NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–269, 50–270, and 50–287]

Duke Energy Corporation; Oconee Nuclear Station, Units 1, 2, and 3, Exemption

1.0 Background

Duke Energy Corporation (the licensee) is the holder of Facility Operating License Nos. DPR–38, DPR–47, and DPR–55, which authorize operation of the Oconee Nuclear Station, Units 1, 2, and 3. The licenses provide, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC/the Commission) now or hereafter in effect.

The facility consists of three pressurized water reactors located in Seneca County in South Carolina.

2.0 Request/Action

Title 10 of the Code of Federal Regulations (10 CFR) § 55.59(a)(1) requires that each licensed operator successfully complete a requalification program developed by the licensee that has been approved by the Commission. This program is to be conducted for a continuous period not to exceed 24 months in duration and upon its conclusion must be promptly followed by a successive requalification program. In addition, pursuant to 10 CFR 55.59(a)(2), each licensed operator must also pass a comprehensive requalification written examination and an annual operating test.

By letter dated March 6, 2001, the licensee requested an exemption under 10 CFR 55.11 from the requirements of 10 CFR 55.59(a)(1) and (a)(2). The exemption requested will extend the current Oconee Nuclear Station requalification program from June 4, 2001, to July 13, 2001. The requested exemption would constitute a one-time extension of the requalification program duration.

3.0 Discussion

Pursuant to 10 CFR 55.11, 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.

The Commission has determined that, pursuant to 10 CFR 55.11, granting an exemption to the licensee from the requirements in 10 CFR 55.59(a)(1) and (a)(2) is authorized by law, will not endanger life or property, and is in the public interest. To require the licensee's operators and staff to support the comprehensive examination and operating tests schedule during the 24-month requalification cycle could have a detrimental effect on the public interest because it would remove qualified operators from refueling operations and place them into the training program, which could interfere with the current Oconee Unit 2 refueling outage schedule. Further, this one-time exemption will provide additional operator support during plant shutdown conditions, which would 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 transitional period via continuation of the current satisfactory licensed operator requalification program.

4.0 Conclusion

Accordingly, the Commission hereby grants the licensee an exemption on a one-time only basis from the requirements of 10 CFR 55.59(a)(1) and (a)(2) to allow the current Oconee Nuclear Station requalification program to be extended beyond the 24 months, but not to exceed 26 months and to expire on July 13, 2001. Upon completion of the examinations on July 13, 2001, the follow-on cycle will end on March 8, 2003. Future annual requalification cycles will run from March to March.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (66 FR 29347).

This exemption is effective upon issuance and expires on March 8, 2003.

Dated at Rockville, Maryland, this 30th day of May 2001.

For the Nuclear Regulatory Commission.

Bruce A. Boger,

Director, Division of Inspection Program Management, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50–389]

Florida Power and Light Company, et al. St. Lucie Plant, Unit No. 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from 10 CFR 50.55a(f)(ii) and 50.55a(f)(5)(i) for Facility Operating License No. NPF–16, issued to Florida Power and Light Company, *et al.* (the licensee), for operation of the St. Lucie Unit 2, located in St. Lucie County, Florida.

Environmental Assessment

Identification of the Proposed Action

The proposed action would revise the second and third 120-month Inservice Test (IST) intervals for St. Lucie Unit 2. Currently, St. Lucie Unit 2 is in its second IST interval, with an end date of August 7, 2003. The proposed action would shorten the second IST interval for St. Lucie Unit 2 by retroactively changing the end date to February 10, 1998, to coincide with the end date of the second IST interval for St. Lucie Unit 1. Thus, the third IST interval for both units would begin on February 11, 1998, and end on February 10, 2008.

The proposed action is in accordance with the licensee's application for exemption dated November 27, 2000.

The Need for the Proposed Action

The IST intervals for St. Lucie Units 1 and 2 are currently offset by approximately 5 years, primarily due to the initial licensing dates of the units. This requires maintaining distinct but similar programs, with the administrative burden of updating them approximately every 5 years. The proposed action provides a one-time schedule exemption, which would allow the licensee to implement a combined IST program consistent between units, requiring compliance with the same edition of the American Society of Mechanical Engineers Code and addenda, and allow both units to be tested using the same test requirements.

Environmental Impacts of the Proposed Action

The NRC has completed its evaluation of the proposed action and concludes that there are no significant environmental impacts associated with the proposed action.

The proposed action will not significantly increase the probability or consequences of accidents, no changes