

over a nominal 24 month operating cycle.

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

The Commission has completed its evaluation of the proposed action and concludes that the licensee has provided information supporting the use of a 1.04 multiplier. This multiplier is applied to pool dynamic loads previously calculated for the plant unique analysis report (PUAR), to account for the EMRV setpoint increase and to account for errors in calculations of the PUAR loads due to use of an incorrect EMRV flow rating. The staff has reviewed the licensee's basis for use of the multiplier and finds it acceptable. The staff also finds that the structural analysis of the affected plant components was adequately conservative to demonstrate acceptability of the EMRV setpoint change.

The proposed amendment involves a minor change in the operation of the facility. The change will not increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released offsite, and there is no significant increase in the allowable individual or cumulative occupational radiation exposure. Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed action.

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

#### *Alternatives to the Proposed Action*

Since the Commission has concluded there is no measurable environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact 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 no 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 for the Oyster Creek Nuclear Generating Station.

#### *Agencies and Persons Consulted*

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

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

Based upon the environmental assessment, the Commission concludes 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 action.

For further details with respect to the proposed action, see the licensee's letter dated June 15, 1994, as supplemented by letters dated September 23, and November 3, 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 located at the Ocean County Library, 101 Washington Street, Toms River, NJ 08753.

Dated at Rockville, Maryland, this 8th day of February 1995.

For the Nuclear Regulatory Commission.

**Phillip F. McKee,**

*Director, Project Directorate I-4, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*

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[Docket No. 50-325]

#### **Carolina Power & Light Co.; Facility Operating License**

##### **Exemption**

In the Matter of Carolina Power & Light Co.; (Brunswick Steam Electric Plant, Unit 1).

##### **I**

The Carolina Power & Light Company (the licensee), is the holder of Facility Operating License Nos. DPR-71 and DPR-62 which authorizes operation of the Brunswick Steam Electric Plant (BSEP or the facility), Units 1 and 2, respectively, at steady state power levels not in excess of 2436 megawatts thermal. The facility consists of two boiling water reactors located at the licensee's site in Brunswick County, North Carolina. The license provides, among other things, that BSEP is subject to all rules, regulations and Orders of the Nuclear Regulatory Commission (the

Commission) now and hereafter in effect.

##### **II**

Section III.D.1.(a) of appendix J to 10 CFR part 50 requires the performance of three Type A containment integrated leakage rate tests at approximately equal intervals during each 10-year service period of the primary containment. The third test of each set shall be conducted when the plant is shutdown for the 10-year inservice inspection of the primary containment.

##### **III**

By letter dated November 22, 1994, CP&L requested a one-time exemption from the requirement to perform a set of three Type A tests at approximately equal intervals during each 10-year service period of the primary containment for the Brunswick Steam Electric Plant, Unit 1 (BSEP-1). The requested exemption would permit a one-time extension of the second 10-year service period by approximately 18 months (from the April 1995 refueling outage to the September 1996 refueling outage). The requested temporary relief would permit the third test of the second 10-year service period to correspond with the end of the current American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code) inservice inspection interval.

##### **IV**

Section III.D.1.(a) of appendix J to 10 CFR part 50 states that a set of three Type A leakage tests shall be performed at approximately equal intervals during each 10-year service period.

The requirement to perform a set of three Type A leakage rate tests at approximately equal intervals during each 10-year containment service period provides assurance that containment leakage will not exceed allowable values. Type A leakage rate tests were performed as required by appendix J during the first 10-year containment service period that ended in 1986.

Since the first 10-year service period for BSEP-1 was not aligned with the service period for BSEP-2, CP&L moved the end date for the BSEP-1 back to coincide with the BSEP-2 end date. Therefore, the second 10-year service period for BSEP-1 began on July 10, 1986. This caused the first BSEP-1 Type A test for the second period to be performed in May 1987, only 11 months into the interval. The second Type A test on BSEP-1 was performed within the 40-month plus or minus 10-month interval required by the Technical Specifications.