

requested an exemption from 10 CFR 70.24(a). The Commission technical staff has reviewed the licensee's submittal and has determined that inadvertent criticality is not likely to occur in special nuclear materials handling or storage areas at TMI-1. The quantity of special nuclear material other than fuel that is stored on site is small enough to preclude achieving a critical mass.

The purpose of the criticality monitors required by 10 CFR 70.24 is to ensure that if a criticality were to occur during the handling of special nuclear material, personnel would be alerted to that fact and would take appropriate action. Although the staff has determined that such an accident is not likely to occur, the licensee has radiation monitors, as required by General Design Criterion 63, in fuel storage and handling areas. These monitors will alert personnel to excessive radiation levels and allow them to initiate appropriate safety actions. The low probability of an inadvertent criticality together with the licensee's adherence to General Design Criterion 63 constitute good cause for granting an exemption to the requirements of 10 CFR 70.24(a).

#### IV

The Commission has determined that, pursuant to 10 CFR 70.14, this exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest; therefore, the Commission hereby grants the following exemption:

The GPU Nuclear Corporation is exempt from the requirements of 10 CFR 70.24(a) for TMI-1.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant impact on the quality of the human environment (62 FR 36084).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 3rd day of July 1997.

For the Nuclear Regulatory Commission.

**Frank J. Miraglia,**

*Acting Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 97-18210 Filed 7-10-97; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-309]

### Maine Yankee Atomic Power Company, Maine Yankee Atomic 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 certain requirements of its regulations for Facility Operating License No. DPR-36 issued to Maine Yankee Atomic Power Company (the licensee), for operation of the Maine Yankee Atomic Power Station located in Lincoln County, Maine.

#### Environmental Assessment

##### Identification of Proposed Action

The proposed action would exempt Maine Yankee Atomic Power Company from the requirements of 10 CFR 70.24(a), which requires a monitoring system that will energize clearly audible alarms if accidental criticality occurs in each area in which special nuclear material is handled, used, or stored. The proposed action would also exempt the licensee from the requirements to maintain emergency procedures for each area in which special nuclear material is handled, used, or stored to ensure that all personnel withdraw to an area of safety upon the sounding of the alarm, to familiarize personnel with the evacuation plan, and to designate responsible individuals for determining the cause of the alarm, and to place radiation survey instruments in accessible locations for use in such an emergency.

The proposed action is in accordance with the licensee's application for exemption dated December 19, 1996.

##### The Need for the Proposed Action

The purpose of 10 CFR 70.24 is to ensure that if a criticality were to occur during the handling of special nuclear material, personnel would be alerted to that fact and would take appropriate action. At a commercial nuclear power plant the inadvertent criticality with which 10 CFR 70.24 is concerned could occur during fuel handling operations. The special nuclear material that could be assembled into a critical mass at a commercial nuclear power plant is in the form of nuclear fuel. The quantity of other forms of special nuclear material that is stored on site is small enough to preclude achieving a critical mass. Because the fuel is not enriched beyond 5.0 weight percent Uranium-235 and because commercial nuclear plant

licensees have procedures and design features to prevent inadvertent criticality, the staff has determined that an inadvertent criticality would not likely occur due to the handling of special nuclear material at a commercial power reactor. The requirements of 10 CFR 70.24(a), therefore, are not necessary to ensure the safety of personnel during the handling of special nuclear materials at commercial power reactors.

#### Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that there is no significant environmental impact if the exemption is granted. Inadvertent or accidental criticality will be precluded through compliance with the Maine Yankee Atomic Power Station Technical Specifications, the design of the fuel storage racks providing geometric spacing of fuel assemblies in their storage locations, and administrative controls imposed on fuel handling procedures. Technical Specifications requirements specify reactivity limits for the fuel storage racks and minimum spacing between the fuel assemblies in the storage racks.

Appendix A of 10 CFR Part 50, "General Design Criteria for Nuclear Power Plants," Criterion 62, requires that criticality in the fuel storage and handling system shall be prevented by physical systems or processes, preferably by use of geometrically safe configurations. This is met at Maine Yankee, as identified in the Technical Specifications and the Updated Final Safety Analysis Report (UFSAR). Maine Yankee Technical Specifications, Section 1.1, Fuel Storage, requires that fuel shall be stored in vertical racks that are designed to maintain fuel assembly center-to-center distances that will assure K-effective is less than or equal to 0.95 even with the pool filled with unborated water. The Technical Specification places limitations on the storage arrangements of fuel assemblies within certain regions of the spent fuel pool based on the nominal initial enrichment and the average burnup experienced by the assembly. Section 3.4.9, Criticality of Fuel Assemblies, of the UFSAR provides a description of the methods used by the licensee to preclude criticality of fuel assemblies outside the reactor. Section 5.2, Fuel Building, of the UFSAR provides a physical description of the licensee's new-fuel storage building, spent fuel pool and associated fuel handling equipment.

The proposed exemption would not result in any significant radiological impacts. The proposed exemption would not affect radiological plant effluent nor cause any significant occupational exposures since the Technical Specifications, design controls including geometric spacing of fuel assembly storage spaces and administrative controls preclude inadvertent criticality.

The amount of radioactive waste would not be changed by the proposed exemption.

The proposed exemption does not result in any significant nonradiological environmental impacts. The proposed exemption involves features located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect non-radiological plant effluents and has no other environmental impact. Accordingly, the Commission concludes that there are no significant non-radiological environmental impacts associated with the proposed action.

#### *Alternatives to the Proposed Action*

Since the Commission has concluded that there is no measurable environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact need not be evaluated. As an alternative to the proposed exemption, the staff considered denial of the requested exemption. Denial of the request 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 Maine Yankee Atomic Power Station.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on June 20, 1997, the staff consulted with Mr. Pat Dostie of the State of Maine, Office of Nuclear Safety, regarding the environmental impact of this proposed action. The State official had no comments.

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

Based upon 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 19, 1996, which is available for public inspection at the Commission's Public Document Room, which is located at The Gelman Building, 2120 L Street, NW., Washington, D.C., and at the local public document room located at the Wiscasset Public Library, High Street, P. O. Box 367, Wiscasset, Maine, 04578.

Dated at Rockville, Maryland, this 7th day of July 1997.

For the Nuclear Regulatory Commission.

**Ronald B. Eaton,**

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

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#### **NUCLEAR REGULATORY COMMISSION**

[Docket No. 52-001]

#### **Standard Design Certification For the U.S. Advanced Boiling Water Reactor**

**AGENCY:** Nuclear Regulatory  
Commission.

**ACTION:** Notice of availability.

**SUMMARY:** GE Nuclear Energy; Availability of Supplement 1 to the Final Safety Evaluation Report (FSER) for the Advanced Boiling Water Reactor (ABWR), NUREG-1503.

The U.S. Nuclear Regulatory Commission (NRC) has published an update to its FSER Related to the Certification of the ABWR Design and has issued this report as Supplement 1 to NUREG-1503.

**ADDRESSES:** Copies of the Supplement 1 to NUREG-1503 have been placed in the NRC's Public Document Room, 2120 L Street NW., Lower Level, Washington, DC, for review by interested persons. Copies of Supplement 1 to NUREG-1503 may be purchased from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 37082, Washington, DC 20555-0001. Copies are also available from the National Technical Information Service, 5295 Port Royal Road, Springfield, VA 22161-0002.

**FOR FURTHER INFORMATION CONTACT:** Dino Scaletti, Office of Nuclear Reactor Regulation, telephone (301) 415-1104, or Jerry N. Wilson, Office of Nuclear Reactor Regulation, telephone (301)

415-3145, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Dated at Rockville, Maryland, this 30th day of June 1997.

For the Nuclear Regulatory Commission.

**Theodore R. Quay,**

*Director, Standardization Project Directorate,  
Division of Reactor Program Management,  
Office of Nuclear Reactor Regulation.*

[FR Doc. 97-17993 Filed 7-10-97; 8:45 am]

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#### **NUCLEAR REGULATORY COMMISSION**

[Docket No. 52-002]

#### **Standard Design Certification for the U.S. System 80+ Design**

**AGENCY:** Nuclear Regulatory  
Commission.

**ACTION:** Notice of availability.

**SUMMARY:** Asea Brown Boveri-Combusting Engineering; Availability of Supplement 1 to the Final Safety Evaluation Report (FSER) for the System 80+ Design, NUREG-1462.

The U.S. Nuclear Regulatory Commission (NRC) has published an update to its FSER Related to the Certification of the System 80+ Design and has issued this report as Supplement 1 to NUREG-1462.

**ADDRESSES:** Copies of the Supplement 1 to NUREG-1462 have been placed in the NRC's Public Document Room, 2120 L Street NW., Lower Level, Washington, DC, for review by interested persons. Copies of Supplement 1 to NUREG-1503 may be purchased from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 37082, Washington, DC 20555-0001. Copies are also available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161-0002.

**FOR FURTHER INFORMATION CONTACT:** Dino Scaletti, Office of Nuclear Reactor Regulation, telephone (301) 415-1104, or Jerry N. Wilson, Office of Nuclear Reactor Regulation, telephone (301) 415-3145, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Dated at Rockville, Maryland, this 30th day of June 1997.

For the Nuclear Regulatory Commission.

**Theodore R. Quay,**

*Director, Standardization Project Directorate,  
Division of Reactor Program Management,  
Office of Nuclear Reactor Regulation.*

[FR Doc. 97-17996 Filed 7-10-96; 8:45 am]

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