NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–237, 50–249, 50–254, and 50–265]

Exelon Generation Company, LLC, Dresden Nuclear Power Station, Units 2 and 3, Quad Cities Nuclear Power Station, Units 1 and 2; Exemption

1.0 Background

The Exelon Generation Company, LLC (the licensee) is the holder of Facility Operating License Nos. DPR–19 and DPR–25, which authorize operation of the Dresden Nuclear Power Station, Units 2 and 3 (Dresden), and Facility Operating License Nos. DPR–29 and DPR–30, which authorize operation of the Quad Cities Nuclear Power Station, Units 1 and 2 (Quad Cities). The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC, the Commission) now or hereafter in effect.

The Dresden facility consists of two boiling-water reactors located in Grundy County, Illinois, and the Quad Cities facility consists of two boiling-water reactors located in Rock Island County, Illinois.

2.0 Request/Action

Title 10 of the Code of Federal Regulations (10 CFR), part 50, section 50.71, paragraph (e)(4) requires that subsequent revisions to the Updated Final Safety Analysis Report (UFSAR) be submitted periodically to the NRC provided that the interval between successive updates does not exceed 24 months. The Dresden and Quad Cities UFSAR revisions are currently submitted on a 24-month cycle. The next scheduled date for submittal of the revised UFSAR for Dresden is June 30, 2003, and for Quad Cities is October 20, 2003. The licensee proposes to submit revised UFSARs along with Operating License Renewal Applications (LRAs) for Dresden and Quad Cities in January 2003, and to resume the established schedule for submittal of UFSAR revisions for Dresden on June 30, 2005, and for Quad Cities on October 20, 2005. An exemption is required because 10 CFR 50.71(e)(4) requires that subsequent revisions to the UFSAR be submitted periodically to the NRC provided that the interval between successive updates does not exceed 24 months.

3.0 Discussion

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 50 when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present. These circumstances include the special circumstances that compliance would result in undue hardship or other costs that are significantly in excess of those contemplated when the regulation was adopted, or that are significantly in excess of those incurred by others similarly situated.

The underlying purpose of the regulation is to ensure the UFSAR contains the latest information and analyses submitted to the NRC by the licensee or prepared by the licensee pursuant to NRC requirement since the submittal of the original final safety analysis report, or, as appropriate, since the last update to the final safety analysis report submitted under 10 CFR 50.71(e).

The staff examined the licensee's rationale to support the exemption request and concluded that granting it would meet the underlying purpose of 10 CFR part 50. Consistent with previous applicants and in order to facilitate the review of LRAs for Dresden and Quad Cities, the licensee plans to submit revised copies of each station's UFSAR along with the LRAs in January 2003. Submitting the revised UFSARs with the LRAs in January 2003 will result in submittal of the revisions for Dresden and Quad Cities earlier than their normal due dates. Revised UFSARs are necessary to facilitate NRC review of the LRAs due to numerous changes approved for the stations since the last revisions, including modifications due to extended power uprates, fuel type changes, and numerous other license amendments. A revised UFSAR is an integral element of the technical resources used by the NRC for the review of an LRA. The licensee maintains the UFSARs current with controlled and approved procedures which track and account for all changes for subsequent incorporation. The licensee UFSAR control process ensures that the UFSARs are maintained as required by NRC regulations. The proposed action only alters the schedule for submittal of the UFSAR revisions on a one-time basis. The requested exemption will only provide temporary relief from the applicable regulation and does not jeopardize the health and safety of the public. The licensee plans to resume the established schedule for submittal of the UFSAR revisions in 2005 for both stations. Also, the licensee plans to submit all other documents incorporated by reference in the UFSARs on the regularly scheduled dates in 2003.

10 CFR 50.12(a)(2)(iii) requires that special circumstances are present whenever compliance would result in undue hardship or other costs that are significantly in excess of those contemplated when the regulation was adopted, or that are significantly in excess of those incurred by others similarly situated. If the exemption is not granted, the licensee will have to prepare multiple UFSAR revision submittals within a ten-month period. Resetting the schedule for UFSAR update submittals to every other year in January would also result in undue hardship due to the scheduling of resources towards the end and beginning of the year. The staff finds that the licensee merits the required special circumstances under 10 CFR 50.12(a)(2)(iii).

Therefore, the staff concludes that pursuant to 10 CFR 50.12(a)(2), a one-time exemption is authorized from the requirements of 10 CFR 50.71(e)(4) to allow extension of the submittal of revisions to the Dresden and Quad Cities UFSARs until June 30, 2005, and October 20, 2005, respectively.

4.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Also, special circumstances are present. Therefore, the Commission hereby grants Exelon Generation Company, LLC a one-time exemption for Dresden and Quad Cities from the requirement of 10 CFR 50.71(e)(4) that subsequent revisions to the UFSAR be submitted periodically to the NRC provided that the interval between successive updates does not exceed 24 months. The exemption is granted based upon the licensee's intention to submit updated UFSARs along with LRAs in January 2003, as stated in the letter from K. Jury (licensee) to NRC Document Control Desk, ''Request for Schedular Exemption for Biennial Submittal of Revised Updated Safety Analysis Reports (UFSARs) to Support Operating License Renewal Application,'' dated August 9, 2002.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (67 FR 59580).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 2nd day of October 2002.

For the Nuclear Regulatory Commission.

John A. Zwolinski,

Director, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 02–25387 Filed 10–4–02; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50–410]

Nine Mile Point Nuclear Station, LLC, Nine Mile Point Nuclear Station, Unit No. 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from title 10 of the Code of Federal Regulations (10 CFR) Section 54.17(c) for Facility Operating License No. NPF–69, issued to Nine Mile Point Nuclear Station, LLC (NMPNS), for operation of Nine Mile Point Nuclear Station, Unit No. 2 (NMP2) located in Oswego County, New York. Therefore, as required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

Environmental Assessment

Identification of the Proposed Action

The proposed action would grant a schedular exemption from the provision of 10 CFR 54.17(c), which stipulates that a licensee may not apply for a renewed operating license earlier than 20 years before the current license expires. The exemption would allow NMPNS to submit a renewal application for NMP2 earlier than 20 years before expiration of its operating license.

The Need for the Proposed Action

The proposed action would allow NMPNS to submit one application for renewal of the operating licenses of both nuclear units located at the site, with the goal of attaining efficiencies for preparation and review of the application.

Environmental Impacts of the Proposed Action

The NRC has completed its evaluation of the proposed action and concludes that the issuance of the proposed exemption will not have a significant environmental impact. The proposed schedular exemption pertains solely to the future submission of an application to renew the NMP2 operating license. It causes no changes to the current design or operation of NMP2, and imparts no prejudice in the future review of the application for license renewal.

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

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

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

Environmental Impacts of the 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

The action does not involve the use of any different resource than those previously considered in the Final Environmental Statement for NMP2, dated June 1973.

Agencies and Persons Consulted

On September 27, 2002, the NRC staff consulted with the New York State official, Mr. John P. Spath of the New York State Energy Research and Development Authority, 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 NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC 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 January 4, 2002, as supplemented on June 27, 2002. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, *http://www.nrc.gov/reading-rm/adams.html.* Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1–800–397–4209 or 301–415–4737, or by e-mail to *pdr@nrc.gov.*

Dated at Rockville, Maryland, this 1st day of October 2002.

For the Nuclear Regulatory Commission.

Peter S. Tam,

Senior Project Manager, Section 1, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

Workshop on Key Issues Related to the Licensing of Future Non-Light Water Reactors; Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of intent; correction.

SUMMARY: This document corrects a document appearing in the **Federal Register** on September 26, 2002 (67 FR 60702), that informs the public that the NRC has underway preapplication reviews of advanced reactor designs. This action is necessary to correct an erroneous address for the meeting location.

ADDRESSES: The workshop will be held at the Double Tree Hotel, 1750 Rockville Pike, Rockville, Maryland.

FOR FURTHER INFORMATION CONTACT: Dr. Farouk Eltawila, Director, Division of Systems Analysis and Regulatory Effectiveness, Office of Nuclear Regulatory Research, Mail Stop T–10 F32, telephone (301) 415–7499; Internet: *FXE@nrc.gov,* U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.