

Regulations (10 CFR), Section 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

### Environmental Assessment

#### *Identification of the Proposed Action*

The proposed amendments would revise the BVPS-1 and 2 Updated Final Safety Analysis Report assumptions, descriptions, and calculated radiological consequences of a postulated fuel handling accident (FHA), including implementation of a revised accident source term for a postulated FHA. These revisions would demonstrate that the consequences of an FHA, once the fuel has undergone radioactive decay for 100 hours, would result in calculated radiation exposures within the guidelines of 10 CFR 50.67, "Accident Source Term." Consistent with the assumptions and description of the revised FHA analysis, the licensee proposes to revise the BVPS-1 and 2 TSs associated with the requirements for handling irradiated fuel assemblies in the reactor containment and fuel building. The proposed amendment would also revise the TSs associated with ensuring that safety analysis assumptions for a postulated FHA are met. The term "recently irradiated" fuel would be defined in the applicable TS Bases as "fuel that has occupied part of a critical reactor core within the previous 100 hours" and the term "recently irradiated" fuel would be added in various locations throughout the TSs. The purpose of the addition of the term "recently irradiated" throughout the TSs is to establish a point where operability of those systems typically used to mitigate the consequences of an FHA is no longer required to meet the radiation exposure limits of 10 CFR 50.67. This amendment would revise the TSs to eliminate TS controls over the integrity of the fuel building and the reactor containment building and the operability of the associated building's ventilation/filtration systems after the decay period of 100 hours.

The proposed action is in accordance with the licensee's application dated March 19, 2001 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML010810433), as supplemented by letters dated July 6 (ADAMS Accession No. ML011980423), and August 8 (ADAMS Accession No. ML012260302), 2001.

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

The proposed action involves an accepted method for implementation of

a revised accident source term for postulated design basis accident analyses (such as the FHA) in accordance with 10 CFR 50.67. The proposed action would result in a reduction in an unnecessary regulatory burden and would result in greater flexibility in execution of refueling outage operations.

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

The NRC has completed its evaluation of the proposed action and concludes that the revised assumptions, descriptions, and methodologies used by the licensee for a postulated FHA for BVPS-1 and 2 follow regulatory guidance and that there is reasonable assurance that, in the event of a postulated FHA, the offsite and control room doses would be well within the 10 CFR 50.67 guidelines.

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 Statements for BVPS-1 and 2, dated July 31, 1973, and September 30, 1985, respectively (Nuclear Documents Systems Accession

Nos. 8907200125 and 8509300559, respectively).

#### *Agencies and Persons Consulted*

On August 9, 2001, the NRC staff consulted with the Pennsylvania State official, Mr. Larry Ryan of the Pennsylvania Department of Environmental Protection, Bureau of Radiation Protection, 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.

Further details with respect to the proposed action may be found in the licensee's letter dated March 19, 2001, as supplemented by letters dated July 6, and August 8, 2001. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publically available records will be accessible electronically from the ADAMS Public Library component on the NRC Web site, <http://www.nrc.gov> (the Public Electronic Reading Room). 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 at [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 17th day of August 2001.

For the Nuclear Regulatory Commission.

**Lawrence J. Burkhardt,**

*Project Manager, Section 1, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 01-21287 Filed 8-22-01; 8:45 am]

BILLING CODE 7590-01-P

## **NUCLEAR REGULATORY COMMISSION**

### **Docket Nos. 50-369 and 50-370**

#### **Duke Energy Corporation, McGuire Nuclear Station, Units 1 and 2; Notice of Intent to Prepare an Environmental Impact Statement and Conduct Scoping Process**

Duke Energy Corporation (Duke) has submitted an application for renewal of

operating licenses NPF-9 and NPF-17 for an additional 20 years of operation at McGuire Nuclear Station (McGuire), Units 1 and 2. McGuire is located in Mecklenburg County, North Carolina. The application for renewal was submitted by letter dated June 13, 2001, pursuant to 10 CFR Part 54. A notice of receipt of application, including the environmental report (ER), was published in the **Federal Register** on July 16, 2001 (66 FR 37072). A notice of acceptance for docketing of the application for renewal of the facility operating license was published in the **Federal Register** on August 15, 2001 (66 FR 42893). The purpose of this notice is to inform the public that the U.S. Nuclear Regulatory Commission (NRC) will be preparing an environmental impact statement in support of the review of the license renewal application and to provide the public an opportunity to participate in the environmental scoping process as defined in 10 CFR 51.29.

In accordance with 10 CFR 54.23 and 10 CFR 51.53(c), Duke submitted the ER as part of the application. The ER was prepared pursuant to 10 CFR Part 51 and is available for public inspection at the NRC Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, or from the Publicly Available Records component of NRC's document system (ADAMS). ADAMS is accessible at <http://www.nrc.gov/NRC/ADAMS/index.html>, (NRC's Public Electronic Reading Room). If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room Reference staff at 1-800-397-4209, or 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). In addition, the J. Murray Atkins Library at the University of North Carolina—Charlotte, located at 9201 University City Blvd., Charlotte, North Carolina, has agreed to make the ER available for public inspection.

This notice advises the public that the NRC intends to gather the information necessary to prepare a plant-specific supplement to the Commission's "Generic Environmental Impact Statement (GEIS) for License Renewal of Nuclear Plants," (NUREG-1437) in support of the review of the application for renewal of the McGuire operating licenses for an additional 20 years. Possible alternatives to the proposed action (license renewal) include no action and reasonable alternative energy sources. 10 CFR 51.95 requires that the NRC prepare a supplement to the GEIS in connection with the renewal of an operating license. This notice is being

published in accordance with the National Environmental Policy Act (NEPA) and the NRC's regulations found in 10 CFR part 51.

The NRC will first conduct a scoping process for the supplement to the GEIS and, as soon as practicable thereafter, will prepare a draft supplement to the GEIS for public comment. Participation in this scoping process by members of the public and local, State, and Federal government agencies is encouraged. The scoping process for the supplement to the GEIS will be used to accomplish the following:

a. Define the proposed action which is to be the subject of the supplement to the GEIS.

b. Determine the scope of the supplement to the GEIS and identify the significant issues to be analyzed in depth.

c. Identify and eliminate from detailed study those issues that are peripheral or that are not significant.

d. Identify any environmental assessments and other environmental impact statements (EISs) that are being or will be prepared that are related to but are not part of the scope of the supplement to the GEIS being considered.

e. Identify other environmental review and consultation requirements related to the proposed action.

f. Indicate the relationship between the timing of the preparation of environmental analyses and the Commission's tentative planning and decision-making schedule.

g. Identify any cooperating agencies and, as appropriate, allocate assignments for preparation and schedules for completing the supplement to the GEIS to the NRC and any cooperating agencies.

h. Describe how the supplement to the GEIS will be prepared, including any contractor assistance to be used.

The NRC invites the following entities to participate in the scoping process:

a. The applicant, Duke Energy Corporation.

b. Any Federal agency that has jurisdiction by law or special expertise with respect to any environmental impact involved, or that is authorized to develop and enforce relevant environmental standards.

c. Affected State and local government agencies, including those authorized to develop and enforce relevant environmental standards.

d. Any affected Indian tribe.

e. Any person who requests or has requested an opportunity to participate in the scoping process.

f. Any person who intends to petition for leave to intervene.

In accordance with 10 CFR 51.26, the scoping process for an EIS may include a public scoping meeting to help identify significant issues related to a proposed activity and to determine the scope of issues to be addressed in an EIS. The NRC has decided to hold public meetings for the McGuire license renewal supplement to the GEIS. The scoping meetings will be held in the auditorium of the North Campus of the Central Piedmont Community College, at 11920 Verhoeff Road, Huntersville, North Carolina, on Tuesday, September 25, 2001. There will be two sessions to accommodate interested parties. The first session will convene at 1:30 p.m. and will continue until 4:30 p.m. The second session will convene at 7:00 p.m. with a repeat of the overview portions of the meeting and will continue until 10:00 p.m. Both sessions will be transcribed and will include (1) an overview by the NRC staff of the National Environmental Policy Act (NEPA) environmental review process, the proposed scope of the supplement to the GEIS, and the proposed review schedule; (2) an overview by Duke of the proposed action, McGuire license renewal, and the environmental impacts as outlined in the ER; and (3) the opportunity for interested Government agencies, organizations, and individuals to submit comments or suggestions on the environmental issues or the proposed scope of the supplement to the GEIS. Additionally, the NRC staff will host informal discussions one hour prior to the start of each session at the North Campus of the Central Piedmont Community College. No comments on the proposed scope of the supplement to the GEIS will be accepted during the informal discussions. To be considered, comments must be provided either at the transcribed public meetings or in writing, as discussed below. Persons may register to attend or present oral comments at the meetings on the NEPA scoping process by contacting Mr. James H. Wilson by telephone at 1 (800) 368-5642, extension 1108, or by Internet to the NRC at [jhw1@nrc.gov](mailto:jhw1@nrc.gov) no later than September 20, 2001. Members of the public may also register to speak at the meeting within 15 minutes of the start of each session. Individual oral comments may be limited by the time available, depending on the number of persons who register. Members of the public who have not registered may also have an opportunity to speak, if time permits. Public comments will be considered in the scoping process for the supplement to the GEIS. If special equipment or accommodations are needed to attend or present information

at the public meeting, the need should be brought to Mr. Wilson's attention no later than September 20, 2001, so that the NRC staff can determine whether the request can be accommodated.

Members of the public may send written comments on the environmental scoping process for the supplement to the GEIS to Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mailstop T-6 D 59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Comments may be hand-delivered to the NRC at 11545 Rockville Pike, Rockville, Maryland, between 7:45 a.m. and 4:15 p.m. on Federal workdays. To be considered in the scoping process, written comments should be postmarked by October 21, 2001.

Electronic comments may be sent by the Internet to the NRC at *McGuireEIS@nrc.gov*. Electronic submissions should be sent no later than October 21, 2001, to be considered in the scoping process. Comments will be available electronically and accessible through the NRC's Public Electronic Reading Room link <http://www.nrc.gov/NRC/ADAMS/index.html> at the NRC Homepage.

Participation in the scoping process for the supplement to the GEIS does not entitle participants to become parties to the proceeding to which the supplement to the GEIS relates. Notice of opportunity for a hearing regarding the renewal application was the subject of the aforementioned **Federal Register**

notice of acceptance for docketing. Matters related to participation in any hearing are outside the scope of matters to be discussed at this public meeting.

At the conclusion of the scoping process, the NRC will prepare a concise summary of the determination and conclusions reached, including the significant issues identified, and will send a copy of the summary to each participant in the scoping process. The summary will also be available for inspection through the PERR link. The staff will then prepare and issue for comment the draft supplement to the GEIS, which will be the subject of separate notices and a separate public meeting. Copies will be available for public inspection at the above-mentioned addresses, and one copy per request will be provided free of charge. After receipt and consideration of the comments, the NRC will prepare a final supplement to the GEIS, which will also be available for public inspection.

Information about the proposed action, the supplement to the GEIS, and the scoping process may be obtained from Mr. Wilson at the aforementioned telephone number or e-mail address.

Dated at Rockville, Maryland, this 16th day of August 2001.

For the Nuclear Regulatory Commission.  
**Cynthia A. Carpenter**,  
*Chief, Generic Issues, Environmental, Financial and Rulemaking Branch, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.*

[FR Doc. 01-21288 Filed 8-22-01; 8:45 am]

BILLING CODE 7590-01-P

**NUCLEAR REGULATORY COMMISSION**

**Application for A License to Export**

**Radioactive Waste**

Pursuant to 10 CFR 110.70(b)(4) "Public notice of receipt of an application," please take notice that the Nuclear Regulatory Commission has received the following application for an export license. Copies of the application are available electronically through ADAMS and can be accessed through the Public Electronic Reading Room (PERR) link <http://www.nrc.gov/NRC/ADAMS/index.html> at the NRC Homepage.

A request for a hearing or petition for leave to intervene may be filed within 30 days after publication of this notice in the **Federal Register**. Any request for hearing or petition for leave to intervene shall be served by the requestor or petitioner upon the applicant, the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington D.C. 20555; the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555; and the Executive Secretary, U.S. Department of State, Washington, D.C. 20520.

The information concerning the application follows.

**NRC EXPORT LICENSE APPLICATION**

| Name of applicant<br>Date of application<br>Date received<br>Application Number | Description of material  |  |  |                        |
|---|--|--|--|------------------------|
|   | Material type  | Total qty  | End use  | Country of destination |
| Framatome ANP Richland, Inc. July 26, 2001<br>XW007.                            | Radioactive waste .....  | 60 kilograms Uranium and 3.0 kilograms Uranium-235 (5% maximum U-235). | Uranium will be removed and disposed of as waste at AECL Chalk River Ontario, disposal site. The zirconium and molybdenum will be processed for recycling. |                        |
| July 26, 2001 kilograms ....  | 150,000.0 Zirconium tubing; 25,000.0 kilograms Molybdenum metal pieces contaminated with low-enriched uranium. | Canada.  |  |                        |

Dated this 15th day of August 2001 at Rockville, Maryland.

For The Nuclear Regulatory Commission.

**Ronald D. Hauber**,  
*Deputy Director, Office of International Programs.*

[FR Doc. 01-21286 Filed 8-22-01; 8:45 am]

BILLING CODE 7590-01-P

**NUCLEAR REGULATORY COMMISSION**

**Advisory Committee on Reactor Safeguards; Revisions**

The agenda for the 485th ACRS meeting, scheduled to be held on

September 5-8, 2001, has been revised to reflect the changes noted below. Notice of this meeting was previously published in the **Federal Register** on Thursday, August 16, 2001 (66 FR 43035).