discuss the progress of the licensees' corrective actions and the extent of licensee management attention regarding completion of Thermo-Lag corrective actions. In addition, the NRC staff discussed with licensees the possibility of accelerating their completion schedules.

The NRC staff met with the Licensees for Davis-Besse on April 3, 1997. At this meeting, the NRC staff reviewed the schedule of Thermo-Lag corrective actions described in the Licensees' submittals to the NRC dated February 20, April 24, June 26, and November 5, 1996, as documented in the NRC meeting summary dated April 16, 1997. On the basis of the information submitted by the Licensees (including an additional letter dated September 10, 1997), the NRC staff has concluded that the schedules presented are reasonable. This conclusion is based on (1) the amount of installed Thermo-Lag; (2) the complexity of the plant-specific fire barrier configurations and issues; and (3) the need to perform certain plant modifications during outages as opposed to those that can be performed while the plant is at power. In order to remove compensatory measures such as fire watches, it has been determined that resolution of the Thermo-Lag corrective actions by the Licensees must be completed in accordance with their current schedule. By letter dated May 4, 1998, the NRC staff notified the Licensees of its plan to incorporate their schedule commitment into a requirement by issuance of an order and requested consent from the Licensees. By letter dated June 11, 1998, the Licensees provided their consent to issuance of a Confirmatory Order.

**III**

The Licensees' commitment as set forth in their letter of June 11, 1998, is acceptable and is necessary for the NRC to conclude that public health and safety are reasonably assured. To preclude any schedule delay and to ensure public health and safety, the NRC staff has determined that the Licensees' commitment in their June 11, 1998, letter be confirmed by this Order. The Licensees have agreed to this action. On this basis, and the Licensees' consent, this Order is immediately effective upon issuance.

**IV.**

Accordingly, pursuant to sections 103, 161b, 161i, 161o, 182, and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR Part 50, *it is hereby ordered*, effective immediately, that

The Toledo Edison Company, Centerior Service Company, and The Cleveland Electric Illuminating Company (the licensees) shall complete final implementation of Thermo-Lag 330–1 fire barrier corrective actions at the Davis-Besse Nuclear Power Station, Unit No. 1, by December 31, 1998, as described in the licensees' submittals to the NRC dated February 20, 1996, April 24, 1996, June 26, 1996, November 5, 1996, and September 10, 1997, and as presented at the licensees' meeting with the NRC staff on April 3, 1997, as documented in the NRC meeting summary dated April 16, 1997.

The Director, Office of Nuclear Reactor Regulation, may relax or rescind, in writing, any provisions of this Confirmatory Order upon a showing by the Licensees of good cause.

**V**

Any person adversely affected by this Confirmatory Order, other than the Licensees, may request a hearing within 20 days of its issuance. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555–0001, and must include a statement of good cause for the extension. Any request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Attention: Rulemakings and Adjudications Staff, Washington, D.C. 20555–0001. Copies of the hearing request shall also be sent to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555–0001, to the Deputy Assistant General Counsel for Enforcement at the same address, to the Regional Administrator, NRC Region III, 801 Warrenville Road, Lisle, Illinois 60532–4351, and to the Licensees. If such a person requests a hearing, that person shall set forth with particularity the manner in which his/her interest is adversely affected by this Order and shall address criteria set forth in 10 CFR 2.714(d).

If a hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any such hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section IV above shall be final 20 days from the date of this Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section IV shall be final when the extension expires if a hearing request has not been received. An answer or a request for hearing shall not stay the immediate effectiveness of this Order.

Dated at Rockville, Maryland this 22nd day of June 1998.

For the Nuclear Regulatory Commission.

**Samuel J. Collins,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 98–17098 Filed 6–25–98; 8:45 am]

BILLING CODE 7590–01–P

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## NUCLEAR REGULATORY COMMISSION

**[Docket No. 40–8502]**

## Cogema Mining, Inc.; Environmental Statements; Availability, etc

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final Finding of No Significant Impact and Notice of Opportunity for Hearing.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) proposes to renew NRC Source Material License SUA–1341 to authorize the licensee, COGEMA Mining, Inc. (COGEMA), to continue the commercial operation of its in-situ leach (ISL) uranium mines and processing facilities, located in Campbell and Johnson Counties, Wyoming. This license currently authorizes COGEMA to receive, acquire, possess, and transfer uranium at its Irigaray and Christensen Ranch Facilities, which are located approximately 10 miles northeast of Sussex, Wyoming, and 30 miles north-northeast of Midwest, Wyoming, respectively. An Environmental Assessment (EA) was performed by the NRC staff in support of its review of COGEMA's license renewal request, in accordance with the requirements of 10 CFR Part 51. The conclusion of the Environmental Assessment is a Finding of No Significant Impact (FONSI) for the proposed licensing action.

**FOR FURTHER INFORMATION CONTACT:** Ms. Janet Lambert, Uranium Recovery Branch, Mail Stop TWFN 7-J9, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone 301/415–6710. E-mail: JAL@NRC.GOV

**SUPPLEMENTARY INFORMATION:**

### Background

The Irigaray Project was licensed for commercial operation in August 1978,

under ownership of Westinghouse Electric Corporation. In 1982, operations ceased at the Irigaray plant and wellfields, and the facility was placed on standby status pending improvements in the uranium market. In June 1987, Malapai Resources Company (MRC) purchased the Irigaray site from Westinghouse and resumed operations. In 1988, MRC was granted an amendment to the SUA–1341 Irigaray license to include the Christensen Ranch satellite ion exchange (IX) plant and associated mine units (MUs). The Irigaray site was then upgraded to include facilities for processing IX resin from Christensen Ranch. In April 1993, following other ownership changes, COGEMA acquired ownership of the Irigaray and Christensen Ranch Uranium Projects. Since then operations have continued under COGEMA management.

At the Irigaray and Christensen Ranch facilities, the ISL mining method involves: (1) the injection of native groundwater, with added sodium carbonate/bicarbonate and oxygen or hydrogen peroxide, into a uranium-bearing orebody through injection wells; (2) the chemical mobilization of the uranium through oxidation and then complexation with the carbonate species; and (3) the extraction of the uranium-bearing solution from the subsurface through a pattern of pumping wells. The uranium is separated from the leach solution by conventional ion exchange (IX) methods in the processing facilities. The resulting uranium-poor solution is recharged with carbonate and oxygen and returned to the mining zone for additional uranium recovery. This cycle continues until the ore zone is depleted or recovery of the uranium is no longer economically feasible.

Once saturated with uranium, the resin in the IX columns is stripped of the uranium through an elution process. The recovered uranium solution is processed further by using ammonia or hydrogen peroxide to precipitate the uranium into a slurry. The resulting slurry is thickened by gravity settling, and then washed and de-watered in a filter press to about 50 percent solids. The filter press solids (cake) are then dried in a natural gas vacuum dryer, to produce uranium oxide, which is commonly known as ''yellowcake.'' The dried yellowcake is packaged in steel drums for storage and eventual shipment to a fuel processing facility.

The Irigaray processing plant has the capability to perform all of the previously described processing steps. However, the Christensen Ranch plant does not contain the uranium elution circuit for removing and concentrating the uranium from the IX resin. For this reason, resin from the Christensen Ranch processing plant is transferred via truck to the Irigaray facility for elution and concentration into yellowcake. The eluted resin is then returned to the Christensen Ranch plant for reuse.

All wellfields at the Irigaray site are in the restoration phase. Previous operations at Christensen Ranch have included production from Mine Units (MU) 2, 3, 4, 5, and 6, with MU 3 in the groundwater restoration phase. Remaining reserves on the entire Irigaray property controlled by COGEMA total approximately seven million pounds. Reserves remaining on the Christensen Ranch property total approximately 13 million pounds in the current, low-value uranium market.

The proposed action is to renew Source Material License SUA–1341 to authorize the continued commercial operation of the Irigaray and Christensen Ranch facilities. In its renewal application, COGEMA has proposed many changes to the operations and procedures at the facilities. One of the major changes proposed by COGEMA is to combine the mine and development plans for Irigaray and Christensen Ranch into one plan. In addition, the renewed license would authorize the facilities to be operated such that the annual average yellowcake production does not exceed 1,133,980 kg (2,500,000 pounds) of U3O8 annually. The EA discusses the environmental aspects of the COGEMA proposal. Additional information concerning the safety aspects of the proposed renewal will be contained in the safety evaluation report (SER) that will accompany the license renewal action.

**The Environmental Assessment**

The NRC staff performed an appraisal of the environmental impacts associated with the continued operation of the COGEMA ISL facility, in accordance with 10 CFR Part 51, Licensing and Regulatory Policy Procedures for Environmental Protection. In conducting its appraisal, the NRC staff considered the following information: (1) COGEMA's license renewal application, as amended; (2) previous environmental evaluations of the COGEMA facility; (3) COGEMA's license amendment requests submitted subsequent to its renewal application, and NRC staff approvals of these requests; (4) data contained in required semiannual environmental monitoring reports; (5) results of NRC staff site visits and inspections of the COGEMA facility; and (6) consultations with the U.S. Fish and Wildlife Service, the State of Wyoming Department of Environmental Quality, and the State Historic Preservation Officer for the State of Wyoming. The results of the staff's appraisal are documented in the EA.

**Environmental Assessment Conclusions**

The NRC staff has re-examined actual and potential environmental impacts associated with continued operation of the Irigaray and Christensen Ranch facilities, and has determined that renewal of Source Material License SUA–1341 will: (1) be consistent with requirements of 10 CFR Part 40; (2) not be inimical to the public health and safety; and (3) not have long-term detrimental impacts on the environment. The following statements support the FONSI and summarize the conclusions resulting from the staff's environmental assessment:

1. The proposed groundwater monitoring program is sufficient to detect excursions (vertical or horizontal) of mining solutions. Furthermore, aquifer testing and the previous history of operations indicate that the production zone is adequately confined, thereby assuring hydrologic control of mining solutions;

2. Liquid process wastes will be disposed in accordance with approved waste disposal options. Monitoring programs are in place to ensure appropriate operation of the deep disposal well and to detect potential leakage from the solar evaporation ponds;

3. An acceptable environmental and effluent monitoring program is in place to monitor effluent releases and to detect if applicable regulatory limits are exceeded. Radiological effluents from facility operations have been and are expected to continue to remain below the regulatory limits;

4. All radioactive wastes generated by facility operations will be disposed offsite at a licensed byproduct disposal site;

5. Groundwater impacted by mining operations will be restored to baseline conditions on a mine-unit average, as a primary goal. If baseline conditions cannot be reasonably achieved, the R&D operations have demonstrated that the groundwater can be restored to applicable class-of-use standards; and

6. Because the staff has determined that there will be no significant impacts associated with approval of the license renewal, there can be no disproportionally high and adverse effects or impacts on minority and low-income populations. Consequently,

further evaluation of Environmental Justice concerns, as outlined in Executive Order 12898 and NRC's Office of Nuclear Material Safety and Safeguards Policy and Procedures Letter 1–50, Revision 1, is not warranted.

### Alternatives to the Proposed Action

The proposed action is to renew NRC Source Material License SUA–1341, for continued operation of the Irigaray and Christensen Ranch ISL facilities, as requested by COGEMA. Therefore, the principal alternatives available to NRC are to:

(1) Renew the license as requested by the licensee, with conditions considered necessary or appropriate to protect public health and safety and the environment; or

(2) Renew the license, with conditions considered necessary or appropriate to protect public health and safety and the environment, but not allow COGEMA to expand its operations beyond those previously approved; or

(3) Deny renewal of the license.

Based on its review, the NRC staff has concluded that the environmental impacts associated with the proposed action do not warrant either the limiting of COGEMA's future operations or the denial of the license renewal. Additionally, in the SER prepared for this action, the staff has reviewed the licensee's proposed action with respect to the criteria for license issuance specified in 10 CFR Part 40, Section 40.32, and has no basis for denial of the proposed action. Therefore, the staff considers that Alternative 1 is the appropriate alternative for selection.

### Finding of No Significant Impact

The NRC staff has prepared an EA for the proposed renewal of NRC Source Material License SUA–1341. On the basis of this assessment, the NRC staff has concluded that the environmental impacts that may result from the proposed action would not be significant, and therefore, preparation of an Environmental Impact Statement is not warranted.

The Environmental Assessment and other documents related to this proposed action are available for public inspection and copying at the NRC Public Document Room, in the Gelman Building (lower level), 2120 L Street NW, Washington, DC 20555.

### Notice of Opportunity for Hearing

The Commission hereby provides notice that this is a proceeding on an application for a licensing action falling within the scope of Subpart L, ''Informal Hearing Procedures for Adjudications in Materials and Operators Licensing Proceedings,'' of the Commission's Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders in 10 CFR Part 2. Pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing. In accordance with § 2.1205(c), a request for a hearing must be filed within thirty (30) days from the date of publication of this **Federal Register** notice. The request for a hearing must be filed with the Office of the Secretary either:

(1) By delivery to the Rulemakings and Adjudications Staff of the Office of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, between 7:30 a.m. and 4:15 p.m., Federal workdays; or

(2) By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Rulemakings and Adjudications Staff.

Each request for a hearing must also be served, by delivering it personally or by mail to:

(1) The applicant, COGEMA Mining, Inc., 935 Pendell Boulevard., P.O. Box 730, Mills, WY 82644;

(2) The NRC staff, by delivery to the Executive Director of Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, between 7:30 a.m. and 4:15 p.m., Federal workdays; or

(3) By mail addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

In addition to meeting other applicable requirements of 10 CFR Part 2 of the Commission's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

(1) The interest of the requestor in the proceeding;

(2) How that interest may be affected by the results of the proceeding, including the reasons why the requestor should be permitted a hearing, with particular reference to the factors set out in § 2.1205(g);

(3) The requestor's areas of concern about the licensing activity that is the subject matter of the proceeding; and

(4) The circumstances establishing that the request for a hearing is timely in accordance with § 2.1205(c).

Any hearing request that is granted will be held in accordance with the Commission's ''Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings'' in 10 CFR Part 2, Subpart L.

Dated at Rockville, Maryland, this 18th day of June 1998.

For the Nuclear Regulatory Commission.

**Daniel M. Gillen,**

*Assistant Chief, Uranium Recovery Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 98–16913 Filed 6–25–98; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

**[Docket Nos. 50–259.50–260 and 50–296]**

## Tennessee Valley Authority; Browns Ferry Nuclear Plant, Units 1, 2 and 3 Environmental Assessment and Finding of No Significant Impact

### Introduction

The U.S. Nuclear Regulatory Commission (NRC, the Commission) is considering issuance of an amendment to Facility Operating License Nos. DPR–33, DPR–52 and DPR–68 issued to the Tennessee Valley Authority (TVA or the licensee) for operation of the Browns Ferry Nuclear Plant (BFN), Units 1, 2 and 3, located in Limestone County, Alabama.

### Environmental Assessment

*Identification of the Proposed Action*

This Environmental Assessment has been prepared to address potential environmental issues related to the licensee's application dated September 6, 1996 as supplemented June 6 and December 11, 1996; April 11, May 1, August 14, October 15, November 5 and 14, December 3, 4, 15, 22, 23, 29, and 30, 1997; January 23, March 12 and 13, April 16, 20, and 28, May 7, 14, 19 and 27, June 5 and 10, 1998. The proposed amendments will replace the current BFN Units 1, 2 and 3 Technical Specifications (CTS) in their entirety with Improved Technical Specifications (ITS) based on Revision 1 to NUREG–1433, ''Standard Technical Specifications General Electric Plants BWR/4,'' dated April 1995.

*The Need for the Proposed Action*

It has been recognized that nuclear safety in all plants would benefit from improvement and standardization of TS. The Commission's ''NRC Interim Policy Statement on Technical Specification Improvements for Nuclear Power Reactors,'' (52 FR 3788, February 6, 1987), and later the Commission's ''Final Policy Statement on Technical Specification Improvements for Nuclear Power Reactors,'' (58 FR 39132, July 22, 1993), formalized this need. To facilitate the development of individual improved TS, each reactor vendor owners group (OG) and the NRC staff