyzers. The changes support implementation of a revision to Title 10 of the *Code of Federal Regulations*, Section 50.44, "Standards for Combustible Gas Control System in Light-Water-Cooled Power Reactors." A notice of availability for this TS improvement using the consolidated line item improvement process was published in the Federal Register on September 25, 2003 (68 FR 55416).

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Sincerely,
/RA/
Travis L. Tate, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-293
Enclosures: 1. Amendment No. 206 to
License No. DPR-35
2. Safety Evaluation

cc w/encls: See next page

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ENERGY NUCLEAR GENERATION COMPANY

ENERGY NUCLEAR OPERATIONS, INC.

DOCKET NO. 50-293

PILGRIM NUCLEAR POWER STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 206
License No. DPR-35

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment filed by Entergy Nuclear Operations, Inc. (the licensee) dated December 24, 2003, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations;
 - 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 3.B of Facility Operating License No. DPR-35 is hereby amended to read as follows:

B. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 206, 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 and shall be implemented within 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

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

Attachment: Changes to the Technical
Specifications

Date of Issuance: July 22, 2004

ATTACHMENT TO LICENSE AMENDMENT NO. 206

FACILITY OPERATING LICENSE NO. DPR-35

DOCKET NO. 50-293

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

Remove

3/4.7-10

3/4.7-11

B3/4.7-8

B3/4.7-9

Insert

3/4.7-10

3/4.7-11

B3/4.7-8

B3/4.7-9

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 206 TO FACILITY OPERATING LICENSE NO. DPR-35
ENTERGY NUCLEAR GENERATION COMPANY
ENTERGY NUCLEAR OPERATIONS, INC.
PILGRIM NUCLEAR POWER STATION
DOCKET NO. 50-293

1.0 INTRODUCTION

By application dated December 24, 2003, Entergy Nuclear Operations, Inc. (ENO or the licensee) requested changes to the Technical Specifications (TSs) for the Pilgrim Nuclear Power Station (Pilgrim). The requested changes would delete the TS requirements associated with hydrogen analyzers.

The Nuclear Regulatory Commission (NRC or the Commission) has revised Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.44, "Standards for Combustible Gas Control System in Light-Water-Cooled Power Reactors." The amended standards eliminated the requirements for hydrogen recombiners and relaxed the requirements for hydrogen and oxygen monitoring. In letters dated December 17, 2002, and May 12, 2003, the Nuclear Energy Institute (NEI) Technical Specification Task Force (TSTF) proposed to remove requirements for hydrogen recombiners and hydrogen and oxygen monitors from the standard technical specifications (STS) (NUREGs 1430 - 1434) on behalf of the industry to incorporate the amended standards. This proposed change is designated TSTF-447.

The NRC staff prepared the model safety evaluation (SE) for the elimination of requirements regarding containment hydrogen recombiners and the removal of requirements from TSs for containment hydrogen and oxygen monitors and solicited public comment (67 FR 50374, published August 2, 2002) in accordance with the Consolidated Line Item Improvement Process (CLIIP). The use of the CLIIP in this matter is intended to help the NRC to efficiently process amendments that propose to remove the hydrogen recombiner and hydrogen and oxygen monitor requirements from TSs. Licensees of nuclear power reactors to which this model applies were informed (68 FR 55416, published September 25, 2003) that they could request amendments conforming to the model and, in such requests, should confirm the applicability of the SE to their reactors and provide the requested plant-specific verifications and commitments.

The TSs for Pilgrim do not contain requirements for hydrogen recombiners or oxygen monitors. The relevant portions of the model SE are, therefore, those that relate to the elimination of the hydrogen analyzers (hydrogen monitoring system) from TSs and the creation of regulatory commitments related to hydrogen and oxygen monitors.

2.0 BACKGROUND

Regulatory Issue Summary 2000-06, "Consolidated Line Item Improvement Process for Adopting Standard Technical Specification Changes for Power Reactors," was issued on March 20, 2000. The CLIP is intended to improve the efficiency of NRC licensing processes. This is accomplished by processing proposed changes to the STS in a manner that supports subsequent license amendment applications. The CLIP includes an opportunity for the public to comment on proposed changes to the STS following a preliminary assessment by the NRC staff and finding that the change will likely be offered for adoption by licensees. The NRC staff evaluates any comments received for a proposed change to the STS and either reconsiders the change or proceeds with announcing the availability of the change for proposed adoption by licensees. Those licensees opting to apply for the subject change to TSs are responsible for reviewing the staff's evaluation, referencing the applicable technical justifications, and providing any necessary plant-specific information. Each amendment application made in response to the notice of availability would be processed and noticed in accordance with applicable rules and NRC procedures.

The Commission's regulatory requirements related to the content of TSs are set forth in 10 CFR 50.36. This regulation requires that the TSs include items in five specific categories. These categories include: 1) safety limits, limiting safety system settings and limiting control settings, 2) limiting conditions for operation (LCOs), 3) surveillance requirements, 4) design features, and 5) administrative controls. However, the regulation does not specify the particular TS to be included in a plant's license.

Additionally, 10 CFR 50.36(c)(2)(ii) sets forth four criteria to be used in determining whether an LCO is required to be included in the TS. These criteria are as follows:

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 assumes either 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.
4. A structure, system or component which operating experience or probabilistic risk assessment has shown to be significant to public health and safety.

Existing LCOs and related surveillances included as TS requirements which satisfy any of the criteria stated above must be retained in the TS. Those TS requirements which do not satisfy these criteria may be relocated to other licensee-controlled documents.

As part of the rulemaking that revised 10 CFR 50.44, the Commission retained requirements for ensuring a mixed atmosphere, inerting Mark I and II containments, and providing hydrogen control systems capable of accommodating an amount of hydrogen generated from a metal-water reaction involving 75 percent of the fuel cladding surrounding the active fuel region in Mark III and ice condenser containments. The Commission eliminated the design-basis loss-of-coolant accident (LOCA) hydrogen release from 10 CFR 50.44 and consolidated the requirements for hydrogen and oxygen monitoring to 10 CFR 50.44 while relaxing safety classifications and licensee commitments to certain design and qualification criteria. The Commission also relocated, without change, the hydrogen control requirements in 10 CFR 50.34(f) to 10 CFR 50.44 and the high point vent requirements from 10 CFR 50.44 to 10 CFR 50.46a.

3.0 EVALUATION

The ways in which the requirements and recommendations for combustible gas control were incorporated into the licensing bases of commercial nuclear power plants varied as a function of when plants were licensed. Plants that were operating at the time of the Three Mile Island (TMI), Unit 2 accident are likely to have been the subject of confirmatory orders that imposed the combustible gas control functions described in NUREG-0737, "Clarification of TMI Action Plan Requirements," as obligations. The issuance of plant-specific amendments to adopt these changes, which would remove hydrogen recombiner and hydrogen and oxygen monitoring controls from TSs, supersede the combustible gas control specific requirements imposed by post-TMI confirmatory orders.

The existing TSs for Pilgrim do not contain requirements for hydrogen recombiners or oxygen monitors. The model SE is, therefore, revised slightly to remove discussions of hydrogen recombiners and limit the discussion of oxygen monitors to the creation of a regulatory commitment as was contained in the CLIP notice of availability for the adoption of this change. The discussion of hydrogen monitors remains as presented in the model SE.

3.1 Hydrogen Monitoring Equipment

Section 50.44(b)(1) of 10 CFR, the STS, and plant-specific TSs currently contain requirements for monitoring hydrogen. Licensees have also made commitments to design and qualification criteria for hydrogen monitors in Item II.F.1, Attachment 6 of NUREG-0737 and Regulatory Guide (RG) 1.97, "Instrumentation for Light-Water-Cooled Nuclear Power Plants to Assess Plant and Environs Conditions During and Following an Accident." The hydrogen monitors are required to assess the degree of core damage during a beyond-design-basis accident (BDBA) and confirm that random or deliberate ignition has taken place. If an explosive mixture that could threaten containment integrity exists during a BDBA, then other severe accident management strategies, such as purging and/or venting, would need to be considered. The hydrogen monitors are needed to implement these severe accident management strategies.

With the elimination of the design-basis LOCA hydrogen release, hydrogen monitors are no longer required to mitigate design-basis accidents (DBAs) and, therefore, the hydrogen

monitors do not meet the definition of a safety-related component as defined in 10 CFR 50.2. RG 1.97 recommends classifying the hydrogen monitors as Category 1. RG 1.97 Category 1, is intended for key variables that most directly indicate the accomplishment of a safety function for DBA events and, therefore, are items usually addressed within TSs. As part of the rulemaking to revise 10 CFR 50.44, the Commission found that the hydrogen monitors no longer meet the definition of Category 1 in RG 1.97. The Commission concluded that Category 3, as defined in RG 1.97, is an appropriate categorization for the hydrogen monitors because the monitors are required to diagnose the course of BDBAs. Hydrogen monitoring is not the primary means of indicating a significant abnormal degradation of the reactor coolant pressure boundary (RCPB). Section 4 of Attachment 2 to SECY-00-0198, "Status Report on Study of Risk-Informed Changes to the Technical Requirements of 10 CFR Part 50 (Option 3) and Recommendations on Risk-Informed Changes to 10 CFR 50.44 (Combustible Gas Control)," found that the hydrogen monitors were not risk-significant. Therefore, the staff finds that hydrogen monitoring equipment requirements no longer meet any of the four criteria in 10 CFR 50.36(c)(2)(ii) for retention in TSs and, therefore, may be relocated to other licensee-controlled documents.

The elimination of Post-Accident Sampling System requirements from some plant-specific TSs (and associated CLIIP notices) indicated that during the early phases of an accident, safety-grade hydrogen monitors provide an adequate capability for monitoring containment hydrogen concentration. The staff has subsequently concluded that Category 3 hydrogen monitors also provide an adequate capability for monitoring containment hydrogen concentration during the early phases of an accident.

However, because the monitors are required to diagnose the course of BDBAs, each licensee should verify that it has, and make a regulatory commitment to maintain, a hydrogen monitoring system capable of diagnosing BDBAs.

3.3 Oxygen Monitoring Equipment

STS and most plant-specific TSs, with Pilgrim being an exception, currently require oxygen monitoring to verify the status of the inert containment. Combustible gases produced by BDBAs involving both fuel-cladding oxidation and core-concrete interaction would be risk-significant for plants with Mark I and II containments if not for the inerted containment atmospheres. If an inerted containment was to become de-inerted during a BDBA, then other severe accident management strategies, such as purging and venting, would need to be considered. The oxygen monitors are needed to implement these severe accident management strategies. Oxygen concentration also appears extensively in the emergency procedure guidelines/severe accident guidelines of plants with inerted containment atmospheres.

With the elimination of the design-basis LOCA hydrogen release, the oxygen monitors are no longer required to mitigate DBAs and, therefore, the oxygen monitors do not meet the definition of a safety-related component as defined in 10 CFR 50.2. RG 1.97 recommends that, for inerted containment plants, the oxygen monitors be Category 1 which is intended for key variables that most directly indicate the accomplishment of a safety function for DBA events. As part of the rulemaking to revise 10 CFR 50.44, the Commission found that Category 2, as defined in RG 1.97, is an appropriate categorization for the oxygen monitors, because the monitors are required to verify the status of the inert containment. Oxygen monitoring is not the

primary means of indicating a significant abnormal degradation of the RCPB. Oxygen monitors have not been shown by a probabilistic risk assessment to be risk-significant.

However, for plant designs with an inerted containment, each licensee should verify that it has, and makes a regulatory commitment to maintain, an oxygen monitoring system capable of verifying the status of the inert containment. In addition, separate requirements for primary containment oxygen concentration will be retained in TSs for plant designs with an inerted containment. The basis for retention of this requirement in TSs is that it meets Criterion 2 of 10 CFR 50.36(c)(2)(ii) in that it is a process variable, design feature, or operating restriction that is an initial condition of a DBA or transient analysis that either assumes the failure of or presents a challenge to the integrity of a fission product barrier. This is based on the fact that calculations typically included in Updated Final Safety Analysis Reports (UFSAR) assume that the primary containment is inerted, that is, oxygen concentration is < 4.0 volume percent, when a design-basis LOCA occurs.

4.0 VERIFICATIONS AND COMMITMENTS

As requested by the staff in the notice of availability for this TS improvement, the licensee has addressed the following plant-specific verifications and commitments.

- 4.1 Each licensee should verify that it has, and makes a regulatory commitment to maintain, a hydrogen monitoring system capable of diagnosing BDBAs.

The licensee has verified that it has a hydrogen monitoring system capable of diagnosing BDBAs. The licensee has committed to reflect this change in its UFSAR. The licensee will implement this commitment within 60 days from the date of approval of this license amendment.

- 4.2 For plant designs with an inerted containment, each licensee should verify that it has, and makes a regulatory commitment to maintain, an oxygen monitoring system capable of verifying the status of the inert containment (for applicable plants).

The licensee has verified that it has an oxygen monitoring system capable of verifying the status of the inert containment. The licensee has committed to reflect this change in its UFSAR. The licensee will implement this commitment within 60 days from the date of approval of this license amendment.

The NRC staff finds that reasonable controls for the implementation and for subsequent evaluation of proposed changes pertaining to the above regulatory commitments are provided by the licensee's administrative processes, including its commitment management program. Should the licensee choose to incorporate a regulatory commitment into the emergency plan, UFSAR, or other document with established regulatory controls, the associated regulations would define the appropriate change-control and reporting requirements. The staff has determined that the commitments do not warrant the creation of regulatory requirements which would require prior NRC approval of subsequent changes. The NRC staff has agreed that NEI 99-04, Revision 0, "Guidelines for Managing NRC Commitment Changes," provides reasonable guidance for the control of regulatory commitments made to the NRC staff. (See Regulatory Issue Summary 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff," dated September 21, 2000.) The commitments should

be controlled in accordance with the industry guidance or comparable criteria employed by a specific licensee. The staff may choose to verify the implementation and maintenance of these commitments in a future inspection or audit.

5.0 STATE CONSULTATION

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

6.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes SRs. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (69 FR 19568). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

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

Principal Contributor: W. Reckley

Date: July 22, 2004