

percent (w/o) Uranium 235 (U-235 in the spent fuel storage racks. An enrichment manufacturing tolerance of  $\pm 0.05$  percent U-235 about the nominal value was incorporated into the analysis.

The purposed action is in accordance with the licensee's application for amendment dated November 7, 1994, as supplemented by letter dated December 16, 1994.

#### *The Need for Proposed Action*

The proposed changes are needed so that the licensee can use higher fuel enrichment to provide the flexibility of extending the fuel irradiation and to reduce the number of new fuel assemblies required per reload which will reduce spent fuel storage space requirements.

#### *Environmental Impacts of the Proposed Action*

The Commission has completed its evaluation of the proposed revisions to the TS. The proposed revisions would permit use of fuel enriched to a nominal 5.0 weight percent U-235. The safety considerations associated with reactor operation with higher enrichment and extended irradiation have been evaluated by the NRC staff. The staff has concluded that such changes would not adversely affect plant safety. The proposed changes have no adverse effect on the probability of any accident. The higher enrichment, with fuel burnup to 60,000 megawatt days per metric ton Uranium, may slightly change the mix of fission products that might be released in the event of a serious accident, but such small changes would not significantly affect the consequences of serious accidents. No changes are being made in the types or amounts of any radiological effluents that may be released offsite. There is no significant increase in the allowable individual or cumulative occupational radiation exposure.

The environmental impacts of transportation resulting from the use of higher enrichment fuel and extended irradiation were published and discussed in the staff assessment entitled, "NRC Assessment of the Environmental Effects of Transportation Resulting from Extended Fuel Enrichment and Irradiation," dated July 7, 1988, and published in the **Federal Register** (53 FR 30355) on August 11, 1988, as corrected on August 24, 1988 (53 FR 32322) in connection with Shearon Harris Nuclear Power Plant, Unit 1: Environmental Assessment and Finding of No Significant Impact. As indicated therein, the environmental cost contribution of the proposed

increase in the fuel enrichment and irradiation limits are either unchanged or may, in fact, be reduced from those summarized in Table S-4 as set forth in 10 CFR 51.52(c). These findings are applicable to Byron, Units 1 and 2, and Braidwood, Units 1 and 2. Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed amendment.

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

#### *Alternative to the Proposed Action*

Since the Commission concluded that there are no significant environmental effects that would result from the proposed action, any other alternative would have equal or greater environmental impacts and need not be evaluated.

As an alternative to the proposed action, the staff considered denial of the proposed action. Denial of the application would result in a 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 related to operation of Byron, Units 1 and 2, and Braidwood, Units 1 and 2.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, the staff consulted with the Illinois State Official regarding the environmental impact of the proposed action. The State official had no comments.

#### **Finding of No Significant Impact**

Based upon the foregoing environmental assessment, we conclude 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 license amendments.

For further details with respect to this action, see the application for amendments dated November 7, 1994, as supplemented by letter dated

December 16, 1994, 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 for Byron Station, the Byron Public Library, 109 N. Franklin, P.O. Box 434, Byron, Illinois, and for Braidwood Station, the Wilmington Township Public Library, 201 S. Kankakee Street, Wilmington, Illinois.

Dated at Rockville, Maryland, this 13th day of January 1995.

For the Nuclear Regulatory Commission.

**Clyde Y. Shiraki,**

*Acting Director, Project Directorate III-2, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.*

[FR Doc. 95-1473 Filed 1-19-95; 8:45 am]

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#### **Advisory Committee on Reactor Safeguards; Subcommittee Meeting on Thermal Hydraulic Phenomena; Notice of Meeting**

The ACRS Subcommittee on Thermal Hydraulic Phenomena will hold a meeting on January 27, 1995, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed to discuss General Electric Nuclear Energy (GENE) proprietary information pursuant to (5 U.S.C. 552b(c)(4)).

The agenda for the subject meeting shall be as follows:

#### **Friday, January 27, 1995—8:30 a.m. Until the Conclusion of Business**

The Subcommittee will continue its review of the issues associated with the NRC staff Safety Evaluation Report supporting modifications to the Emergency Procedure Guidelines to address BWR core power stability/ATWS. The purpose of this meeting is to gather information, analyze relevant issues and facts, and to formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Subcommittee, its consultants, and staff. Persons desiring to make oral statements should notify the cognizant ACRS staff engineer

named below five days prior to the meeting, if possible, so that appropriate arrangements can be made.

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC staff, BWR Owners' Group, GENE, their consultants, and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting the cognizant ACRS staff engineer, Mr. Paul A. Boehnert (telephone 301/415-8065) between 7:30 a.m. and 4:15 p.m. (EST). Persons planning to attend this meeting are urged to contact the above named individual on the working day prior to the meeting to be advised of any potential changes in the proposed agenda, etc., that may have occurred.

Dated: January 13, 1995.

**Sam Duraiswamy,**

*Chief, Nuclear Reactors Branch.*

[FR Doc. 95-1471 Filed 1-19-95; 8:45 am]

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**[Docket No. 50-237]**

**Commonwealth Edison Company;  
(Dresden Nuclear Power Station, Unit  
2); Exemption**

**I**

Commonwealth Edison Company (ComEd, the licensee) is the holder of Facility Operating License No. DPR-19, which authorizes operation of the Dresden Nuclear Power Station, Unit 2 (the facility), at a steady-state power level not in excess of 2527 megawatts thermal. The facility is a boiling water reactor located at the licensee's site in Grundy County, Illinois. This license provides, among other things, that the facility is subject to all rules, regulations, and Orders of the U.S. Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

**II**

By letter dated November 23, 1994, pursuant to 10 CFR 50.12(a), ComEd requested a schedular exemption for Dresden, Unit 2, from the 24-month test interval for the Type B and C local leak rate test (LLRT) as required by 10 CFR

Part 50, Appendix J, Sections III.D.2(a) and III.D.3. The exemption is requested to avoid a potential reactor shut down to perform the Type B and C tests.

Due to two forced outages, ComEd has had to reschedule the Dresden, Unit 2, refueling outage from February 1995 to July 1995. Subsequently, ComEd requested a maximum extension of up to an additional 180 days for the most extreme case, from performing the Type B and C testing. The Type B and C tests cannot be performed during power operation.

**III**

In its letter dated November 23, 1994, ComEd requested a one-time exemption from the 24-month Type B and C test interval requirements of Appendix J for certain volumes (i.e., bellows, manway gasket seals, flanges, and isolation valves) identified in Attachment III of the licensee's submittal. ComEd stated that these volumes cannot be tested while the reactor is at power and provided the basis for this conclusion in Attachment IV of their submittal.

The licensee provided leakage test results and maintenance information on these volumes for the past two refueling outages. The current maximum pathway leakage rate for Dresden, Unit 2, as determined through Type B and C leak rate testing, is 309.46 standard cubic feet per hour (scfh). This value is approximately 63 percent of the Technical Specification (TS) limit of 488.45 scfh (0.6L<sub>a</sub>). In addition, the previous outage "as left" total minimum pathway leakage rate for Type B and C testable penetrations was 173.25 scfh.

The Type A integrated leak rate test, which obtains the summation of all potential leakage paths (including containment welds, valves, fittings, and penetrations) was performed on May 14, 1993. The resulting leakage from the test was 493.36 scfh. This value is approximately 80.8 percent of the limit specified in the TS (0.75 L<sub>a</sub>).

In order to provide an added margin of safety and to account for possible increases in the leakage rates of untested volumes during the relatively short period of the exemption, Dresden Nuclear Power Station, Unit 2, will impose an administrative limit for maximum pathway leakage of 80 percent of 0.6L<sub>a</sub> for the remaining Unit 2 fuel cycle.

To reduce the number of volumes which need an exemption, ComEd will test the volumes listed in Attachment V of their submittal during reactor operation. In addition, volumes listed in Attachment III of their submittal will be tested should a forced outage of suitable duration occur prior to July 16, 1995.

The staff has reviewed ComEd's submittal regarding the Appendix J test interval exemption request. In summary, the staff finds that, for the specific volumes listed in Attachment III of ComEd's submittal, extending the schedule for the required Type B and C tests by 180 days will not affect containment integrity based on the following:

1. Testing has shown low "as found" leakage during the past two outages. The ample margin between the measured leakage and the allowable leakage should accommodate any degradation likely to be experienced for these components during the extended period.

2. The intent of Appendix J was that Type B and C testing be performed during a refueling outage. It is not the intent of Appendix J to require a shutdown solely for surveillance testing. The exemption would provide relief from the requirements of Appendix J to allow a test interval extension for these components which only became necessary as a result of rescheduling the Unit 2, Cycle 14, refueling outage.

Based on the above discussion, the staff finds that for the component volumes identified in Attachment III of ComEd's submittal, an exemption from the LLRT test frequency specified in Appendix J should be granted.

**IV**

Based on the above, the staff concludes that the licensee's proposed extension of the test intervals for test components identified in its submittal is acceptable. This is a one-time exemption from the Type B and C test interval requirements as prescribed in Appendix J, and is intended to be in effect until July 16, 1995. This approval is based on the assumption that all other tests will be conducted in accordance with the requirements of Appendix J.

The Commission's regulations at 10 CFR 50.12 provide that special circumstances must be present in order for an exemption from the regulations to be granted. According to 10 CFR 50.12(a)(2)(ii), special circumstances are present whenever application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule. The underlying purpose of the requirement to perform Type B and Type C containment leak rate tests at intervals not to exceed 2 years, is to ensure that any potential leakage pathways through the containment boundary are identified within a time span that prevents significant degradation from continuing