## NUCLEAR REGULATORY COMMISSION

**[Docket No. 50–285]**

### Omaha Public Power District, Fort Calhoun 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 to Omaha Public Power District, holder of Facility Operating License No. DPR–40 for operation of the Fort Calhoun Station, Unit No. 1 located in Washington County, Nebraska.

**Environmental Assessment Action**

*Identification of Proposed Action*

The proposed action would exempt Omaha Public Power District from the requirements of 10 CFR part 50, appendix R, Section III.O, with respect to certain unpressurized components. Section III.0 requires reactor coolant pumps be equipped with an oil collection system if the containment is not inerted during normal operation. The collection systems shall be capable of collecting lube oil from all potential pressurized and unpressurized leakage sites in the reactor coolant pump lube oil systems. Leakage shall be collected and drained to a vented closed container that can hold the entire lube oil system inventory.

The proposed action is in accordance with the licensee's application for exemption dated September 30, 1997, as supplemented by letter dated January 29, 1998.

*The Need for the Proposed Action*

The proposed action is needed because it would be extremely difficult for the licensee to design, install, and maintain the specified portions of the collection system due to location, arrangement, equipment interferences, and radiation dose as low as reasonably achievable (ALARA) considerations.

*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 associated with the proposed exemption. The unpressurized components at issue do not present a significant risk of oil leakage that could lead to fire in containment during normal or design basis accident conditions. The proposed action, therefore, will not increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released offsite, and there is no significant increase in the allowable individual or cumulative occupational radiation exposure. Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does involve 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 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 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*

This action does not involve the use of any resources not previously considered in the Final Environmental Statement (FES) for the Fort Calhoun Station, Unit No. 1, dated August 1972.

*Agencies and Persons Consulted*

In accordance with its stated policy, on April 27, 1998, the staff consulted with the Nebraska State official, Ms. Cheryl Rodgers of the Department 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 letter dated September 30, 1997, and supplemental letter dated January 29, 1998, which are available for public inspection at the Commission's Public Document Room, which is located at The Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the W. Dale Clark Library, 215 South 15th Street, Omaha, Nebraska 68102.

Dated at Rockville, Maryland, this 7th day of May 1998.

For the Nuclear Regulatory Commission.

**Raynard Wharton,**

*Project Manager Project Directorate IV–2, Division of Reactor Projects III/IV Office of Nuclear Reactor Regulation.*

[FR Doc. 98–12672 Filed 5–12–98; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

**[Docket 72–1021]**

### Transnuclear, Inc.; Issuance of Environmental Assessment and Finding of No Significant Impact

By letter dated March 11, 1998, Transnuclear, Inc. (TN or applicant) requested an exemption, pursuant to 10 CFR 72.7, from the requirements of 10 CFR 72.234(c). TN, located in Hawthorne, New York, is seeking Nuclear Regulatory Commission (NRC or the Commission) approval to fabricate five TN–32 dry spent fuel storage casks prior to receipt of a Certificate of Compliance (COC). The casks are intended for use under the general license provisions of subpart K of 10 CFR part 72 by Duke Power Company (Duke) at the McGuire Nuclear Station (McGuire) located in Cornelius, North Carolina. The TN–32 dry spent fuel storage cask is currently used at Surry Power Station under a site-specific license.

**Environmental Assessment (EA)**

*Identification of Proposed Action:* The applicant is seeking Commission approval to fabricate five TN–32 casks prior to the Commission's issuance of a COC. The applicant requests an exemption from the requirements of 10 CFR 72.234(c), which state that ''Fabrication of casks under the Certificate of Compliance must not start prior to receipt of the Certificate of Compliance for the cask model.'' The proposed action before the Commission is whether to grant this exemption under 10 CFR 72.7.

*Need for the Proposed Action:* TN requested the exemption to ensure the availability of storage casks so that Duke can maintain full core off-load capability at McGuire. McGuire Unit 2 will lose full core off-load capability in August 2000. McGuire has proposed an initial cask loading in September 2000.

To support training and dry runs prior to the initial loading, Duke requests the delivery of the first cask by January 2000. TN states that to meet this schedule, purchase of cask components must begin promptly and fabrication must begin by September 1998.

The TN–32 COC application, dated September 24, 1997, is under consideration by the Commission. It is anticipated, if approved, the TN–32 COC may be issued in late 1999.

The proposed fabrication exemption will not authorize use of the casks to store spent fuel. That will occur only when, and if, a COC is issued. NRC approval of the fabrication exemption request should not be construed as an NRC commitment to favorably consider TN's application for a COC. TN will bear the risk of all activities conducted under the exemption, including the risk that the five casks TN plans to construct may not be usable because they may not meet specifications or conditions placed in a COC that NRC may ultimately approve.

*Environmental Impacts of the Proposed Action:* The Environmental Assessment for the final rule, ''Storage of Spent Nuclear Fuel in NRC-Approved Storage Casks at Nuclear Power Reactor Sites'', (55 FR 29181 (1990) ) considered the potential environmental impacts of casks which are used to store spent fuel under a COC and concluded that there would be no significant environmental impacts. The proposed action now under consideration would not permit use of the casks, but only fabrication. There are no radiological environmental impacts from fabrication since cask fabrication does not involve radiological or radioactive materials. The major non-radiological environmental impacts involve use of natural resources due to cask fabrication. Each TN–32 storage cask weighs approximately 100 tons and is fabricated mainly from steel and plastic. The estimated 500 tons of steel required for five casks is expected to have very little impact on the steel industry. Additionally, the estimated 5 tons of plastic required for five casks is insignificant compared to the millions of tons of plastic produced annually. Cask fabrication would be at a metal fabrication facility, not at the reactor site. Fabrication of five casks is insignificant compared to the amount of metal fabrication performed annually in the United States. If the casks are not usable, the casks could be disposed of or recycled. The amount of material disposed of is insignificant compared to the amount of steel and plastic that is disposed of annually in the United States. Based upon this information, the fabrication of five casks will have no significant impact on the environment since no radioactive materials are involved, and the amount of natural resources used is minimal.

*Alternative to the Proposed Action:* Since there is no significant environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact are not evaluated. The alternative to the proposed action would be to deny approval of the exemption and, therefore, not allow cask fabrication until a COC is issued. However, the environmental impacts of the proposed action and the alternative action would be the same.

Given that there are no significant differences in environmental impacts between the proposed action and the alternative considered and that the applicant has a legitimate need to fabricate the casks prior to certification and is willing to assume the risk that the fabricated casks may not be certified or may require modification, the Commission concludes that the preferred alternative is to grant the exemption.

*Agencies and Persons Consulted:* The North Carolina Division of Radiation Protection was consulted about the EA for the proposed action and had no concerns.

References used in preparation of the EA:

1. NRC, Environmental Assessment Regarding Final Rule, ''Storage of Spent Fuel in NRC-Approved Storage Casks at Power Reactor Sites,'' 55 FR 29181.

2. NRC, 10 CFR part 51, Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions.

## Finding of No Significant Impact

The environmental impacts of the proposed action have been reviewed in accordance with the requirements set forth in 10 CFR part 51. Based upon the foregoing EA, the Commission finds that the proposed action of granting an exemption from 10 CFR 72.234(c) so that TN may fabricate five TN–32 casks prior to issuance of a COC will not significantly impact the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed exemption.

This application was docketed under 10 CFR part 72, Docket 72–1021. For further details with respect to this action, see the application dated March 11, 1998, which is available for public inspection at the Commission's Public Document Room, 2120 L Street, NW, Washington, DC 20555, and the Local Public Document Room at the J. Murrey Atkins Library, University of North Carolina at Charlotte, UNCC Station, Charlotte, NC 28223.

Dated at Rockville, Maryland, this 6th day of May 1998.

For the Nuclear Regulatory Commission.

**Susan F. Shankman,**

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

[FR Doc. 98–12670 Filed 5–12–98; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

**[Docket 72–1027]**

## Transnuclear, Inc.; Issuance of Environmental Assessment and Finding of No Significant Impact

By letter dated January 23, 1998, Transnuclear, Inc. (TN or applicant) requested an exemption, pursuant to 10 CFR 72.7, from the requirements of 10 CFR 72.234(c). TN, located in Hawthorne, New York, is seeking Nuclear Regulatory Commission (NRC or the Commission) approval to fabricate nine TN–68 dry spent fuel storage casks prior to receipt of a Certificate of Compliance (COC). The TN–68 cask is similar in design to the TN–32 and TN–40 dry spent fuel storage casks which have been approved for use at Independent Spent Fuel Storage Installations with site-specific licenses. The TN–68 casks are intended to be used by PECO Energy Company (PECO) at the Peach Bottom Atomic Power Station (PBAPS) located in Delta, Pennsylvania, under the general license provisions of subpart K of 10 CFR Part 72.

## Environmental Assessment (EA)

*Identification of Proposed Action:* The applicant is seeking Commission approval to fabricate nine TN–68 casks prior to the Commission's issuance of a COC. The applicant requests an exemption from the requirements of 10 CFR 72.234(c), which states that ''fabrication of casks under the Certificate of Compliance must not start prior to receipt of the Certificate of Compliance for the cask model.'' The proposed action before the Commission is whether to grant this exemption under 10 CFR 72.7.

*Need for the Proposed Action:* TN requests the exemption to ensure the availability of storage casks by July 2000, so that PECO can maintain full core off-load capability at PBAPS. TN states that to meet this schedule, purchase of cask components must