core instrumentation that is not in use) 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 that are designed to prevent inadvertent criticality, the staff has determined that it is unlikely that an inadvertent criticality could occur due to the handling of special nuclear material at a commercial power reactor. Therefore, an exemption from the requirements of 10 CFR 70.24 in selected cases will not have a negative impact on the safety of personnel during the handling of special nuclear materials at commercial power reactors.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that inadvertent or accidental criticality will be precluded through compliance with the Fermi 2 Technical Specifications, 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.

The proposed exemption will not result in an increase in the probability or consequences of accidents, affect radiological plant effluents or offsite dose, or cause any significant occupational exposures. Therefore, there are no radiological impacts associated with the proposed exemption.

The proposed exemption will not result in a change in nonradiological effluents and will have no other nonradiological environmental impact.

Accordingly, the Commission concludes that there are no significant environmental impacts associated with the proposed action.

Alternatives 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 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 operation of Fermi 2 dated August 1981.

Agencies and Persons Consulted

In accordance with its stated policy, on May 7, 1998, the staff consulted with the Michigan State official, Dennis Hahn, of the Michigan Department of Environmental Quality, 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 April 27, 1998, which is available for public inspection at the Commission's Public Document Room located at the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Monroe County Library System, 3700 South Custer Road, Monroe, Michigan 48161.

Dated at Rockville, Maryland, this 20th day of May 1998.

For the Nuclear Regulatory Commission.

Andrew J. Kugler,

Project Manager, Project Directorate III–1, Division of Reactor Projects III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 98–14102 Filed 5–27–98; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket 72–1021]

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

By letter dated April 9, 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 six 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 Wisconsin Electric Power Company (WEPCo) at the Point Beach Nuclear Power Station (Point Beach) located in Two Rivers, Wisconsin. 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 six 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

Point Beach was using the Ventilated Storage Cask, Model No. 24, fabricated by Sierra Nuclear, Corp. (VSC–24), however, they have not been able to load a cask for 2 years. The VSC–24 vendor is under a demand for information, and a confirmatory action letter regarding closure lid weld issues that prevents Point Beach from loading any VSC–24s. To ensure future operations, Point Beach requires another cask option if they cannot load VSC–24s. TN requests the exemption to ensure the availability of storage casks so that WEPCo can continue operating the Point Beach Units 2 and 1 past March 2000 and late 2000, respectively, and to restore full core off-load capability. Three casks are required to ensure continued operation into 2001, and three additional casks are required to restore full core off-load capability. Therefore, to support the March 2000 loading, WEPCo requests the delivery of the first cask by December 1999. 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 six 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 600 tons of steel required for six casks is expected to have very little impact on the steel industry. Additionally, the estimated 6 tons of plastic required for six 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 six 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 six 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, if a COC is issued and fabrication of the cask occurs, 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 Wisconsin Public Utility Commission 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 six 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 April 9, 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 Joseph Mann Library, 1516 16th Street, Two Rivers, WI 54241.

Dated at Rockville, Maryland, this 20th day of May 1998.

For the Nuclear Regulatory Commission.

William F. Kane,

Acting Deputy Director, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 98–14100 Filed 5–27–98; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 23198; 812–10942]

Boston 1784 Funds, et al.; Notice of Application

May 20, 1998.

AGENCY: Securities and Exchange Commission (''SEC'').

ACTION: Notice of application for an order under section 12(d)(1)(J) of the Investment Company Act of 1940 (the ''Act'') exempting applicants from sections 12(d)(1)(A) and (B) of the Act, under sections 6(c) and 17(b) of the Act exempting applicants from sections 17(a)(1) and 17(a)(2) of the Act, and under section 17(d) of the Act and rule 17d–1 under the Act.

SUMMARY OF THE APPLICATION: The requested order would permit certain registered open-end management investment companies to invest excess cash and collateral in affiliated money market funds in excess of the limits in sections 12(d)(1)(A) and (B) of the Act.

APPLICANTS: Boston 1784 Funds (the ''Trust''), and all other registered open-end management investment companies and series thereof that currently or in the future are part of the same ''group of investment companies,'' within the meaning of section 12(d)(1)(G) of the Act, that includes the Trust, and BankBoston, N.A. (''BankBoston'').

FILING DATES: The application was filed on December 31, 1997, and amended on May 20, 1998.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on June 15, 1998, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 Fifth Street, NW., Washington, DC 20549. Applicants, 2 Oliver Street, Boston, MA 02109.

FOR FURTHER INFORMATION CONTACT: Kathleen L. Knisely, Staff Attorney, at (202) 942–0517, or Nadya B. Roytblat, Assistant Director, at (202) 942–0564,