

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 GDC 63 standards, constitutes good cause for granting an exemption to the requirements of 10 CFR 70.24.

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 licensee an exemption from the requirements of 10 CFR 70.24 for the James A. FitzPatrick Nuclear Power Plant.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not result in any significant adverse environmental impact (63 FR 34205).

This exemption is effective upon issuance.

For the Nuclear Regulatory Commission.

Dated at Rockville, Maryland, this 24th day of June 1998

Samuel J. Collins,

Director, Office of Nuclear Reactor Regulation.

[FR Doc. 98-17611 Filed 7-1-98; 8:45 am]

BILLING CODE 7590-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 72-9]

Notice of Issuance of Amendment to Materials License SNM-2504, Public Service Company of Colorado, Fort St. Vrain Independent Spent Fuel Storage Installation

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment 5 to Materials License No. SNM-2504 held by the Public Service Company of Colorado (PSCo) for the receipt, possession, storage, and transfer of spent fuel at the Fort St. Vrain (FSV) independent spent fuel storage installation (ISFSI), located in Weld County, Colorado. The amendment is effective as of the date of issuance.

By application dated November 25, 1997, PSCo requested an amendment to revise Materials License SNM-2504 and the Technical Specifications for the FSV ISFSI to (1) replace 10 CFR 50 Program references with stand-alone ISFSI program references due to the termination of the FSV 10 CFR part 50 license, (2) delete references to

previously authorized material that is not stored at the ISFSI, and (3) revise the Technical Specifications to accurately reflect the current ISFSI activities.

This amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

In accordance with 10 CFR 72.46(b)(2), a determination has been made that the amendment does not present a genuine issue as to whether public health and safety will be significantly affected. Therefore, the publication of a notice of proposed action and an opportunity for hearing or a notice of hearing is not warranted. Notice is hereby given of the right of interested persons to request a hearing by July 31, 1998, on whether the action should be rescinded or modified.

The Commission has determined that the issuance of the amendment will not result in any significant environmental impact and that, pursuant to 10 CFR 51.22(c)(10)(ii), an environmental assessment need not be prepared in connection with issuance of the amendment.

Documents related to this action are available for public inspection at the Commission's Public Document Room located at the Gelman Building, 2120 L Street, NW, Washington, DC 20555.

Dated at Rockville, Maryland, this 24th day of June 1998.

For the Nuclear Regulatory Commission.

William F. Kane,

Director, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 98-17610 Filed 7-1-98; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-250 and 50-251]

Turkey Point Plant, Units 3 and 4; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulation Commission (the Commission) is considering issuance of an exemption from certain requirements of its regulations to Facility Operating License Nos. DPR-31 and DPR-41 for the Turkey Point Plant, Units 3 and 4, respectively, issued to the Florida

Power and Light Company (the licensee).

Environmental Assessment

Identification of Proposed Action

The proposed action is in response to the licensee's application dated March 5, 1998, for exemption from the requirements of 10 CFR 50.71(e)(4) regarding submission of revisions to the updated Final Safety Analysis Report (FSAR). Under the proposed exemption, the licensee would schedule updates to a single, unified FSAR for the two units based on the refueling cycle of Unit 4 and at intervals not to exceed 24 months.

The Need for the Proposed Action

The Code of Federal Regulations, 10 CFR 50.71(e)(4), requires licensees to submit updates to their FSAR annually or within 6 months after each refueling outage providing that the interval between successive updates does not exceed 24 months. Since Units 3 and 4 share a common FSAR, the licensee must update the same document annually or within 6 months after a refueling outage for either unit. The underlying purpose of the rule was to relieve licensees of the burden of filing annual FSAR revisions while assuring that such revisions are made at least every 24 months. The Commission reduced the burden, in part, by permitting a licensee to submit its FSAR revisions 6 months after refueling outages for its facility, but did not provide for multiple unit facilities sharing a common FSAR in the rule. Rather, the Commission stated: "With respect to the concern about multiple facilities sharing a common FSAR, licensees will have maximum flexibility for scheduling updates on a case-by-case basis." 57 FR 39355 (1992). Allowing the exemption would maintain the updated FSAR current within 24 months of the last revision.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that it involves administrative activities unrelated to plant operation.

The proposed action will not result in an increase in the probability or consequences of accidents or result in a change in occupational exposure or offsite dose. Therefore, there are no significant radiological 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 there are no significant environmental impacts associated with this action.

Alternative to the Proposed Action

Since the Commission has concluded that there is no significant 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 exemption would result in no change in current environmental impacts. The environmental impacts of the proposed exemption and this alternative 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 Turkey Point Plant dated July 1972.

Agencies and Persons Contacted

In accordance with its stated policy, on May 28, 1998, the staff consulted with the Florida State official, Mr. William A. Passetti, Chief, Office of Radiation Control, regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

Based upon the foregoing 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 exemption.

For further details with respect to this action, see the licensee's request for the exemption dated March 5, 1998, which is available for public inspection at the Commission's Public Document Room, Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Library, Florida International University, University Park Campus, Miami, Florida 33199.

Dated at Rockville, Maryland, this 25th day of June 1998.

For the Nuclear Regulatory Commission.

Frederick J. Hebdon,

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

[FR Doc. 98-17605 Filed 7-1-98; 8:45 am]

BILLING CODE 7590-1-M

NUCLEAR REGULATORY COMMISSION

[Docket 72-16]

Virginia Electric and Power Company, Issuance of Environmental Assessment and Finding of No Significant Impact Regarding the Proposed Exemptions From Requirements of 10 CFR Part 72

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering issuance of an exemption from certain requirements of its regulations to Virginia Electric and Power Company (Virginia Power). The requested exemption would allow Virginia Power to submit the report of preoperational test acceptance criteria and test results at least 3 days (instead of 30 days) prior to the receipt of fuel at its independent spent fuel storage installation (ISFSI) at the North Anna Power Station (Docket Nos. 50-338 and 50-339) in Louisa County, Virginia.

Environmental Assessment (EA)

Identification of Proposed Action

By letter dated June 12, 1998, Virginia Power requested an exemption from the requirement in 10 CFR 72.82(e) which states that "A report of the preoperational test acceptance criteria and test results must be submitted . . . at least 30 days prior to the receipt of spent fuel or high level waste." Virginia Power proposed to submit this report 3 days prior to receipt of fuel at the ISFSI. Granting the exemption at this time would enable Virginia Power to proceed with activities to support its scheduled Unit 1 refueling outage.

Need for the Proposed Action:

Virginia Power's request is to ensure the availability of adequate storage space in the spent fuel pool to support its upcoming Unit 1 refueling outage which is scheduled to begin in September 1998. New fuel for the outage is scheduled to arrive onsite on July 21, 1998. To load the new fuel into the spent fuel pool and still retain a single unit full core offload capacity in the spent fuel pool, Virginia Power plans to load its first spent fuel storage cask during the week of July 6, 1998.

The purpose of the 30-day period, for the applicant to submit a report of the preoperational test acceptance criteria and test results, is to establish a sufficient hold point to ensure that the NRC has enough time to inspect a new licensee's preparation and, if necessary, exercise its regulatory authority before fuel is received at an ISFSI. For example, an ISFSI located at an away-

from-reactor site may not have a resident inspector, therefore, the full 30-day period might be necessary to provide enough time for the NRC to review the licensee's records and preoperational test results and, if needed, send inspectors to the site. The North Anna ISFSI is located on a reactor site that has resident inspectors, and the resident and other NRC inspectors were present to observe portions of the preoperational test activities as they were being conducted. The NRC inspectors will also have ongoing access to the applicant's tests procedures and results to allow the inspectors to conduct the appropriate review. Thus, in view of the NRC's oversight presence during the preoperational testing phase at North Anna, as well as NRC's immediate access to the applicant's test procedures and results, the Commission concludes that the entire 30 days provided for in the rule will not be needed for the NRC to complete its inspection activities and determine whether any further regulatory action is needed before spent fuel is received at the North Anna ISFSI. However, the NRC may determine that it requires more than the requested 3 days to review the test results. The NRC will consider the specific amount of time needed to review the North Anna preoperational test results in its final response to the request for exemption.

Environmental Impacts of the Proposed Action

The Environmental Assessment (EA) for the license application for the North Anna ISFSI (62 FR 16202, April 4, 1997) considered the potential environmental impacts of construction and operation of an ISFSI at the North Anna site. In the EA, the NRC concluded that storage of spent fuel at the North Anna ISFSI will not significantly affect the quality of the environment. The proposed actions now under consideration would not change the potential environmental effects assessed in the EA. Specifically, there are no environmental impacts associated with the time frame for submitting the preoperational test acceptance criteria and test results. As previously discussed, the 30-day period is to provide the NRC sufficient opportunity to review the licensee's report. However, as NRC inspectors were on site during the applicant's preoperational tests, which were conducted between June 8 and June 18, 1998, the shorter 3-day period will provide the same, sufficient opportunity. In addition, the proposed exemption does not involve any changes that increase the probability or consequences of accidents, change the