

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 January 28, 1998, 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 White Plains Public Library, 100 Martine Avenue, White Plains, New York 10610.

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

For the Nuclear Regulatory Commission.

**George F. Wunder,**

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

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## **NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-286]

### **Power Authority of the State of New York, Indian Point Nuclear Generating Unit No. 3; Environmental Assessment and Finding of no Significant Impact**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from the requirements of 10 CFR 50.60 for Facility Operating License No. DPR-64, issued to the Power Authority of the State of New York (the licensee), for operation of the Indian Point Nuclear Generating Unit No. 3 (IP3) located in Westchester County, New York.

#### **Environmental Assessment**

##### *Identification of the Proposed Action*

The proposed action would exempt the licensee from the requirements of 10 CFR 50.60 to allow the use of Code Case N-514 in place of the safety margins required by Appendix G to 10 CFR Part 50 to determine the low temperature overpressure (LTOP) parameters.

The proposed action is in accordance with the licensee's application for exemption dated November 3, 1997.

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

Pursuant to 10 CFR 50.60, all light water nuclear power reactors must meet the fracture toughness requirements for the reactor coolant pressure boundary as set forth in 10 CFR Part 50, Appendix G. Since the licensee wishes to use Code Case N-514 as opposed to the requirements of Appendix G, an exemption to the regulations is necessary.

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

The Commission has completed its evaluation of the use of Code Case N-514 in place of the safety margins required by Appendix G to 10 CFR Part 50 to determine the low temperature overpressure (LTOP) parameters and concludes that there will be no physical or operational changes to IP3.

The Commission has evaluated the environmental impact of the proposed action and has determined that the probability or consequences of accidents would not be increased by the proposed action, and that post-accident radiological releases would not be greater than previously determined. Further, the Commission has determined that the proposed action would not affect routine radiological 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. Therefore, 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 that there is no measurable environmental impact with the proposed action, any alternatives with equal or greater environmental impact need not be evaluated.

The principal alternative would be to deny the requested 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 identical.

##### *Alternative Use of Resources*

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for Indian Point Nuclear

Generating Unit No. 3, dated February 1975.

##### *Agencies and Persons Consulted*

In accordance with its stated policy, on March 20, 1998, the staff consulted with the New York State Official, Jack Spath, of the New York State Research and Development Authority 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 November 3, 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 White Plains Public Library, 100 Martine Avenue, White Plains, New York 10601.

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

For the Nuclear Regulatory Commission.

**George F. Wunder,**

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

[FR Doc. 98-9653 Filed 4-9-98; 8:45 am]

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## **NUCLEAR REGULATORY COMMISSION**

### **State of Oregon Relinquishment of Sealed Source and Device Evaluation and Approval Authority and Reassumption by the Commission**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of reassumption of sealed source and device evaluation and approval authority from the State of Oregon.

**SUMMARY:** Notice is hereby given that effective April 1, 1998, the Nuclear Regulatory Commission reassumed regulatory authority for sealed source and device evaluations and approvals in the Agreement State of Oregon in response to a request from the Governor of the State of Oregon to relinquish this authority.

**EFFECTIVE DATE:** April 1, 1998.