

because the State and local counties within the emergency planning zone have requested relief from the Federal Emergency Management Agency (FEMA) from participation in the offsite portion of the scheduled 1997 exercise due to hardships caused by recent natural disasters.

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

The proposed action is deemed necessary since the requirement for the State and local counties to participate in the offsite portion of the exercise is beyond the licensee's control. The licensee requested this one-time exemption in support of the State of Minnesota's request for relief from FEMA requirements in 10 CFR Part 44 to biennially exercise offsite emergency plans. The State and local counties requested relief from FEMA requirements (in accordance with Section 350.9.c of 10 CFR Part 44) due to the hardships caused by recent natural disasters. In a letter dated August 12, 1997, to FEMA Region V, the State of Minnesota provided the specific justifications for its relief request.

Section 50.54(q) of 10 CFR Part 50 requires a licensee authorized to operate a nuclear power reactor to follow and maintain in effect emergency plans that meet the standards of 10 CFR 50.47(b) and the requirements of Appendix E to 10 CFR Part 50. Section IV.F.2.c of Appendix E requires that offsite plans for each site shall be exercised biennially with full participation by each offsite authority having a role under the plan. The NRC may, however, grant exemptions from the requirements of the regulations which, pursuant to 10 CFR 50.12(a), are (1) Authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security, and (2) present special circumstances.

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

The proposed action involves administrative activities unrelated to plant operation. The proposed action will not increase the types or amounts of effluents that may be released offsite, nor increase occupational or offsite radiation exposure. The proposed action will not increase the probability or consequences of accidents. Therefore, the Commission concludes that there are no radiological environmental impacts associated with the proposed action. The proposed action will not result in a change in nonradiological plant effluents and will have no other nonradiological environmental impact. Accordingly, the Commission concludes

that there are no nonradiological environmental impacts associated with the proposed action. The Commission concludes that granting this one-time exemption would not result in any significant environmental impact.

#### *Alternatives to the Proposed Action*

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 Final Environmental Statement for the Monticello Nuclear Generating Plant dated November 22, 1972.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on September 3, 1997, the staff consulted with the Minnesota State official, Mr. Michael McCarthy of the Department of Public Services, 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 letter dated August 18, 1997, which 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 located at the Minneapolis Public Library, Technology and Science Department, 300 Nicollet Mall, Minneapolis, Minnesota 55401.

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

#### **For The Nuclear Regulatory Commission.**

**Beth A. Wetzel,**

*Senior Project Manager, Project Directorate III-1, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.*

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## **NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-395]

### **South Carolina Electric and Gas Company (Virgil C. Summer Nuclear Station, Unit No. 1); 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. NPF-12, issued to South Carolina Electric and Gas Company (the licensee), for operation of the Virgil C. Summer Nuclear Station, Unit No. 1, located in Fairfield County, South 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 (SNM) 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 SNM 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 July 17, 1997, as supplemented August 6, 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 SNM, 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 SNM 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 SNM that is stored on site in any given location 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 features designed to prevent inadvertent criticality, the staff has determined that it is extremely unlikely that an inadvertent criticality could occur due to the handling of SNM 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 SNM 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 likely be precluded through compliance with the Virgil C. Summer Nuclear Station, Unit 1, Technical Specifications (TS), 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. TS 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 Virgil C. Summer Nuclear Station, Unit 1, as identified in the TS. The Virgil C. Summer Nuclear Station, Unit 1, TS Section 5.6.1.2 states that the new fuel storage racks are designed for dry storage of fuel assemblies having a U-235 enrichment less than or equal to 5.0 weight percent, while maintaining a k-effective of less than or equal to 0.95 if flooded with unborated water and less than or equal to 0.98 for low density optimum moderation conditions. FSAR Section 9.1.1.1, New Fuel Storage, specifies that the fuel racks are designed to provide sufficient spacing between fuel assemblies to maintain a subcritical array assuming the most reactive

condition, and under all design loadings including the safe shutdown earthquake. FSAR Section 9.1.1.3 also specifies that the new fuel racks are designed to preclude the insertion of a new fuel assembly between cavities.

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 TS design controls (including geometric spacing of fuel assembly storage spaces) and administrative controls designed to 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 Related to the Virgil C. Summer Nuclear Station, Unit No. 1," dated January 1973, and "Final Environmental Statement Related to the Operation of the Virgil C. Summer Nuclear Station, Unit 1," dated May 1981.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on August 26, 1997, the staff consulted with the South Carolina State official, Mr. Virgil Autry of the Bureau of Solid and Hazardous Waste Management, Department of Health and Environmental Control, 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 letter dated July 17, 1997, and supplemental letter dated August 6, 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 Fairfield County Library, 300 Washington Street, Winnsboro, SC.

Dated at Rockville, Maryland, this 26th day of August 1997.

For the Nuclear Regulatory Commission.

**Vernon L. Rooney,**

*Acting Director, Project Directorate II-1, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*

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## **NUCLEAR REGULATORY COMMISSION**

### **Sunshine Act Meeting**

**AGENCY HOLDING THE MEETING:** Nuclear Regulatory Commission.

**DATE:** Weeks of September 8, 15, 22, and 29, 1997.

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

**STATUS:** Public and Closed.

#### **MATTERS TO BE CONSIDERED:**

##### *Week of September 8*

There are no meetings scheduled for the week of September 8.

##### *Week of September 15—Tenative*

Wednesday, September 17

9:00 a.m. Briefing by DOE on Strategy for MOX Fuel Fabrication and Irradiation Services (PUBLIC MEETING) (Contact: Ted Sherr, 301-415-7218)

10:30 a.m. Affirmation Session (PUBLIC MEETING) (if needed)

Friday, September 19

10:00 a.m. Briefing on Improvements in Senior Management Assessment Process for Operating Reactors