detected excessive leakage from the containment.

Administrative controls govern the maintenance, modification and testing of containment penetrations such that the probability of excessive penetration leakage due to improper maintenance or valve misalignment is very low. Following maintenance or modifications to any containment penetration, a leak rate test is performed to ensure acceptable leakage levels. Following any LLRT on a containment isolation valve, an independent valve alignment check is performed. Therefore, Type A testing is not necessary to ensure acceptable leakage rates through containment penetrations.

While Type A testing is not necessary to ensure acceptable leakage rates through containment penetrations, Type A testing is necessary to demonstrate that leakage through the containment liner is within limits assumed in the accident analyses. Structural failure of the containment is considered to be a very unlikely event, and in fact, since Calvert Cliffs Unit 2 has been in operation, the Type A tests have demonstrated no evidence that containment leakage will exceed that assumed in the accident analyses prior to the 1999 Type A test. Therefore, a one-time exemption increasing the interval between subsequent Type A tests will not result in a significant degradation in our ability to determine the leak-tightness of the containment structure.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Would not create the possibility of a new or different type of accident from any accident previously evaluated.

The proposed Technical Specification amendment is administrative and will not create the possibility of a new or different type of accident form any accident previously evaluated.

The proposed exemption request does not affect normal plant operations or configuration, nor does it affect leak rate test methods. The proposed change allows a one-time test interval of approximately 72 months for the Type A tests. As the test history of Calvert Cliffs Unit 2 has demonstrated no evidence that containment leakage will exceed that assumed in the accident analyses prior to the 1999 Type A test, the relaxation in schedule should not significantly decrease the confidence in the leak-tightness of the containment.

The proposed change would not change the design, configuration or method of operation of the plant. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Would not involve a significant reduction in a margin of safety.

The purpose of the existing schedule for Type A tests is to ensure that the release of radioactive materials will be restricted to those leak paths and leak rates assumed in accident analyses. A one-time extended interval between successive Type A tests does not change any frequency or

methodology requirements for Type B and C LLRTs. Therefore, methods for detecting local containment leak paths and leak rates are unaffected by this proposed change. Given that the problems identified by the first periodic Type A test were promptly and effectively resolved, and the subsequent Type A test history for Unit 2 shows no containment degradation-related failures, a one-time increase of the test interval does not lead to a significant probability of creating a new leakage path or increased leakage rates.

The proposed Technical Specification change is administrative and eliminates the redundancy between the requirements of Technical Specification 4.6.1.2.a, and 10 CFR part 50, Appendix J, including any approved exemptions to Appendix J. It does not, in itself, change a safety limit, a Limiting Condition for Operation, or a surveillance requirement on equipment required to operate the plant. The NRC must approve any proposed change or exemption to Appendix J, paragraph III.D.1.(a) prior to implementation. As the proposed change does not affect the Type A test acceptance criteria, the margin of safety inherent in existing accident analyses is maintained.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

Although the licensee has included an evaluation of a proposed exemption to 10 CFR part 50, Appendix J. requirements in the above determination of no significant hazards consideration, only the part related to the amendment is pertinent to this notice of proposed amendment. The exemption request will be considered as a separate matter on its own merits. The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves a significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should

the Commission take this action, it will publish in the **Federal Register** a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this Federal Register notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By April 7, 1995, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available 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 Calvert County Library, Prince Frederick, Maryland 20678. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As requiring by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons