

### *Alternatives to the Proposed Action*

Since the NRC staff has concluded that there are no significant environmental impacts associated with the proposed action, any alternatives with equal or greater environmental impacts need not be evaluated. The principal alternative to the proposed action would be to deny the requested action. Because the environmental impacts of the proposed action and this no-action alternative are similar, there is no need to further evaluate alternatives to the proposed action.

### *Agencies and Persons Consulted*

The NRC staff consulted with the State of Nebraska, Department of Environmental Quality (NDEQ), in the development of the Environmental Assessment. A facsimile copy of the final Environmental Assessment was transmitted to Mr. Frank Mills of the NDEQ on May 1, 1997. In a telephone conversation on May 6, 1997, Mr. Mills indicated that the NDEQ had no comments on the Environmental Assessment.

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

The NRC staff has prepared an Environmental Assessment for the proposed amendment of NRC Source Material License SUA-1534. On the basis of this assessment, the NRC staff has concluded that the environmental impacts that may result from the proposed action would not be significant, and therefore, preparation of an Environmental Impact Statement is not warranted.

The Environmental Assessment and other documents related to this proposed action are available for public inspection and copying at the NRC Public Document Room, in the Gelman Building, 2120 L Street NW., Washington, DC 20555.

### **Notice of Opportunity for Hearing**

The Commission hereby provides notice that this is a proceeding on an application for a licensing action falling within the scope of Subpart L, "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings," of the Commission's Rules of Practice for Domestic Licensing Proceedings in 10 CFR Part 2 (54 FR 8269). Pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing. In accordance with § 2.1205(c), a request for a hearing must be filed within thirty (30) days from the date of publication of this **Federal Register** notice. The request for a hearing must be filed with the Office of the Secretary either:

(1) By delivery to the Rulemakings and Adjudications Staff of the Office of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or

(2) By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Rulemakings and Adjudications Staff.

Each request for a hearing must also be served, by delivering it personally or by mail to:

(1) The applicant, Crow Butte Resources, 216 Sixteenth Street Mall, Suite 810, Denver, Colorado 80202; and

(2) The NRC staff, by delivery to the Executive Director of Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, or by mail addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

In addition to meeting other applicable requirements of 10 CFR Part 2 of the Commission's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

(1) The interest of the requestor in the proceeding;

(2) How that interest may be affected by the results of the proceeding, including the reasons why the requestor should be permitted a hearing, with particular reference to the factors set out in § 2.1205(g);

(3) the requestor's areas of concern about the licensing activity that is the subject matter of the proceeding; and

(4) The circumstances establishing that the request for a hearing is timely in accordance with § 2.1205(c).

Any hearing that is requested and granted will be held in accordance with the Commission's "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings" in 10 CFR Part 2, Subpart L.

Dated at Rockville, Maryland, this 23rd day of May 1997.

For the Nuclear Regulatory Commission.

#### **Joseph J. Holonich,**

*Chief, Uranium Recovery Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

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## **NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-271]

### **Vermont Yankee Nuclear Power Corporation; Vermont Yankee Nuclear Power Station; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from Facility Operating License No. DPR-28, issued to Vermont Yankee Nuclear Power Corporation (the licensee), for operation of the Vermont Yankee Nuclear Power Station (the facility) located in Windham County, Vermont.

#### **Environmental Assessment**

##### *Identification of Proposed Action*

The proposed exemption would grant relief from the technical requirements of Section III.G and III.L of Appendix R to Title 10 of the *Code of Federal Regulations*, Part 50 (1) to use the automatic depressurization system (ADS) in conjunction with low pressure injection systems as an alternative post-fire safe shutdown capability for certain fire zones and (2) to use the Vernon tie-line as an alternative to the on-site emergency diesel generator for certain fire events.

The proposed exemption is in accordance with the licensee's application for exemption dated April 4, 1996, as supplemented by letters dated May 21, 1996, November 4, 1996, December 13, 1996, and January 8, 1996 (sic [1997]).

##### *The Need for the Proposed Action*

The need for this action arises because the licensee requested the use of the ADS in conjunction with low pressure injection systems as an alternative post-fire safe shutdown capability for certain fire zones and (2) to use the Vernon tie-line as an alternative to the on-site emergency diesel generator for certain fire events. This proposal required exemptions from the following sections of Appendix R: Section III.L.2.(b) (maintain the reactor coolant level above the top of the core), and Section III.G.3 (fire detection and fire suppression installed in the area, room or zone under consideration). Section III.L.3 (accommodation of post-fire conditions where offsite power is not available for 72 hours).

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

The Commission has completed its evaluation of the proposed exemption

and concludes that the proposed exemption will provide sufficient fire protection that there is no increase in the risk of fires at the facility. Consequently, the probability of fires has not been increased and the post-fire radiological releases will not be greater than previously determined, nor does the proposed exemption otherwise affect radiological plant effluents.

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 actions do not affect nonradiological plant effluents and have no other environmental impact. Accordingly, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed actions.

#### *Alternatives to the Proposed Actions*

Since the Commission has concluded there is no measurable environmental impact associated with the proposed actions, any alternatives with equal or greater environmental impact need not be evaluated. As an alternative to the proposed actions, the staff considered denial of the proposed actions. Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed actions and the alternative action are similar.

#### *Alternative Use of Resources*

These actions do not involve use of resources not previously considered in the Final Environmental Statement for the Vermont Yankee Nuclear Power Station.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on April 3, 1997, the staff consulted with the Vermont State official, Mr. William K. Sherman of the Vermont Department of Public Service, regarding the environmental impact of the proposed actions. The State official had no comments.

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

Based upon the environmental assessment, the Commission concludes that the proposed actions 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 exemption.

For further details with respect to the proposed action, see the application dated April 4, 1996, as supplemented May 21, 1996, and supporting information dated November 4, 1996, December 13, 1996, January 8, 1996 (sic [1997]), January 15, 1997, and February 19, 1997, 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 Brooks Memorial Library, 224 Main Street, Brattleboro, VT 05301.

Dated at Rockville, Maryland, this 27th day of May 1997.

For the Nuclear Regulatory Commission.

**Patrick A. Milano,**

*Acting Director, Project Directorate I-3,  
Division of Reactor Projects—I/II, Office of  
Nuclear Reactor Regulation.*

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#### **Environmental Assessment**

##### *Identification of Proposed Action*

The proposed exemption would grant relief from the technical requirements of Section III.G of Appendix R to Title 10 of the *Code of Federal Regulations*, Part 50, to the extent that it specifies the separation of certain redundant safe shutdown circuits with fire-rated barriers. Alternatively, the licensee proposes to use fire resistant cables in plant areas on the 280 foot elevation of the Reactor Building.

The proposed exemption is in accordance with the licensee's application dated May 28, 1996, as supplemented by letters dated July 26, 1996, and November 15, 1996.

#### *The Need for the Proposed Action*

The need for this action arises because Paragraph III.G.2.c of Section III.G, "Fire protection of safe shutdown capability," of Appendix R to 10 CFR Part 50, requires:

Enclosure of cable and equipment and associated non-safety circuits of one redundant train in a fire barrier having a 1-hour fire rating. In addition, fire detectors and an automatic fire suppression system shall be installed in the fire area.

The licensee requested an exemption from these requirements to allow the use of fire resistant cables instead of enclosing the cables in fire barriers having a 1-hour fire resistance rating. The licensee proposed to use Rockbestos Firezone R Appendix R fireproof cable to control equipment necessary to ensure Reactor Building corner room cooling in the event of a fire in the Cable Vault. An exemption is needed because the Firezone R cables do not meet the literal requirements of the regulation.

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

The Commission has completed its evaluation of the proposed exemption and concludes that the proposed exemption will provide sufficient fire protection and that there is no increase in the risk of fires at the facility. Consequently, the probability of fires has not been increased and the post-fire radiological releases will not be greater than previously determined, nor does the proposed exemption otherwise affect radiological plant effluents.

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 actions involve features located entirely within the restricted area as defined in 10 CFR Part 20. They do not affect nonradiological plant effluents and have no other environmental impact. Accordingly, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed actions.

#### *Alternatives to the Proposed Action*

Since the Commission has concluded there is no measurable environmental