

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-116]

Notice and Solicitation of Comments Pursuant to 10 CFR 20.1405 and 10 CFR 50.82(b)(5) Concerning Proposed Action To Decommission Iowa State University UTR-10 Research Reactor

On January 25, 1999, the U.S. Nuclear Regulatory Commission (the Commission) noticed receipt of an application from the Iowa State University dated January 6, 1999, for a license amendment to approve its proposed decommissioning plan for the Iowa State Research Reactor (Facility License No. R-59) located on the west edge of the main campus of the Iowa State University, in Ames, Iowa.

In accordance with 10 CFR 20.1405, the Commission is providing notice and soliciting comments from local and State governments in the vicinity of the site and any Indian Nation or other indigenous people that have treaty or statutory rights that could be affected by the decommissioning. This notice and solicitation of comments is published pursuant to 10 CFR 20.1405, which requires publication in the **Federal Register** and in a forum such as local newspapers, letters to State or local organizations, or other appropriate forum that is readily accessible to individuals in the vicinity of the site. Comments should be provided within 30 days of the date of this notice in accordance with 10 CFR 20.1007, "Communications," to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Further, in accordance with 10 CFR 50.82(b)(5), notice is also provided of the Commission's intent to approve the plan by amendment, subject to such conditions and limitations as it deems appropriate and necessary, if the plan demonstrates that decommissioning will be performed in accordance with the regulations in this chapter and will not be inimical to the common defense and security or to the health and safety of the public.

A copy of the application is available for public inspection at the Commission's Public Document Room, the Gelman Building, at 2120 L Street NW., Washington, DC 20037.

Dated at Rockville, Maryland, this 5th day of February 1999.

For the Nuclear Regulatory Commission.

Seymour H. Weiss,

Director, Non-Power Reactors and Decommissioning Project Directorate, Division of Reactor Program Management, Office of Nuclear Reactor Regulation.

[FR Doc. 99-3494 Filed 2-11-99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-199]

Notice and Solicitation of Comments Pursuant to 10 CFR 20.1405 and 10 CFR 50.82(b)(5) Concerning Proposed Action To Decommission Manhattan College Zero Power Research Reactor

On April 30, 1998, the U.S. Nuclear Regulatory Commission (the Commission) noticed receipt of an application from Manhattan College dated January 12, 1998, for a license amendment to approve its proposed decommissioning plan for the Manhattan College Zero Power Research Reactor (Facility License No. R-94) located in the Leo Engineering Building, two blocks from the Manhattan College Campus in Riverdale, New York.

In accordance with 10 CFR 20.1405, the Commission is providing notice and soliciting comments from local and State governments in the vicinity of the site and any Indian Nation or other indigenous people that have treaty or statutory rights that could be affected by the decommissioning. This notice and solicitation of comments is published pursuant to 10 CFR 20.1405, which requires publication in the **Federal Register** and in a forum such as local newspapers, letters to State or local organizations, or other appropriate forum that is readily accessible to individuals in the vicinity of the site. Comments should be provided within 30 days of the date of this notice in accordance with 10 CFR 20.1007, "Communications," to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Further, in accordance with 10 CFR 50.82(b)(5), notice is also provided of the Commission's intent to approve the plan by amendment, subject to such conditions and limitations as it deems appropriate and necessary, if the plan demonstrates that decommissioning will be performed in accordance with the regulations in this chapter and will not be inimical to the common defense and security or to the health and safety of the public.

A copy of the application is available for public inspection at the

Commission's Public Document Room, the Gelman Building, at 2120 L Street NW., Washington, DC 20037.

Dated at Rockville, Maryland, this 5th day of February 1999.

For the Nuclear Regulatory Commission.

Seymour H. Weiss,

Director, Non-Power Reactors and Decommissioning Project Directorate, Division of Reactor Program Management, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-445 and 50-446]

Tu Electric Comanche Peak Steam Electric Station, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating Licenses No. NPF-87 and No. NPF-89 that were issued to TU Electric (the licensee) for operation of the Comanche Peak Steam Electric Station (CPSES), Units 1 and 2, located in Somervell County, Texas.

Environmental Assessment

Identification of the Proposed Action

The proposed amendment will revise the existing, or current, Technical Specifications (CTS) for CPSES in their entirety based on the guidance provided in NUREG-1431, "Standard Technical Specifications, Westinghouse Plants," Revision 1, dated April 1995, and in the Commission's "Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors," published on July 22, 1993 (58 FR 39132). The proposed amendment is in accordance with the licensee's amendment request dated May 15, 1997, as supplemented by eleven letters in 1998 dated June 26, August 5, August 28, September 24, October 21, October 23, November 24 (two letters), December 11, December 17, December 18, and three letters in 1999 dated February 3.

The Need for the Proposed Action

It has been recognized that nuclear safety in all nuclear power plants would benefit from an improvement and standardization of plant Technical Specifications (TS). The "NRC Interim Policy Statement on Technical Specification Improvements for Nuclear Power Plants," (52 FR 3788) contained proposed criteria for defining the scope

of TS. Later, the Commission's "Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors," published on July 22, 1993 (58 FR 39132), incorporated lessons learned since publication of the interim policy statement and formed the basis for revisions to 10 CFR 50.36, "Technical Specifications." The "Final Rule" (60 FR 36953) codified criteria for determining the content of TS. To facilitate the development of standard TS for nuclear power reactors, each power reactor vendor owners' group (OG) and the NRC staff developed standard TS. For CPSES, the Improved Standard Technical Specifications (ISTS) are in NUREG-1431. This document formed the basis for the CPSES Improved Technical Specifications (ITS) conversion. The NRC Committee to review Generic Requirements (CRGR) reviewed the ISTS, made note of its safety merits, and indicated its support of the conversion by operating plants to the ITS.

Description of the Proposed Change

The proposed changes to the CTS are based on NUREG-1431 and on guidance provided by the Commission in its Final Policy Statement. The objective of the changes is to completely rewrite, reformat, and streamline the CTS (i.e., to convert the CTS to the ITS). Emphasis is placed on human factors principles to improve clarity and understanding of the TS. The Bases section of the ITS has been significantly expanded to clarify and better explain the purpose and foundation of each specification. In addition to NUREG-1431, portions of the CTS were also used as the basis for the development of the CPSES ITS. Plant-specific issues (e.g., unique design features, requirements, and operating practices) were discussed with the licensee, and generic matters with Westinghouse and other OGs.

This conversion is a joint effort in concert with three other utilities: Pacific Gas & Electric Company for Diablo Canyon Power Plant, Units 1 and 2 (Docket Nos. 50-275 and 323); Union Electric Company for Callaway Plant (Docket No. 50-483); and Wolf Creek Nuclear Operating Corporation for Wolf Creek Generating Station (Docket No. 50-482). It was a goal of the four utilities to make the ITS for all the plants as similar as possible. This joint effort includes a common methodology for the licensees in marking-up the CTS and NUREG-1431 Specifications, and the NUREG-1431 Bases, that has been accepted by the staff.

This common methodology is discussed at the end of Enclosure 2,

"Mark-Up of Current TS"; Enclosure 5a, "Mark-Up of NUREG-1431 Specifications"; and Enclosure 5b, "Mark-Up of NUREG-1431 Bases," for each of the 14 separate ITS sections that were submitted with the licensee's application. For each of the ITS sections, there is also the following enclosures:

- Enclosure 1, "Cross-Reference Tables," the cross-reference table connecting each CTS specification (i.e., LCO, required action, or SR) to the associated ITS specification, sorted by both CTS and ITS specifications.
- Enclosures 3A and 3B, "Description of Changes to Current TS" and "Conversion Comparison Table," the description of the changes to the CTS section and the comparison table showing which plants (of the four licensees in the joint effort) that each change to the CTS applies to.
- Enclosure 4, "No Significant Hazards Considerations," the no significant hazards consideration (NHSC) of 10 CFR 50.91 for the changes to the CTS with generic NHSCs for administrative, more restrictive, relocation, and moving-out-of-CTS changes, and individual NHSCs for less restrictive changes and with the organization of the NHSC evaluation discussed in the beginning of the enclosure.

- Enclosures 6A and 6B, "Differences From NUREG-1431" and "Conversion Comparison Table," the descriptions of the differences from NUREG-1431 Specifications and the comparison table showing which plants (of the four licensees in the joint effort) that each difference to the ISTS applies to.

The common methodology includes the convention that, if the words in an CTS specification are not the same as the words in the ITS specification, but the CTS words have the same meaning or have the same requirements as the words in the ITS specification, then the licensees do not have to indicate or describe a change to the CTS. In general, only technical changes have been identified; however, some non-technical changes have also been identified when the changes cannot easily be determined. The portion of any specification which is being deleted is struck through (i.e., the deletion is annotated using the strike-out feature of the word processing computer program or crossed out by hand). Any text being added to a specification is shown by shading the text, placing a circle around the new text, or by writing the text in by hand. The text being struck through or added is shown in the marked-up CTS and ISTS pages in Enclosures 2

(CTS pages) and 5 (ISTS and ISTS Bases pages) for each ITS section attachment to the application. Another convention of the common methodology is that the technical justifications for the less restrictive changes are included in the NHSCs.

The proposed changes can be grouped into the following four categories: relocated requirements, administrative changes, less restrictive changes involving deletion of requirements, and more restrictive changes. These categories are as follows:

1. Relocated requirements (i.e., the licensee's LG or R changes) are items which are in the CTS but do not meet the criteria set forth in the Final Policy Statement. The Final Policy Statement establishes a specific set of objective criteria for determining which regulatory requirements and operating restrictions should be included in the TS. Relocation of requirements to documents with an established control program, controlled by the regulations or the TS, allows the TS to be reserved only for those conditions or limitations upon reactor operation which are necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety, thereby focusing the scope of the TS. In general, the proposed relocation of items from the CTS to the Updated Safety Analysis Report (USAR), appropriate plant-specific programs, station procedures, or ITS Bases follows the guidance of NUREG-1431. Once these items have been relocated to other licensee-controlled documents, the licensee may revise them under the provisions of 10 CFR 50.59 or other NRC-approved control mechanisms, which provide appropriate procedural means to control changes by the licensee.

2. Administrative changes (i.e., the licensee's A changes) involve the reformatting and rewording of requirements, consistent with the style of the ISTS in NUREG-1431, to make the TS more readily understandable to station operators and other users. These changes are purely editorial in nature, or involve the movement or reformatting of requirements without affecting the technical content. Application of a standardized format and style will also help ensure consistency is achieved among specifications in the TS. During this reformatting and rewording process, no technical changes (either actual or interpretational) to the TS will be made unless they are identified and justified.

3. Less restrictive changes and the deletion of requirements involves portions of the CTS (i.e., the licensee's LS and TR changes) which (1) provide

information that is descriptive in nature regarding the equipment, systems, actions, or surveillances, (2) provide little or no safety benefit, and (3) place an unnecessary burden on the licensee. This information is proposed to be deleted from the CTS and, in some instances, moved to the proposed Bases, USAR, or procedures. The removal of descriptive information to the Bases of the TS, USAR, or procedures is permissible because these documents will be controlled through a process that utilizes 10 CFR 50.59 and other NRC-approved control mechanisms. The relaxations of requirements were the result of generic NRC actions or other analyses. They will be justified on a case-by-case basis for the CPSES and described in the safety evaluation to be issued with the license amendment.

4. More restrictive requirements (i.e., the licensee's M changes) are proposed to be implemented in same areas to impose more stringent requirements that are in the CTS. These more restrictive requirements are being imposed to be consistent with the ISTS. Such changes have been made after ensuring the previously evaluated safety analysis for the CPSES was not affected. Also, other more restrictive technical changes have been made to achieve consistency, correct discrepancies, and remove ambiguities from the TS. Examples of more restrictive requirements include: placing a Limiting Condition for Operation (LCO) on station equipment which is not required by the CTS to be operable; more restrictive requirements to restore inoperable equipment; and more restrictive surveillance requirements.

There are nineteen other proposed changes to the CTS that may be included in the proposed amendment to convert the CTS to the ISTS. These are beyond-scope issues (BSIs) changes in that they are changes to both the CTS and the ISTS. For the CPSES, these are the following:

1. ITS 3.1.7, a new action added for more than one digital rod position indicator per group inoperable.

2. ITS surveillance requirement (SR) 3.2.1.2, frequency, within 24 hours for verifying the axial heat flux hot channel factor is within limit after achieving equilibrium conditions.

3. ITS SR 3.6.3.7, note added to not require leak rate test of containment purge valves with resilient seals when penetration flow path is isolated by leak-tested blank flange.

4. ITS LCO 3.7.15, changes reference for the spent fuel pool level from that above top of fuel stored in racks to that above the top of racks.

5. ITS 5.6.5a.8, adds refueling boron concentration limits to the core operating limits report.

The above five BSIs are given in the licensee's application. The remaining fourteen BSIs may have been revised by the licensee's responses to the NRC requests for additional information (RAIs). The format for the fourteen BSIs listed below is the associated change number, RAI number, RAI response submittal date, and description of the change.

6. Change 10-3-LS-37 (ITS 3/4.4), question Q5.2-1, response letter dated September 24, 1998, the change added an allowance to CTS SR 4.4.9 for the reactor coolant pump flywheel inspection program (ITS 5.5.7) to provide an exception to the examination requirements specified in the CTS SR (i.e., regulatory position C.4.b of NRC Regulatory Guide (RG) 1.14, Revision 1).

7. Change 1-22-M (ITS 3/4.3), question Q3.3-49, response letter dated November 24, 1998, the change is given in the application. Quarterly channel operational tests (COTs) would be added to CTS Table 4.3-1 for the power range neutron flux-low, intermediate range neutron flux, and source range flux trip functions. The CTS only require a COT prior to startup for these functions. New Note 17 would be added to require that the new quarterly COT be performed within 12 hours after reducing power below P-10 for the power range and intermediate range instrumentation (P-10 is the dividing point marking the Applicability for these trip functions), if not performed within the previous 92 days. In addition, Note 9 is revised such that the P-6 and P-10 interlocks are verified to be in their required state during all COTs on the power range neutron flux-low and intermediate range neutron flux trip functions.

8. Change 1-7-LS-3 (ITS 3.4/3), question Q3.3-107, response letter dated November 24, 1998, the changes are given in the application and would (1) extend the completion time for CTS Action 3.b from no time specified to 24 hours for channel restoration or changing the power level to either below P-6 or above P-10, (2) reduce the applicability of the intermediate range neutron flux channels and deleted CTS Action 3.a as being outside the revised applicability, and (3) add a less restrictive new action that requires immediate suspension of operations involving positive reactivity additions and a power reduction below P-6 within 2 hours, but no longer requires a reduction to Mode 3. The changes would be to CTS Table 3.3-1 (Action 3

and New Action 3.1, and Function #5 and Footnote h to its applicable modes).

9. Change 1-9-A (ITS 5.0), question Q5.2-1, response letter dated September 24, 1998, a new administrative change added to the application. The CTS 6.2.2.e requirements concerning overtime would be replaced by a reference to administrative procedures for the control of working hours.

10. Change 1-15-A (ITS 5.0), question Q5.2-1, response letter dated September 24, 1998, a new administrative change added to the application. The purposed change would revise CTS 6.2.2.G to eliminate the title of Shift Technical Advisor. The engineering expertise is maintained on shift, but a separate individual would not be required as allowed by a Commission Policy Statement.

11. Change 2-18-A (ITS 5.0), question Q5.2-1, response letter dated September 24, 1998, a new administrative change added to the application. The dose rate limits in the Radioactive Effluent Controls Program for releases to areas beyond the site boundary would be revised to reflect 10 CFR Part 20 requirements.

12. Change 2-22-A (ITS 5.0), question Q5.2-1, response letter dated September 24, 1998, a new administrative change added to the application. The Radioactive Effluents Controls Program would be revised to include clarification statements denoting that the provisions of CTS 4.0.2 and 4.0.3, which allow extensions to surveillance frequencies, are applicable to these activities.

13. Change 3-11-A (ITS 5.0), question Q5.2-1, response letter dated September 24, 1998, the proposed change would revise the 3-11-A change submitted in the application. CTS 6.12, which provides high radiation area access control alternatives pursuant to 10 CFR 20.203(c)(2), would be revised to meet the current requirements in 10 CFR Part 20 and the guidance in NRC RG 8.3.8, on such access controls.

14. Change 3-18-LS-5 (ITS 5.0), question Q5.2-1, response letter dated September 24, 1998, a new less restrictive change added to the application. The CTS 6.9.1.5 requirement to provide documentation of all challenges to the power operated relief valves (PORVs) and safety valves on the reactor coolant system would be deleted. This is based on NRC Generic Letter 97-02 which reduced requirements for submitting such information to the NRC and did not include these valves for information to be submitted.

15. Change 3.19-A (ITS 5.0), question Q5.2-1, response letter dated September 24, 1998, the administrative change is

being withdrawn with the licensee submitting change 3-11-A above.

16. Change 10-20-LS-39 (ITS 3/4.7), question Q3.7.10-14, response letter dated October 21, 1998, the change is given in the application and would revise and add an action to CTS LCO 3.7.7.1, for ventilation system pressure envelope degradation, that allows 24 hours to restore the CR pressure envelope through repairs before requiring the unit to perform an orderly shutdown. The new action has a longer allowed outage time than LCO 3.0.4 which the CTS would require to be entered immediately. This change recognizes that the ventilation trains associated the pressure envelope would still be operable.

17. Change 4-8-LS-34 (ITS 3/4.4), question Q3.4.11-2, response letter dated September 24, 1998, the change is given in the application and would limit the CTS SR 4.4.4.2 requirement to perform the 92 day surveillance of the pressurizer PORV block valves and the 18 month surveillance of the pressurizer PORVs (i.e., perform one complete cycle of each valve) to only Modes 1 and 2.

18. Change 4-9-LS-36 (ITS 3/4.4), question Q3.4.11-4, response letter dated September 24, 1998, the Change 4-9-LS-4 is revised to add a note to Action d for CTS LCO 3.4.4 that would state that the action does not apply when the PORV block valves are inoperable as a result of power being removed from the valves in accordance Action b or c for an inoperable PORV.

19. Change 1-60-A (ITS 3/4.3), question TR 3.3-007, followup items letter dated December 18, 1998, a new administrative change is being added to the application. The change would revise the frequency for performing the trip actuating device operational test (TADOT) in CTS Table 4.3-1 for the turbine trip (functional units 16.a and 16.b) to be consistent with the modes for which the surveillance is required. This would be adding a footnote to the TADOT that states "Prior to exceeding the P-9 interlock whenever the unit has been in Mode 3."

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed conversion of the CTS to the ITS for CPSES, including the beyond-scope issues discussed above. Changes which are administrative in nature have been found to have no effect on the technical content of the TS. The increased clarity and understanding these changes bring to the TS are expected to improve the operators control of CPSES in normal and accident conditions.

Relocation of requirements from the CTS to other licensee-controlled documents does not change the requirements themselves. Future changes to these requirements may then be made by the licensee under 10 CFR 50.59 and other NRC-approved control mechanisms which will ensure continued maintenance of adequate requirements. All such relocations have been found consistent with the guidelines of NUREG-1431 and the Commission's Final Policy Statement.

Changes involving more restrictive requirements have been found to enhance station safety.

Changes involving less restrictive requirements have been reviewed individually. When requirements have been shown to provide little or no safety benefit, or to place an unnecessary burden on the licensee, their removal from the TS was justified. In most cases, relaxations previously granted to individual plants on a plant-specific basis were the result of a generic action, or of agreements reached during discussions with the OG, and found to be acceptable for the station. Generic relaxations contained in NUREG-1431 have been reviewed by the NRC staff and found to be acceptable.

In summary, the proposed revisions to the TS were found to provide control of station operations such that reasonable assurance will be provided that the health and safety of the public will be adequately protected.

The proposed actions will not increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released off site, and there is no significant increase in the occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential non-radiological impacts, the proposed action does not involve any historic sites. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the Commission concludes that there are no significant environmental impacts associated with the proposed action.

Alternatives to the Proposed Action

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the "no-action" alternative). 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 similar.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for CPSES.

Agencies and Persons Consulted

In accordance with its stated policy, on January 26, 1999, the staff consulted with the Texas State official, Mr. Arthur Tate of the Texas Department of Health, Bureau of Radiation Control, regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

On the basis of 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 application dated May 15, 1997, as supplemented by the eleven letters in 1998 dated June 26, August 5, August 28, September 24, October 21, October 23, November 24 (two letters), December 11, December 17, December 18, and three letters in 1999 dated February 3, which are 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 University of Texas at Arlington Library, Government Publications/Maps, 702 College, P.O. Box 19497, Arlington, TX 76019.

Dated at Rockville, Maryland, this 8th day of February 1999.

For the Nuclear Regulatory Commission.

John N. Hannon,

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

[FR Doc. 99-3496 Filed 2-10-99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 40-3453; License No. SUA-917]

Atlas Corporation Receipt of Petition for Director's Decision Under 10 CFR 2.206

Notice is hereby given of receipt of a Petition dated January 11, 1999, filed on behalf of the Grand Canyon Trust and