

margin to fuel rod internal pressure design criteria is obtained.

As part of a program to address these issues, the Westinghouse Electric Company has developed an LTA program in cooperation with the licensee that includes a ZIRLO fuel cladding with a tin content lower than the currently licensed range for ZIRLO. The NRC's regulations in 10 CFR 50.44, 10 CFR 50.46 and in 10 CFR part 50, Appendix K, make no provision for use of fuel rods clad in a material other than Zircalloy or ZIRLO. The licensee has requested the use of an LTA with a tin composition that is less than that specified in the licensing basis for ZIRLO, as defined in Westinghouse design specifications. Therefore, use of the LTA calls for exemptions from 10 CFR 50.44, 10 CFR 50.46 and 10 CFR part 50, Appendix K. As part of this program, the licensee's current plans are to include eight LTAs in the Catawba Nuclear Station, Unit 1, Cycle 15, core in non-limiting core locations during the refueling outage currently scheduled to begin in the Fall of 2003. The licensee has requested the exemption for both Catawba units, and the staff finds the exemption request for a total of up to eight LTAs to be applicable to either of the Catawba units.

Environmental Impacts of the Proposed Action

The NRC staff has completed its environmental evaluation of the proposed action and concludes that the proposed exemptions would not increase the probability or consequences of accidents previously analyzed and would not affect facility radiation levels or facility radiological effluents.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types of 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 nonradiological impacts, the proposed action does not involve any historic sites. It does not affect nonradiological plant effluents and has no other environmental impact. Therefore, there are no significant nonradiological environmental impacts associated with the proposed action.

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

Environmental Impacts of the 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

The action does not involve the use of any different resource than those previously considered in the Final Environmental Impact Statement for the CNS, Units 1 and 2, NUREG-0921—"Final Environmental Impact Statement Related to the Operation of Catawba Nuclear Station; Units 1 and 2", U.S. Nuclear Regulatory Commission, dated January 1983.

Agencies and Persons Consulted

On July 9, 2003, the staff consulted with the South Carolina State official, Mr. Henry Porter, of the Department of Health and Environmental Control, regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC 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 3, 2002, as supplemented by letter dated April 8, 2003. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209 or 301-415-4737, or by e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland, this tenth day of July, 2003.

For the Nuclear Regulatory Commission.

Leonard N. Olshan,

Acting Chief, Section I, Project Directorate II, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-315]

Indiana Michigan Power Company Donald C. Cook Nuclear Plant, Unit 1; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from Title 10 of the Code of Federal Regulations (10 CFR) part 50, Appendix G for Facility Operating License No. DPR-58, issued to Indiana Michigan Power Company (the licensee), for operation of the Donald C. Cook (D. C. Cook) Nuclear Plant, Unit 1, located in Berrien County, Michigan. Therefore, as required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

Environmental Assessment

Identification of the Proposed Action

The proposed action would exempt the licensee from the requirements of 10 CFR part 50, section 50.60(a) and Appendix G, which would allow the use of American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code) Code Case N-641 as the basis for revised reactor vessel pressure and temperature (P-T) curves, and low temperature overpressure protection system setpoints in the D. C. Cook Unit 1, technical specifications.

The regulation, at 10 CFR part 50, section 50.60(a), requires, in part, that except where an exemption is granted by the Commission, all light-water nuclear power reactors must meet the fracture toughness requirements for the reactor coolant pressure boundary set forth in Appendices G and H to 10 CFR part 50. Appendix G to 10 CFR part 50 requires that P-T limits be established for reactor pressure vessels (RPVs) during normal operating and hydrostatic or leak-rate testing conditions. Specifically, 10 CFR part 50, Appendix G, states, "The appropriate requirements on both the P-T limits and the minimum permissible temperature must be met for all conditions." Appendix G of 10 CFR part 50 specifies that the requirements for these limits are the