

licensed operators to refueling outage organization positions represents a shutdown risk benefit with regard to plant safety.

The Code of Federal Regulations at 10 CFR 55.11 states that, "The Commission may, upon application by an interested person, or upon its own initiative, grant such exemptions from the requirements of the regulations in this part as it determines are authorized by law and will not endanger life or property and are otherwise in the public interest."

#### IV

The Commission has determined that pursuant to 10 CFR 55.11, granting an exemption to NPPD from the requirements in 10 CFR 55.59(a)(1) and (a)(2) is authorized by law and will not endanger life or property and is otherwise in the public interest. This one-time exemption will allow additional licensed operator support during the current refueling outage, which will provide a safety enhancement during plant shutdown operations and post-maintenance testing. The affected licensed operators will continue to demonstrate and possess the required levels of knowledge, skills, and abilities needed to safely operate the plant throughout the extension period via continuation of the current satisfactory licensed operator requalification program. In meeting the requirement for the administration of examinations during the 24 month requalification cycle, the current plant refueling outage could be prolonged without a net benefit to safety, and would otherwise have a detrimental effect on the public interest. Accordingly, the Commission hereby grants Nebraska Public Power District an exemption on a one-time only basis from the schedular requirements of 10 CFR 55.59(a)(1) and (2), to allow the current Cooper Nuclear Station requalification program to be extended beyond 24 months, until March 15, 1996.

Pursuant to 10 CFR 51.32, the Commission has also determined that the issuance of the exemption will have no significant impact on the environment. An Environmental Assessment and Finding of No Significant Impact was noticed in the Federal Register on November 16, 1995 (60 FR 57603).

This exemption is effective upon issuance and expires on March 15, 1996. Dated at Rockville, Maryland this 16th day of November 1995.

For the Nuclear Regulatory Commission.  
Jack W. Roe,  
*Director Division of Reactor Projects—III/IV,  
Office of Nuclear Reactor Regulation.*  
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#### [Docket No. 50-341]

#### **Detroit Edison Co., FERMI, Unit 2; Environmental Assessment and Finding of No Significant Impact**

The U. S. Nuclear Regulatory Commission (the Commission) is considering issuance of a schedular exemption from certain requirements of 10 CFR Part 50, Appendix J, to the Detroit Edison Company (the licensee) for the Fermi, Unit 2, facility located in Monroe County, Michigan.

#### Environmental Assessment

##### *Identification of Proposed Action*

The proposed action would grant a one-time schedular exemption from the requirements of Sections III.D.2(a) and III.D.3 (Type B and Type C tests, respectively) of Appendix J to 10 CFR Part 50 relating to the primary reactor containment leakage testing for water-cooled reactors. Type B and C tests are associated with leakage testing of bellows, manway gasket seals, flanges, and containment isolation valves. Sections III.D.2(a) and III.D.3 require, in part, that Type B and C tests be performed at intervals no greater than 2 years. The purpose of the tests is to assure that leakage through primary reactor containment shall not exceed allowable leakage rate values as specified in the Technical Specifications and that periodic surveillance is performed. The licensee has proposed a one-time exemption to allow a 25-percent extension to the 2-year testing interval.

The proposed action is in accordance with the licensee's application for exemption dated September 1, 1995.

##### *The Need for the Proposed Action*

The proposed action would provide a one-time schedular exemption for Fermi, Unit 2, from the local leak rate test intervals for Type B and C leak rate tests required by 10 CFR Part 50, Appendix J, Sections III.D.2(a) and III.D.3. The exemption is requested to support a revised outage schedule and to avoid the potential for a forced reactor shutdown. If a forced outage is imposed to perform testing, it would present undue hardship and cost in the form of increased radiological exposure. Furthermore, if a forced outage is imposed to perform the required testing,

an additional plant shutdown and startup will be required.

Due to a lengthy turbine outage and power ascension program, the licensee proposed deferring the spring 1996 refueling outage until September 27, 1996. This would permit targeted fuel burnup to be met so that Cycle 6 operation can be conducted as planned. However, the 2-year interval for performing Type B and C tests expires in April 1996. Since these tests cannot be performed when the plant is at power, performance of these tests to meet the 2-year interval would necessitate a plant shutdown. Therefore, Detroit Edison has proposed a one-time exemption to allow a 25-percent extension to the testing interval. This would allow for a maximum Type B and C test interval of 30 months and would permit continued plant operation until the September 27, 1996, outage date.

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

The proposed exemptions will add a one-time only 6-month extension to the Appendix J test intervals for Type B and C testing. As stated in 10 CFR Part 50, Appendix J, the purpose of the primary containment leak rate testing requirements is to ensure that leakage rates are maintained within the Technical Specification requirements and to assure that proper maintenance and repair is performed throughout the service life of the containment boundary components. The requested exemption is consistent with the intent of 10 CFR 50.12(a), in that it represents a one-time only schedular extension of short duration. The required leak tests will still be performed to assess compliance with Technical Specification requirements, albeit later, and to assure that any required maintenance or repair is performed. As noted in Sections III.D.2(a) and III.D.3 of Appendix J, it was intended that the testing be performed during refueling outages or other convenient intervals. Extending the Appendix J intervals by a small amount to reach the next refueling outage will not significantly impact the integrity of the containment boundary, and therefore, will not significantly impact the consequences of an accident or transient in the unlikely event of such an occurrence during the 6-month extended period.

Past Unit 2 local leak rate test data have, in general, demonstrated good leak rate test results. A combined Type B and C leakage rate was established by the licensee at the conclusion of the last refueling outage and a running total leakage is maintained during each operating cycle. This running total