

April 7, 1998

Mr. James Knubel
Chief Nuclear Officer
Power Authority of the State
of New York
123 Main Street
White Plains, NY 10601

SUBJECT: ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT
FOR EXEMPTION ALLOWING THE USE OF CODE CASE N-514 - INDIAN POINT
NUCLEAR GENERATING UNIT NO. 3 (TAC NO. M99928)

Dear Mr. Knubel:

Enclosed is a copy of the Environmental Assessment and Finding of No Significant Impact for the Indian Point Nuclear Generating Unit No. 3 (IP3). The assessment relates to your application dated November 3, 1997. The proposed request would exempt IP3 from the requirements of 10 CFR 50.60 to allow the use of Code Case N-514 in place of the safety margins required by Appendix G to 10 CFR Part 50 to determine the low temperature overpressure parameters.

The assessment is being forwarded to the Office of the Federal Register for publication.

Sincerely,

Original Signed by:

George F. Wunder, Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-286

Enclosure: Environmental Assessment

cc w/encl: See next page

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**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

WASHINGTON, D.C. 20555-0001

April 7, 1998

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Sincerely,

A handwritten signature in black ink, appearing to read "George F. Wunder", is written over a horizontal line.

George F. Wunder, Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-286

Enclosure: Environmental Assessment

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James Knubel
Power Authority of the State
of New York

Indian Point Nuclear Generating
Unit No. 3

cc:

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New York Department of Law
120 Broadway
New York, NY 10271

UNITED STATES NUCLEAR REGULATORY COMMISSION

POWER AUTHORITY OF THE STATE OF NEW YORK

INDIAN POINT NUCLEAR GENERATING UNIT NO. 3

DOCKET NO. 50-286

ENVIRONMENTAL ASSESSMENT AND FINDING OF

NO SIGNIFICANT IMPACT

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from the requirements of 10 CFR 50.60 for Facility Operating License No.

DPR-64, issued to the Power Authority of the State of New York (the licensee), for operation of the Indian Point Nuclear Generating Unit No. 3 (IP3) located in Westchester County, New York.

ENVIRONMENTAL ASSESSMENT

Identification of the Proposed Action:

The proposed action would exempt the licensee from the requirements of 10 CFR 50.60 to allow the use of Code Case N-514 in place of the safety margins required by Appendix G to 10 CFR Part 50 to determine the low temperature overpressure (LTOP) parameters.

The proposed action is in accordance with the licensee's application for exemption dated November 3, 1997.

The Need for the Proposed Action:

Pursuant to 10 CFR 50.60, all light water nuclear power reactors must meet the fracture toughness requirements for the reactor coolant pressure boundary as set forth in 10 CFR Part 50, Appendix G. Since the licensee wishes to use Code Case N-514 as opposed to the requirements of Appendix G, an exemption to the regulations is necessary.

Environmental Impacts of the Proposed Action:

The Commission has completed its evaluation of the use of Code Case N-514 in place of

the safety margins required by Appendix G to 10 CFR Part 50 to determine the low temperature overpressure (LTOP) parameters and concludes that there will be no physical or operational changes to IP3.

The Commission has evaluated the environmental impact of the proposed action and has determined that the probability or consequences of accidents would not be increased by the proposed action, and that post-accident radiological releases would not be greater than previously determined. Further, the Commission has determined that the proposed action would not affect routine radiological exposure. Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does involve features located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect nonradiological plant effluents and has no other environmental impact. Therefore, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

Alternatives to the Proposed Action:

Since the Commission has concluded that there is no measurable environmental impact with the proposed action, any alternatives with equal or greater environmental impact need not be evaluated.

The principal alternative would be to deny the requested action. Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are identical.

Alternative Use of Resources:

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for Indian Point Nuclear Generating Unit No. 3, dated February 1975.

Agencies and Persons Consulted:

In accordance with its stated policy, on March 20, 1998, the staff consulted with the New York State Official, Jack Spath, of the New York State Research and Development Authority regarding the environmental impact of the proposed action. The State official had no comments.

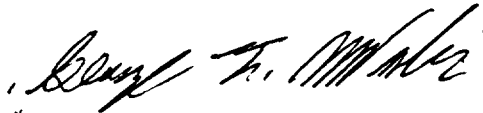
FINDING OF NO SIGNIFICANT IMPACT

Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated November 3, 1997, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the White Plains Public Library, 100 Martine Avenue, White Plains, New York 10601.

Dated at Rockville, Maryland, this 7th day of April 1998.

FOR THE NUCLEAR REGULATORY COMMISSION



George F. Wunder, Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation