

10 CFR 50.60(a) to permit the use of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code), Section XI, Code Case N-640, "Alternative Requirement Fracture Toughness for Development of P-T [Pressure and Temperature] Limit Curves for ASME Section XI Division I," in lieu of 10 CFR part 50, appendix G, paragraph I.

The proposed action is in accordance with the licensee's application dated May 28, 2003.

The Need for the Proposed Action

The proposed action provides relief from the restriction of the P-T operating window defined by the P-T operating and test curves developed in accordance with ASME Code, Section XI, Appendix G procedure. ASME Code, Section XI, Appendix G procedure was conservatively developed based on the level of knowledge existing in 1974 concerning reactor pressure vessel materials and the estimated effects of operation. Since 1974, the level of knowledge about these topics has been greatly expanded. This increased knowledge permits relaxation of the ASME Code, Section XI, Appendix G, requirements via application of ASME Code Case N-640 while maintaining the underlying purpose of the ASME Code, Section XI, Appendix G procedure. The restriction of the P-T operating and test curves developed in accordance with ASME Code, Section XI, Appendix G procedure would challenge the operations staff when operating at low temperatures.

Environmental Impacts of the Proposed Action

The NRC has completed its evaluation of the proposed action and concludes as set forth below, there are no significant environmental impacts associated with the use of the alternative analysis methods to support the revision of the P-T curves.

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 off site, 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 have a potential to affect 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 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 Statement for IP3, dated September 1972.

Agencies and Persons Consulted

On November 20, 2003, the staff consulted with the New York State official, Mr. John Spath of the New York State Research and Development Authority, 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 May 28, 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 24th day of November 2003.

For the Nuclear Regulatory Commission.

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NUCLEAR REGULATORY COMMISSION

Regulatory Guide; Issuance, Availability

The Nuclear Regulatory Commission (NRC) has issued a revision of a guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public such information as methods acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques used by the staff in its review of applications for permits and licenses, and data needed by the NRC staff in its review of applications for permits and licenses.

Regulatory Guide 1.198, "Procedures and Criteria for Assessing Seismic Soil Liquefaction at Nuclear Power Plant Sites," has been developed to provide guidance to license applicants on acceptable methods for evaluating the potential for earthquake-induced instability of soils resulting from liquefaction and strength degradation. The guidance includes procedures and criteria currently applied to assess the liquefaction potential of soils ranging from gravel to clays.

Comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time. Written comments may be submitted to the Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington DC 20555. Questions on the content of this guide may be directed to Mr. Y. Li, (301) 415-4141; email yx11@nrc.gov.

Regulatory guides are available for inspection or downloading at the NRC's Web site at <http://www.nrc.gov> under Regulatory Guides and in NRC's Electronic Reading Room (ADAMS System) at the same site. Single copies of regulatory guides may be obtained free of charge by writing the Reproduction and Distribution Services Section, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by fax to (301) 415-2289, or by e-mail to distribution@nrc.gov. Issued guides may also be purchased from the