

IV

For the foregoing reasons, the NRC staff has determined that the proposed alternative measures for physical inventories of SNM in the CR-3 spent fuel pool continue to meet the requirements of 10 CFR 70.51 when the missile shields, which represent a physical barrier, are in place. A specific exemption is granted to the requirements in 10 CFR 70.51(d) for conducting a twelve-month physical inventory of SNM located in the CR-3 spent fuel pool.

Accordingly, the Commission has determined that the proposed change: (1) is authorized by law; (2) will not endanger life or property; (3) will not endanger the common defense and security; and (4) is otherwise in the public interest. Therefore, the Commission hereby grants Florida Power Corporation the following exemption:

The Florida Power Corporation, et al., is exempt from the requirements of 10 CFR 70.51(d) with respect to performing a physical inventory of the special nuclear material in the Crystal River Unit 3 spent fuel pool every 12 months. A physical inventory of the special nuclear material in the spent fuel pool will be conducted within 90 days of removal of the missile shields over the fuel in the spent fuel pool, if a physical inventory has not been performed within the preceding 12 months. This exemption only applies to the special nuclear material located in the Crystal River Unit 3 spent fuel pool.

Pursuant to 10 CFR 51.32, the Commission has determined that this exemption will not have a significant effect on the quality of the human environment (65 FR 12592).

This exemption is effective upon issuance.

Dated at Rockville, Maryland this 9th day of March 2000.

For the Nuclear Regulatory Commission.

John A. Zwolinski,

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

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-400]

Carolina Power & Light Company; Shearon Harris Nuclear Power Plant, Unit 1, Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-

63, issued to Carolina Power & Light Company (CP&L, the licensee), for operation of the Shearon Harris Nuclear Power Plant, Unit 1, (HNP) located in Wake and Chatham Counties, North Carolina.

Environmental Assessment*Identification of the Proposed Action*

The proposed action is a one time exemption from the requirements of Title 10 of the Code of Federal Regulations (10 CFR) Part 50, Appendix E, Items IV.F.2.b and c regarding conduct of a full participation exercise of the onsite and offsite emergency plans every 2 years. Under the proposed exemption, the licensee would reschedule the exercise originally scheduled for September 21, 1999, and complete the onsite and offsite exercise requirements in two parts. The licensee would use the onsite exercise conducted on January 11, 2000, without the participation of the State of North Carolina and local government response agencies, to meet the onsite requirement. The offsite portion of the exercise would be conducted on June 27, 2000, with the participation of the State of North Carolina and local government response agencies.

The proposed action is in accordance with the licensee's application for an exemption dated December 7, 1999.

The Need for the Proposed Action

10 CFR Part 50, Appendix E, Items IV.F.2.b and c requires each licensee at each site to conduct an exercise of its onsite and offsite emergency plan every 2 years. Federal agencies (the Nuclear Regulatory Commission for the onsite exercise portion and the Federal Emergency Management Agency for the offsite exercise portion) observe these exercises and evaluate the performance of the licensee, State and local authorities having a role under the emergency plan.

The licensee had initially planned to conduct an exercise of its onsite and offsite emergency plan on September 21, 1999, within the required 2-year required interval. However, due to the significant impact and damage from hurricane "Floyd," the State of North Carolina and the local emergency response agencies were occupied with responding to the natural disaster and were unable to participate in and could not support the exercise.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that the proposed action

involves an administrative activity (a scheduler change in conducting an exercise) unrelated to plant operations.

The proposed action 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 occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential non-radiological impacts, the proposed action does not involve any historic sites. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the Commission concludes that there are no significant environmental impacts associated with the proposed action.

Alternatives to the Proposed Action

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the "no-action" alternative). 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 Shearon Harris Nuclear Power Plant.

Agencies and Persons Consulted

In accordance with its stated policy, on February 22, 2000, the staff consulted with the North Carolina State official, Mr. Johnny James of the North Carolina Department of Environment and Natural Resources, regarding the environmental impact of the proposed action. The State official had no comments. In addition, by letter dated January 19, 2000, from Ms. Vanessa Quinn, the Federal Emergency Management Agency indicated support for rescheduling the exercise.

Finding of No Significant Impact

On the basis of 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 December 7, 2000, which is available for public inspection at the Commission's Public Document Room, The Gelman Building, 2120 L Street, NW., Washington, DC. Publicly available records will be accessible electronically from the ADAMS Public Library component on the NRC Web site, <http://www.nrc.gov> (the Electronic Reading Room).

Dated at Rockville, Maryland, this 9th day of March 2000.

For the Nuclear Regulatory Commission.

Richard J. Laufer,

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

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NUCLEAR REGULATORY COMMISSION

Notice of Public Workshop on Prioritizing Nuclear Materials Regulatory Applications for New Risk-Informed Approaches

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Notice of meeting.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) staff is in the initial stage of developing an approach for using risk information in the nuclear materials regulatory process. As a first step, the NRC staff has developed draft screening criteria for new regulatory applications to meet to be candidates for expanded use of risk information. The NRC staff has scheduled a workshop to (1) solicit public input in the development of these screening criteria and their applications, and (2) solicit public input in the process for developing appropriate nuclear materials safety goals. The meeting is open to the public and all interested parties may attend and provide comments.

DATES: The workshop will be held on April 25, 2000 from 9:00 a.m. to 5:00 p.m. and April 26, 2000 from 8:30 a.m. to 12:00 noon. Submit comments by May 19, 2000.

ADDRESSES: Exact location of the workshop has yet to be determined, but will be in the Washington, D.C. metropolitan area. When available, the location will be posted on the NRC website (www.nrc.gov) under meeting notices. Mail written comments to David L. Meyer, Chief, Rules and Directives Branch, T6-D59, Washington, D.C., 20555-0001.

FOR FURTHER INFORMATION, CONTACT: Stacey Rosenberg, Mail Stop T-8-K10, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: (301) 415-8117; Internet: SLR1@NRC.GOV. An agenda will be available to the public and will be distributed to participants prior to the workshop. Contact the workshop facilitator, Chip Cameron, regarding the agenda and workshop location. Telephone: 301-415-1642; Internet: FXC@NRC.GOV.

SUPPLEMENTARY INFORMATION: In SECY-99-100, "Framework for Risk-informed Regulation in the Office of Nuclear Material Safety and Safeguards", dated March 31, 1999, the NRC staff proposed a framework for risk-informed regulation in the Office of Nuclear Material Safety and Safeguards (NMSS). On June 28, 1999, the Commission approved the staff's proposal. In the associated staff requirements memorandum (SRM), the Commission approved the staff's recommendation to implement a five-step process consisting of:

- (1) Identifying candidate regulatory applications that are amenable to expanded use of risk assessment information;
- (2) Making a decision on how to modify a regulation or regulated activity;
- (3) Changing current regulatory approaches;
- (4) Implementing risk-informed approaches; and
- (5) Developing or adapting existing tools and techniques of risk analysis to the regulation of nuclear materials safety and safeguards.

The focus of this workshop will be on (1) The process for identifying the specific regulatory applications that are amenable to expanded use of risk assessment information—step 1 of the five-step process—and (2) the process for developing appropriate nuclear materials safety goals. Step one of the five-step process will be accomplished by first defining screening criteria and then identifying regulatory application areas (e.g., licensing, inspection, rulemaking) that would be amenable to risk-informed approaches. These could, for example, include rulemaking activities, licensee performance assessment, or enforcement of regulatory requirements. Because of limited resources, the NRC staff is proposing a step-by-step approach, rather than a comprehensive reevaluation in all areas. The NRC staff's work to implement subsequent steps, namely steps 2 through 5 of the five-step process, will be prioritized based on

safety, efficiency and effectiveness, and burden reduction.

The NRC staff proposes the following approach for step 1. A new regulatory application should meet the following draft screening criteria to be a candidate for expanded use of risk information:

1. A proposed risk-informed regulatory approach to a new licensing or inspection activity will resolve a question with respect to maintaining or improving the activity's safety basis, will improve the efficiency or the effectiveness of NRC processes, or will reduce unnecessary regulatory burden for the applicant or licensee;
2. Sufficient information (data), and analytical methods exist or can be developed to support risk-informing a regulation or regulatory activity;
3. Startup and implementation can be realized at a reasonable cost to the NRC and the applicant or licensee, and provide a net benefit. The net benefit will be considered to apply to the public, the applicant or licensee, and the NRC staff.

The NRC staff requests public comments on these draft criteria.

Related to the criteria, the NRC staff is also soliciting comments on the following items and questions. The intent of publishing these questions is to foster discussion about the issues at the workshop.

1. What specific applications or general areas of nuclear materials regulation do you believe NRC should focus its efforts in applying risk information to its regulatory framework, and why?

2. Will the various segments of the regulated community accept more risk-informed approaches in regulatory applications?

3. What factors should be considered in prioritizing NRC's efforts to systematically review regulatory activities for application of risk information?

4. How can data collection and processing information be enhanced without significant additional burden to licensees and applicants?

5. Could measures be made available under a more risk-informed approach which would allow the agency and the licensees to judge performance, recognize weaknesses, and provide opportunities for correction before significant safety issues or events occur?

6. What are the costs and benefits of risk-informing NMSS licensing and inspection activities?

In addition, in its SRM on SECY-99-100, the Commission directed the NRC staff to develop appropriate material safety goals analogous to the reactor safety goals and include, as a goal, the