

instrumentation), or in the new fuel vault (unirradiated fuel), or while the unirradiated fuel is being transferred from shipping trucks to the spent fuel pool area to be removed from the Part 71 packaging.

The licensee stated that compliance to the criticality accident monitoring system requirements of 10 CFR 70.24(a) would result in a considerable expenditure of resources to install, maintain and operate a criticality monitoring system for the storage of the two forms of SNM, and there should be no concern about criticality ever occurring with the two forms of SNM as they are being stored onsite. There is too small a quantity of SNM, in the form of very thin coatings, present in the nuclear instrumentation for criticality, and unirradiated fuel assemblies would only be removed from the NRC-approved (i.e., Part 71) packaging before being stored in the spent fuel pool where criticality monitors are in use, or in the new fuel vault where there are no criticality monitors.

In the new fuel vault, the unirradiated fuel would be stored in racks which are designed, as Safety Class 2 and Seismic Category I, to withstand all credible loadings to prevent damage and distortion of the racks, and to keep the subcriticality margin of at least 0.95 whether the vault is dry or flooded with water. The new fuel vault is in a concrete, Seismic Category I building that is designed to preclude the deleterious effects on the fuel by natural phenomena such as earthquakes, tornados, hurricanes, tornado missiles and floods.

The Part 71 package design ensures that a geometrically safe configuration for the fuel is maintained during transport, handling, storage and accident conditions, and precludes introduction of any moderating agents due to leak-tight construction, and; therefore, criticality is precluded due to the construction of the package and the storage configuration of the fuel in the package.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that there is no significant environmental impacts if the exemption is granted. Inadvertent or accidental criticality will be precluded through compliance with the Technical Specifications (TS), the design of the fuel storage racks providing geometric spacing of unirradiated fuel assemblies in their storage locations, and administrative controls imposed on fuel handling procedures and the in-core

nuclear instrumentation. TS requirements specify reactivity limits for the fuel storage racks and minimum spacing between the fuel assemblies in the storage racks.

The proposed exemption to 10 CFR 70.24(a) does not affect the design or operation of the plant, does not involve any modifications to the plant or any increase in the licensed power for the plant, and will not create any new or unreviewed environmental impacts that were not considered in the Final Environmental Statement (FES) related to the operation of GGNS, NUREG-0777, dated September 1981. The proposed action will not increase the probability or consequences of any accidents. No changes are being made to any structure, system, or component in the plant, to how the plant is operated, in the types or amounts of any effluents that may be released offsite, and in the allowable individual or cumulative occupational radiation exposure for the plant. The amount of radioactive waste would not be changed by the proposed exemption. Accordingly, the Commission concludes that the proposed exemption would not result in any significant radiological impacts.

With regard to potential nonradiological impacts, the proposed action involves features located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect the 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 Actions

Since the Commission has concluded 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 action, the staff considered denial of the proposed action. 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 FES for the GGNS.

Agencies and Persons Consulted

In accordance with its stated policy, on October 20, 1997, the staff consulted with the Mississippi State official, Robert Goff of the Division of

Radiological Health, State Board of Health, regarding the environmental impact of the 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 letters dated July 15, 1996, March 7 and April 29, 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 Judge George W. Armstrong Library, 220 S. Commerce Street, Natchez, Mississippi 39120.

Dated at Rockville, Maryland, this 21st day of October, 1997.

For the Nuclear Regulatory Commission.

David L. Wigginton,

Acting Director, Project Directorate IV-1, Division of Reactor Projects III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 97-28531 Filed 10-27-97; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION.

[Docket No. 40-1162]

Western Nuclear, Inc.; Final Finding of No Significant Impact; Notice of Opportunity for Hearing

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) proposes to amend NRC Source Material License SUA-56, issued to Western Nuclear, Inc. (WNI), by removing reference to the Day Loma uranium heap leach site. To document its review of the potential environmental impacts associated with the proposed action, the NRC staff prepared an Environmental Assessment in accordance with the requirements of 10 CFR Part 51. The conclusion of the Environmental Assessment is a Finding of No Significant Impact (FONSI) for the proposed licensing action.

FOR FURTHER INFORMATION CONTACT: Mr. Robert D. Carlson of the Uranium Recovery Branch, Mail Stop TWFN 7-J9, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone 301/415-8165.

SUPPLEMENTARY INFORMATION:**Background**

The Day Loma uranium heap leach site is located approximately 40 kilometers (25 miles) northeast of Jeffrey City, Wyoming, in an area known as the Gas Hills Region. This 14,975-hectare (37,000-acre) region is rich in naturally occurring deposits of uranium ore, and widespread uranium mining activity occurred in the region from the late 1950s until the 1980s.

Source Material License SUA-582, which covered activities at the Day Loma site, was originally issued to WNI in 1962. Operations at the site terminated in 1972, and in 1976, SUA-582 was combined with Source Material License SUA-56 for WNI's Split Rock uranium mill. Currently, the Day Loma site is licensed by the NRC under SUA-56 for possession only of byproduct material in the form of heap leach waste from the processing of uranium ore generated from past mining operations.

The NRC approved WNI's reclamation plan for the Day Loma site in 1981, and WNI completed reclamation activities at the site in 1985. The NRC staff inspected and approved the completion of the reclamation work in August 1986. The reclaimed leached material, consisting of approximately 494,000 tons of low-grade (less than 0.05 percent) uranium-bearing rock, was placed on an impervious liner that was constructed on top of existing uranium spoil materials comprised of overburden and mine waste. Following recontouring, a final disposal cell cover of between 2.4 and 4.0 meters (8 and 13 feet) in thickness was constructed of clay and random fill material. The 6.3 ha (15.6 acre) reclaimed site is surrounded by exposed mine spoils unreclaimed mining lands of the Gas Hills Region.

By letter dated October 19, 1995, WNI requested that all reference to the Day Loma site be removed from SUA-56, thereby ending current monitoring and the need for long-term monitoring of the site. A consequence of granting the proposal will be to not require transfer of the Day Loma site to Federal or State ownership as authorized by Section 83b.(4) of the Atomic Energy Act of 1954, as amended.

The State of Wyoming Department of Environmental Quality (WDEQ) will be performing substantial reclamation operations in the Day Loma site area over the next five years in an effort to return this area to its original pre-mining condition. The WDEQ plans to incorporate the heap leach site into its reclamation efforts by recontouring the site into the surrounding landscape.

Conclusions

The NRC staff has evaluated the environmental impacts associated with the removal of reference to the Day Loma site from Source Material License SUA-56, and has determined that approval of the proposed action (1) will be consistent with requirements of 10 CFR Part 40, (2) will not be deleterious to public health and safety, and (3) will not have long-term detrimental impacts on the environment. The following statements support the FONSI and summarize the conclusions resulting from the staff's environmental assessment:

1. The Gas Hills Region is sparsely populated and likely to remain so indefinitely, as the climate is harsh, the land is relatively barren, and the groundwater in the region is considered of such poor quality that it is deemed unsuitable for either domestic or agricultural use;

2. Using conservative assumptions in which the Day Loma heap leach material was assumed to have no radon cover, the NRC staff showed that potential doses to members of the public from the heap leach site and associated risk factors for public health and the environment are much less (0.34 mrem/yr) than the 10 CFR Part 20 public dose limit of 100 mrem/yr and those resulting from the naturally occurring uranium ore deposits which surround the site (34 mrem/yr);

3. The WDEQ will incorporate the heap leach site in its efforts to further reclaim existing mine spoils in the Day Loma area over the next five years; and

4. The staff has determined there will be no significant impacts associated with approval of the amendment request, and accordingly no disproportionately high and adverse effects or impacts on minority and low-income populations. Except in special cases, these impacts need not be addressed for Environmental Assessments in which a FONSI is made. Special cases may include regulatory actions that have substantial public interest, decommissioning involving on-site disposal in accordance with 10 CFR 20.2002, decommissioning/decontamination cases which allow residual radioactivity in excess of release criteria, or cases where environmental justice issues have been raised previously. Consequently, further evaluation of 'Environmental Justice' concerns, as outlined in Executive Order 12898 and NRC's Office of Nuclear Material Safety and Safeguards Policy and Procedures Letter 1-50, Rev.1, is not warranted.

In conducting its evaluation, the NRC staff considered the following: (1) information and analyses provided by WNI as part of its license amendment request; (2) additional analyses conducted by the NRC staff; and (3) information derived from NRC staff communications with the WDEQ.

Alternatives to the Proposed Action

The proposed action is to amend NRC Source Material License SUA-56, by removing reference to the Day Loma uranium heap leach site, as requested by WNI. Therefore, the alternatives available to NRC are to:

(1) Approve the license amendment request as submitted by WNI;

(2) Approve the license amendment request with such conditions as are considered necessary or appropriate to protect public health and safety and the environment; or

(3) Deny the license amendment request.

Based on its review, the NRC staff has concluded that there are no significant environmental impacts associated with the proposed action; therefore, any alternatives with equal or greater environmental impacts need not be evaluated. Since the environmental impacts of the proposed action and the other two alternatives are similar, there is no need to further evaluate alternatives to the proposed action.

Finding of No Significant Impact

The NRC staff has prepared an Environmental Assessment for the proposed amendment of NRC Source Material License SUA-56. 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 N.W., 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 with respect to the technical evaluation and the Environmental Assessment performed by the NRC staff that forms the basis for the decision to amend the license and remove reference to the Day Loma heap leach site from Source Material License SUA-56. 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 Docketing and Service Branch 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: Docketing and Service Branch.

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

(1) The applicant, Western Nuclear, Inc., 200 Union Blvd., Suite 300, Lakewood, Colorado, 80228;

(2) The NRC staff, by delivery to the Executive Director of Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or

(3) 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 22nd day of October 1997.

For the Nuclear Regulatory Commission.

Joseph J. Holonich,

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

[FR Doc. 97-28530 Filed 10-27-97; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: Nuclear Regulatory Commission.

DATE: Weeks of October 27, November 3, 10, and 17, 1997.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

MATTERS TO BE CONSIDERED:

Week of October 27

Wednesday, October 29

11:30 a.m. Affirmation Session (PUBLIC MEETING) (if needed)

2:00 p.m. Briefing on Site Decommissioning Management Plan (SDMP) (PUBLIC MEETING) (Contact: John Hickey—301-415-7234)

Thursday, October 30

10:30 a.m. and 1:30 p.m. All Employees meetings (PUBLIC MEETING) on "The Green" Plaza Area between buildings at White Flint (Contact: Bill Hill—301-415-1661)

Week of November 3

Tuesday, November 4

10:00 a.m. Briefing by the Executive Branch (Closed—Ex. 1)

2:00 p.m. Meeting with Commonwealth Edison (PUBLIC MEETING) (Contact: Bob Capra—301-415-1395)

Wednesday, November 5

9:30 a.m. Briefing on Staff's Plans for 50.59 Regulatory Process Improvements (PUBLIC MEETING) (Contact: Eileen McKenna—301-415-2189)

11:00 a.m. Affirmation Session (PUBLIC MEETING) (if needed)

Week of November 10—Tentative

There are no meetings the week of November 10.

Week of November 17—Tentative

Friday, November 21

11:30 a.m. Affirmation Session (PUBLIC MEETING) (If needed)

Note: The Schedule for commission meetings is subject to change on short notice. To verify the status of meeting call (Recording)—(301) 415-1292.

CONTACT PERSON FOR MORE INFORMATION: Bill Hill (301) 415-1661.

The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/SECY/smj/schedule.htm>.

This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to it, please contact the Office of the Secretary, Attn: Operations Branch, Washington, D.C. 20555 (301-415-1661).

In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to wmhnr.gov or dkwnrc.gov.

Dated: October 24, 1997.

William M. Hill, Jr.,

Secy Tracking Officer, Office of the Secretary.

[FR Doc. 97-28681 Filed 10-24-97; 2:45 pm]

BILLING CODE 2590-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 72-18]

Prairie Island Offsite Independent Spent Fuel Storage Installation; Closing of Temporary Local Public Document Room

Notice is hereby given that the Nuclear Regulatory Commission (NRC) will consider the temporary local public document room (LPDR) set up for records pertaining to Northern States Power Company's proposed Prairie Island Offsite Independent Spent Fuel Storage Installation (ISFSI), located at the Red Wing Public Library, Red Wing, Minnesota, officially closed effective October 31, 1997. The NRC's official full service LPDR for the Prairie Island Nuclear Station, located at the Minneapolis Public Library, 300 Nicollet Mall, Minneapolis, Minnesota, will remain operational.

Dated at Rockville, Maryland, this 22 day of October, 1997.

For the Nuclear Regulatory Commission.

Russell A. Powell,

Chief, Freedom of Information/Local, Public Document Room Branch, Office of Information Resources Management.

[FR Doc. 97-28528 Filed 10-27-97; 8:45 am]

BILLING CODE 7590-01-P