

or radiological or chemical consequences from, previously evaluated accidents.

5. The proposed amendment will not result in the possibility of a new or different kind of accident.

The change will not create new operating conditions or a new plant configuration that could lead to a new or different type of accident.

6. The proposed amendment will not result in a significant reduction in any margin of safety.

The proposed change corrects a typographical error. As such, there is no reductions in the margins of safety.

7. The proposed amendment will not result in an overall decrease in the effectiveness of the plant's safety, safeguards or security programs.

The proposed amendment corrects a typographical error. As such, the effectiveness of the safety, safeguards, and security programs is not decreased.

*Effective date:* 30 days after issuance

*Certificate of Compliance No. GDP-2:* Amendment will incorporate a revised Surveillance Requirement of a Technical Safety Requirement.

*Local Public Document Room*

*location:* Portsmouth Public Library, 1220 Gallia Street, Portsmouth, Ohio 45662.

Dated at Rockville, Maryland, this 22nd day of July 1997.

For the Nuclear Regulatory Commission

**Carl J. Paperiello,**

*Director Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 97-20036 Filed 7-30-97; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket 70-7001]

### Notice of Receipt of Amendment Application to Certificate of Compliance GDP-1 for The U.S. Enrichment Corporation Paducah Gaseous Diffusion Plant Paducah, Kentucky; Notice of Comment Period

Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC or the Commission) has received an amendment application from the United States Enrichment Corporation that may be considered to be significant pursuant to 10 CFR 76.45. Any interested party may submit written comments on the application for amendment for consideration by the staff. To be certain of consideration, comments must be received by September 2, 1997. Comments received after the due date will be considered if it is practical to do

so, but the Commission is able to assure consideration only for comments received on or before this date.

Written comments on the amendment application should be mailed to the Chief, Rules Review and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, or may be hand delivered to 11545 Rockville Pike, Rockville, MD 20852 between 7:45 a.m. and 4:15 p.m. Federal workdays. Comments should be legible and reproducible, and include the name, affiliation (if any), and address of the submitter. All comments received by the Commission will be made available for public inspection at the Commission's Public Document Room and the Local Public Document Room. In accordance with 10 CFR 76.62 and 76.64, a member of the public must submit written comments to be eligible to petition the Commission requesting review of the Director's Decision on the amendment request.

For further details with respect to the action see the application for amendment. The application is 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.

*Date of amendment request:* April 23, 1997.

*Brief description of amendment:* The amendment is related to the planned modifications to upgrade the seismic capability of Buildings C-331 and C-335 at the Paducah Gaseous Diffusion Plant. Specifically, the proposed amendment will move back the completion date for the seismic modifications contained in Compliance Plan Issue 36. Additionally, the following three issues will be addressed: (1) The increased stiffness of the buildings following completion of the modifications may increase the number and the probability of seismically-induced equipment failures inside the buildings; (2) the process of installing the new structural steel may temporarily make the building and contained equipment more susceptible to seismically-induced failure as the existing structural frames are altered and/or replaced; and (3) the process of installing the new structural steel may temporarily increase the probability of equipment failures due to postulated load handling accidents during construction.

*Certificate of Compliance No. GDP-1:* Amendment will revise Compliance Plan Issue 36 on the seismic modifications and will allow the planned modifications to proceed.

Local Public Document Room location: Paducah Public Library, 555 Washington Street, Paducah, Kentucky 42003.

Dated at Rockville, Maryland, this 22nd day of July 1997.

For the Nuclear Regulatory Commission.

**Carl J. Paperiello,**

*Director, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 97-20039 Filed 7-30-97; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-369 and 50-370]

### Duke Power Company; McGuire Nuclear Station, Units 1 and 2; 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 Nos. NPF-9 and NPF-17 issued to the Duke Power Company (the licensee), for operation of the McGuire Nuclear Station, Units 1 and 2, located in Mecklenburg County, North Carolina.

### Environmental Assessment

#### Identification of Proposed Action

The proposed action would exempt the licensee from the requirements of 10 CFR 70.24, which requires a monitoring system that will energize clear 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 this licensed 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.

The proposed action is in response to the licensee's application dated February 4, 1997, as supplemented on March 19, 1997.

#### 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 4.75 weight percent Uranium-235 and because commercial nuclear plant licensees have procedures and features designed to prevent inadvertent criticality, the staff has determined that it is unlikely that an inadvertent criticality could occur due to the handling of special nuclear material at a commercial power reactor. The requirements of 10 CFR 70.24, 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 McGuire Nuclear 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 the criticality in the fuel storage and handling system to be prevented by physical systems or processes, preferably by use of geometrically safe configurations. This is met at McGuire, as identified in the Technical Specification Sections 3/4.9 and 5.6 and in the Updated Final Safety Analysis Report (UFSAR) Section 9.1, by detailed procedures that must be available for use by refueling personnel. Therefore, as stated in the Technical Specifications, these procedures, the Technical Specifications requirements, and the design of the fuel handling equipment with built-in interlocks and safety features, provide assurance that it is unlikely that an inadvertent criticality could occur during refueling. In addition, the design of the facility does

not include provisions for storage of fuel in a dry location.

UFSAR Section 9.1.1, New Fuel Storage, states that new fuel is stored in the New Fuel Storage Racks located within a New Fuel Storage Vault at each McGuire unit. The new fuel storage racks are arranged to provide dry storage. The racks consist of vertical cells grouped in parallel rows, six rows wide and 16 cells long, which provide support for the new fuel assemblies and maintain a minimum center-to-center distance of 21 inches between assemblies. (Note that in none of these locations would criticality be possible.)

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 and design 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 nonradiological plant effluents and has no other environmental impact. Accordingly, the Commission concludes that there are no significant nonradiological 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 Related to the Operation of McGuire Nuclear Station Units 1, 2, and 3" dated March 1972.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on July 12, 1997, the staff consulted

with the North Carolina State official, Richard Fry of the Division of Radiation Protection, North Carolina Department of Environment, Health, and Natural Resources, regarding the environmental impact of the proposed exemption. 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 February 4, 1997, and supplement dated March 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 local public document room located at the J. Murrey Atkins Library, University of North Carolina at Charlotte, 9201 University City Boulevard, North Carolina.

Dated at Rockville, Maryland, this 24th day of July 1997.

For the Nuclear Regulatory Commission.

**Peter S. Tam,**

*Acting Director, Project Directorate II-2,  
Division of Reactor Projects—I/II, Office of  
Nuclear Reactor Regulation.*

[FR Doc. 97-20190 Filed 7-30-97; 8:45 am]

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## **NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 50-413 and 50-414]

### **Duke Power Company, et al.; Catawba Nuclear Station, Units 1 and 2, Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. NPF-35 and NPF-52, issued to Duke Power Company, et al. (the licensee), for operation of the Catawba Nuclear Station, Units 1 and 2, located in York County, South Carolina.

#### **Environmental Assessment**

##### *Identification of Proposed Action*

The proposed action would amend the licenses to reflect the licensee's name change from "Duke Power Company" to "Duke Energy Corporation."