

building spray suction piping, were full of water.

FPC's letter of April 12, 1999, informed the staff that the request was being withdrawn because FPC had resolved the fire protection analyses concerns in a manner that allows valves DHV-34 and DHV-35 to be restored to the normally open standby configuration. With restoration of the valves to the normally open standby position, the need for the proposed amendment no longer existed.

For further details with respect to this action, see the application for amendment dated October 16, 1998, as supplemented December 22, 1998, and FPC's withdrawal letter dated April 12, 1999, 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 Coastal Region Library, 8619 W. Crystal Street, Crystal River, Florida.

Dated at Rockville, MD, this 27th day of April 1999.

For the Nuclear Regulatory Commission.

Leonard A. Wiens,

Senior Project Manager, Section 2, Project Directorate II, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-361 and 50-362]

Southern California Edison Company (San Onofre Nuclear Generating Station, Unit Nos. 2 and 3); Exemption

I

Southern California Edison Company (SCE, the licensee) is the holder of Facility Operating License Nos. NPF-10 and NPF-15, which authorize operation of the San Onofre Nuclear Generating Station, Units 2 and 3. The licenses provide, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

These facilities consist of two pressurized water reactors located at the licensee's site in San Clemente, California.

II

Section 50.71 of Title 10 of the Code of Federal Regulations (10 CFR), "Maintenance of records, making reports," paragraph (e)(4) states, in part, that "Subsequent revisions must be filed

annually or 6 months after each refueling outage provided the interval between successive updates to the FSAR does not exceed 24 months." The two San Onofre Nuclear Generating Station (SONGS) units share a common Final Safety Analysis Report (FSAR); therefore, this rule requires the licensee to update the same document within six months after a refueling outage for each unit.

III

Section 50.12(a) of 10 CFR, "Specific exemptions," states that:

The Commission may, upon application by any interested person, or upon its own initiative, grant exemptions from the requirements of the regulations of this part, which are (1) Authorized by law, will not present an undue risk to public health and safety, and are consistent with the common defense and security. (2) The Commission will not consider granting an exemption unless special circumstances are present.

Section 50.12(a)(2)(ii) of 10 CFR states that special circumstances are present when "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 licensee's proposed schedule for FSAR updates, 6 months following every Unit 3 refueling outage, but not exceeding 24 months, will ensure that the SONGS FSAR will be maintained current within 24 months of the last revision. The proposed schedule fits within the 24-month duration specified by 10 CFR 50.71(e)(4). Literal application of 10 CFR 50.71(e)(4) would require the licensee to update the same document within 6 months following a refueling outage for either unit, a more burdensome requirement than intended. Accordingly, the Commission has determined that special circumstances are present as defined in 10 CFR 50.12(a)(2)(ii).

IV

The Commission has determined that, pursuant to 10 CFR 50.12, 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, and is otherwise in the public interest. Therefore, the Commission hereby grants Southern California Edison Company an exemption from the requirements of 10 CFR 50.71(e)(4) to submit updates to the SONGS UFSAR within 6 months following every Unit 3 refueling, not to exceed 24 months, beginning 6 months after the next Unit 3 refueling outage or 24 months from

the last update of the SONGS UFSAR, whichever is sooner.

Pursuant to 10 CFR 51.32, the Commission has determined that granting of this exemption will have no significant effect on the environment (64 FR 14470).

This exemption is effective upon issuance.

Dated at Rockville, MD, this 27th day of April 1999.

For the Nuclear Regulatory Commission.

John A. Zwolinski,

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

[FR Doc. 99-11022 Filed 4-30-99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 72-2 (50-280/281)]

Virginia Electric and Power Co. Surry Independent Spent Fuel Storage Installation; Exemption

I

Virginia Electric and Power Company (Virginia Power), the licensee, holds Materials License SNM-2501 for receipt and storage of spent fuel from the Surry Power Station at an independent spent fuel storage installation (ISFSI) located on the Surry Power Station site. The facility is located in Surry County, Virginia.

II

Pursuant to 10 CFR 72.7, the Nuclear Regulatory Commission (NRC) may grant exemptions from the requirements of the regulations in 10 CFR part 72 as it determines are authorized by law, will not endanger life or property or the common defense and security, and are otherwise in the public interest.

Section 72.72(d) of 10 CFR part 72 requires each licensee to keep duplicate records of spent fuel and high-level radioactive waste in storage. The duplicate set of records must be kept at a separate location sufficiently remote from the original records that a single event would not destroy both sets of records. The applicant stated that, pursuant to 10 CFR 72.140(d), the Virginia Power Operational Quality Assurance (QA) Program Topical Report will be used to satisfy the QA requirements for the ISFSI. The QA Program Topical Report states that QA records are maintained in accordance with commitments to ANSI N45.2.9-1974. ANSI N45.2.9-1974 allows for the storage of QA records in a duplicate storage location sufficiently remote from

the original records or in a record storage facility subject to certain provisions designed to protect the records from fire and other adverse conditions. The applicant seeks to streamline and standardize recordkeeping procedures and processes for the Surry Power Station and ISFSI spent fuel records. The applicant states that requiring a separate method of record storage for ISFSI records diverts resources unnecessarily.

ANSI N45.2.9-1974 provides requirements for the protection of nuclear power plant QA records against degradation. It specifies design requirements for use in the construction of record storage facilities when use of a single storage facility is desired. It includes specific requirements for protection against degradation mechanisms such as fire, humidity, and condensation. The requirements in ANSI N45.2.9-1974 have been endorsed by the NRC in Regulatory Guide 1.88, "Collection, Storage and Maintenance of Nuclear Power Plant Quality Assurance Records," as adequate for satisfying the recordkeeping requirements of 10 CFR Part 50, Appendix B. ANSI N45.2.9-1974 also satisfies the requirements of 10 CFR 72.72 by providing for adequate maintenance of records regarding the identity and history of the spent fuel in storage. Such records would be subject to and need to be protected from the same types of degradation mechanisms as nuclear power plant QA records.

III

By letter dated September 10, 1998, Virginia Power requested an exemption from the requirement in 10 CFR 72.72(d) which states in part that "Records of spent fuel and high-level radioactive waste in storage must be kept in duplicate. The duplicate set of records must be kept at a separate location sufficiently remote from the original records that a single event would not destroy both sets of records." The applicant proposes to maintain a single set of spent fuel records in storage at a record storage facility that satisfies the requirements set forth in ANSI N45.2.9-1974.

IV

The staff considered the applicant's request and determined that granting the proposed exemption from the requirements of 10 CFR 72.72(d) is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. The staff grants the exemption, subject to the following conditions:

(1) Virginia Power may maintain records of spent fuel and high-level radioactive waste in storage either in duplicate as required by 10 CFR 72.72(d), or alternatively, a single set of records may be maintained at a record storage facility that satisfies the standards set forth in ANSI N45.2.9-1974.

(2) All other requirements of 10 CFR 72.72(d) shall be met.

The documents related to this proposed action are available for public inspection and for copying (for a fee) at the NRC Public Document Room, 2120 L Street, NW, Washington, DC 20555 and at the Local Public Document Room at the College of William and Mary, Swem Library, Williamsburg, Virginia 23185.

Pursuant to 10 CFR 51.32, NRC has determined that granting this exemption will have no significant impact on the quality of the human environment (64 FR 14277).

This exemption is effective upon issuance.

Dated at Rockville, MD, this 22nd day of April 1999.

For the Nuclear Regulatory Commission.
E. William Brach,
Director, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.
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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-275 and 50-323]

Pacific Gas and Electric Company; Diablo Canyon Power Plant, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an exemption from certain requirements of its regulations for Facility Operating License Nos. DPR-80 and DPR-82 that were issued to Pacific Gas and Electric Company (the licensee) for operation of the Diablo Canyon Power Plant (DCPP) Units 1 and 2, located in San Luis Obispo County, California.

Environmental Assessment

Identification of the Proposed Action

The proposed action would exempt Pacific Gas and Electric Company (PG&E) from the requirements of 10 CFR 50.60 and 10 CFR Part 50, Appendix G, to allow use of the American Society of Mechanical Engineers (ASME) Code Case N-514 as an alternate method for establishing the setpoints for the low

temperature overpressure protection (LTOP) systems that have been installed for overpressure protection of the DCPD reactor coolant pressure boundary.

The proposed action is in accordance with the licensee's application for exemption dated September 3, 1998, as supplemented by letters dated January 22, February 5, and March 17, 1999.

The Need for the Proposed Action

The provisions of 10 CFR 50.60 and 10 CFR Part 50, Appendix G, restrict the operating conditions for the DCPD reactor coolant systems from exceeding the pressure/temperature (P/T) limits established in compliance with Appendix G to Section XI of the ASME Boiler and Pressure Vessel Code. The requirements in 10 CFR Part 50 were established to protect the integrity of the reactor coolant pressure boundary in nuclear power plants. As part of these requirements, 10 CFR Part 50, Appendix G, requires that the P/T limits be established for reactor pressure vessels during normal and hydrostatic or leak rate testing conditions. Specifically, 10 CFR Part 50, Appendix G, states that "The appropriate requirements on . . . the pressure-temperature limits and minimum permissible temperature must be met for all conditions." Pressurized water reactor licensees have installed cold overpressure mitigation systems (COMS)/low temperature overpressure protection systems (LTOP) in order to protect the reactor coolant pressure boundaries from being operated outside of the boundaries established by the P/T limit curves and to provide pressure relief of the reactor coolant pressure boundaries during low temperature overpressurization events. DCPD technical specifications require them to update and submit the changes to its LTOP setpoints whenever PG&E is requesting approval for amendments to the P/T limit curves. The use of Code Case N-514 would provide an acceptable level of safety against overpressurization events of the DCPD reactor pressure vessels. Based on the conservatism that is incorporated into the methods of Appendix G of the Section XI to the ASME Code for calculating P/T limit curves, it is concluded that permitting the LTOP setpoints to be established in accordance with the Code Case (e.g., at a level ≤ 110 percent of the limit defined by the P/T limit curves) would provide an adequate margin of safety against brittle fracture failure of the reactor pressure vessels. Therefore, the requirements of 10 CFR Part 50, Appendix G and Appendix G to Section XI of the ASME Code, are not necessary