

been forwarded to the Office of Management and Budget (OMB) for review and comment. The appeal form is currently displayed in 5 CFR Part 1201, Appendix I, and on the MSPB Web Page at <http://www.gpo.gov/mspb/index.htm>.

In this regard, comments are being solicited on the public reporting burden. The reporting burden for the collection of information on this form is estimated to vary from 20 minutes to one hour per response, with an average of 30 minutes, including time for reviewing

instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

ESTIMATED ANNUAL REPORTING BURDEN

5 CFR section	Annual number of respondents	Frequency per response	Total annual responses	Hours per response (avg)	Total hours
1201 and 1209	9,000	1	9,000	.5	4,500

Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to the addresses shown below. Please refer to OMB Control No. 3124-0009 in any correspondence.

DATES: Comments must be received on or before June 11, 1997.

ADDRESSES: Copies of the appeal from may be obtained from Arlin Winefordner, Merit Systems Protection Board, 1120 Vermont Ave., NW., Washington, DC 20419 or by calling (202) 653-7200. Comments concerning the paperwork burden should be addressed to Mr. Winefordner and to Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for MSPB, 725 17th Street, NW., Washington, DC 20503.

Dated: May 6, 1997.

Robert E. Taylor,

Clerk of the Board.

[FR Doc. 97-12273 Filed 5-9-97; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-267]

Notice of Issuance of License Amendment for the Public Service Company of Colorado Fort St. Vrain Nuclear Generating Station

SUMMARY: The U.S. Nuclear Regulatory Commission is noticing the issuance of License Amendment No. 89 for the Public Service Company's (PSC) of Colorado Fort St. Vrain (FSV) Nuclear Generating Station, located near Platteville, Colorado. License Amendment No. 89 to DPR-34 redesignated the approved Decommissioning Plan, the approved Supplement to the Environmental Report, and the approved Final

Radiation Survey Plan as the License Termination Plan.

BACKGROUND: NRC initially published on March 10, 1997, a Notice of Receipt of the Public Service Company of Colorado Decommissioning/Termination Plan in the **Federal Register** (62 FR 10881), and no comments nor requests for hearing were received. In addition, on November 12, 1996, NRC published in the **Federal Register** (61 FR 58087) a Notice of a Public Meeting with the PSC to discuss the decommissioning and license termination of the FSV. The Public Meeting was held on December 3, 1996, in the vicinity of the plant, and no comments nor requests for a hearing were received.

ACTION: Consistent with NRC's revised decommissioning regulations, specifically 10 CFR 50.82(a)(9)(iii), NRC is redesignating the approved Decommissioning Plan, the approved Supplement to the Environmental Report, and the approved Final Radiation Survey Plan as the licensee's Termination Plan, and is reapproving it, as now required by NRC's regulations. See 10 CFR 50.82(a)(10). The NRC has made the findings required in 10 CFR 50.82(a)(10) for approval of the Termination Plan.

FOR FURTHER INFORMATION CONTACT: Mr. Clayton L. Pittiglio, Project Manager, Low-Level Waste and Decommissioning Projects Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T-7-F27, Washington, DC 20555-0001. Telephone (301) 415-6702.

Dated at Rockville, MD this 5th day of May, 1997.

For the U.S. Nuclear Regulatory Commission.

John W.N. Hickey,

Chief, Low-Level Waste and Decommissioning Projects Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 97-12364 Filed 5-9-97; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket 70-1113]

Finding of No Significant Impact and Notice of Opportunity for a Hearing; Renewal of Special Nuclear Materials License SNM-1097, General Electric Company, Wilmington, NC

The U.S. Nuclear Regulatory Commission (the NRC) is considering the Renewal of Special Nuclear Materials License SNM-1097 for the continued operation of General Electric (GE) Company's Nuclear Energy Production Facility located in Wilmington, North Carolina. The facility manufactures low-enriched uranium fuel for commercial nuclear power reactors. The NRC has determined not to prepare an environmental impact statement for the proposed action, because the renewal of License SNM-1097 will not have a significant effect on the quality of the human environment for reasons described in the environmental assessment (EA).

Summary of the Environmental Assessment

Identification of the Proposed Action

The proposed action is the renewal of GE's Special Nuclear Materials License SNM-1097 for ten years. With this Renewal, GE will continue to operate the Wilmington, North Carolina, facility to convert low-enriched uranium hexafluoride to uranium dioxide pellets and to fabricate fuel assemblies for light

water reactors. GE is authorized to possess and use up to 50,000 kg of uranium-235 (^{235}U) contained in uranium compounds enriched up to 5 weight percent in ^{235}U .

The facility converts low-enriched uranium hexafluoride (UF_6) to uranium dioxide (UO_2) powder, presses the UO_2 into pellets, loads the pellets into fuel rods, and assembles the fuel rods into fuel assemblies. The UF_6 to UO_2 conversion is currently done using an ammonium diuranate (ADU) process. However, with license renewal GE intends to begin using a new dry conversion process (DCP), which will eventually replace the ADU process. The EA considers both the impacts of continued operation of the ADU process and the impacts from the DCP, which are expected to be significantly reduced.

Need for the Proposed Action

GE performs a necessary service for the commercial nuclear power industry by fabricating fuel for light water reactors. Currently, GE is one of four producers in the United States of low-enriched uranium fuel for commercial reactors. Denial of the license renewal application is an alternative available to the NRC, but would require expansion of fuel production capacity at an existing facility or transfer of fuel fabrication activities to a new facility.

Environmental Impacts of the Proposed Action

The continued operation of the GE facility will result in the continued release of low levels of radioactive and nonradioactive materials to the environment. These include uranium, fluoride, ammonia, and nitrates. Under accident conditions, the facility could release higher concentrations over a short period of time. GE uses a number of controls to reduce the release of effluents. These effluent streams as well as the environment surrounding the facility are closely monitored. The effluent controls, monitoring program, and environmental impacts from routine and non-routine operations are discussed in detail in the EA prepared by the NRC for this licensing action.

Effluent Controls and Monitoring

The GE facility produces gaseous, liquid, and solid effluent streams. Gaseous effluents are controlled by use of high efficiency particulate air (HEPA) filtration and appropriate permitted scrubbers when necessary. Where grinding, mixing, milling, or handling of UO_2 powder exists, vented hoods and glove boxes are used. Liquid effluents are controlled by the use of treatment systems and wastewater retention basins

designed to reduce the concentration of contaminants prior to discharge to the Northeast Cape Fear River, via an on-site effluent channel. Solid wastes are managed through a combination of segregation, reprocessing, off-site disposal, recycling and incineration.

Effluents are monitored at or just prior to the point of release. Gaseous stack effluents are sampled continuously under isokinetic flow conditions. Samples are analyzed on a daily or weekly basis for gross alpha activity. Several stacks are also sampled to monitor fluoride releases. Liquid effluents from operations are sampled at the outfall of the final process basins using flow proportional composite samplers. Samples are analyzed daily for uranium, weekly for gross alpha and gross beta particle activity, and semi-annually for technetium-99. Non-radiological parameters such as nitrogen, fluoride, and metals are monitored in compliance with National Pollutant Discharge Elimination System (NPDES) permits. Sanitary wastes are sampled at the sanitary outfall to the site effluent channel, also in compliance with NPDES permits. Actual sampling parameters and frequency may vary with NPDES permit or operational changes. Solid wastes are surveyed prior to treatment or off-site disposal.

Action limits, specified in the GE facility operating procedures, are set to ensure investigation of unusual concentrations and corrective actions as necessary. This monitoring program is revised as appropriate to accommodate changes in operations, the emergence of newly-acquired information, or regulatory agency permits and other authorizations. The effluent monitoring program will be expanded with the new DCP. This will include monitoring of new process off-gas and building ventilation systems.

Environmental Monitoring

GE conducts an environmental monitoring program that samples air, vegetation, surface water, sediment, and groundwater for radioactive and nonradioactive contaminants. This information is used to determine impacts to the surrounding area due to facility operations.

Continuous ambient air monitoring for gross alpha activity is conducted at six air sampling stations located in the predominant wind directions from fuel manufacturing operations, along the nearest site boundary, and in the direction of the nearest offsite residences. At the southwest and northeast ambient air sampling points, semi-annual sampling for fluoride

content in forage grass is also conducted.

Surface water is monitored by sampling the Northeast Cape Fear River both upstream and downstream of the effluent channel discharge point near the GE-Wilmington dock. Monthly upstream grab samples and weekly downstream composite samples are analyzed for uranium content. In addition, non-radiological analyses are performed weekly to quarterly including pH, ammonia, nitrate, nitrite, temperature, zirconium, conductivity, BOD5, and fecal coliform per NPDES permit.

Sediment samples from the effluent channel are collected at three locations: at the final process basin outfall, above the effluent channel dam, and below the effluent channel dam. These samples are collected semiannually and analyzed for uranium concentration. Samples are also taken of the sediment in the storm water channel draining the controlled access fuel manufacturing area. In addition, soil samples are collected from several on-site and off-site locations and analyzed for uranium content.

To monitor the impact of the facility on groundwater, numerous wells have been installed. Shallow monitoring wells were installed in the uppermost aquifer in the immediate proximity of potential sources of contamination such as lagoons or selected waste storage areas. In addition, monitoring wells for the deeper aquifer, which is the principal water supply in the area, have been installed to provide information on the quality of this water supply. In each of these monitoring systems, particular attention is given to the presence of nitrate, which is common to the bulk of the treated effluent streams and is not as readily attenuated in the subsurface as are some of the other potential contaminants.

Impacts From Normal Operations

No measurable impacts have been observed to air, surface water, or vegetation due to releases from the GE facility. However, there have been impacts to the shallow and the principal aquifers at the site. In addition, historic discharges have contaminated soil beneath the process building and adjacent to waste water impoundments and disposal trenches for calcium fluoride.

Between 1989 and 1995, levels of gross alpha activity above background were identified on several occasions in a series of wells installed in the shallow aquifer near the final process basins. Uranium was detected in one of the wells. Measurements of nitrate,

ammonia, and fluoride in these wells were at background levels. GE is currently assessing these data to determine the significance and fate of the contamination.

In addition to the wells near the final process basins, one well near the waste treatment facility, showed uranium and gross alpha activity above background levels. This well, completed in the shallow aquifer, also showed elevated levels of nitrate, ammonia, and fluoride from 1989 to 1995. It is believed that the groundwater near the well was contaminated in 1986 from ammonium fluoride waste water as a result of a leak in an overhead pipe. Corrective actions were taken and the fluoride and ammonia levels have generally decreased in the well since 1987. Although average nitrate levels decreased from 1987 to 1991, levels have begun to increase since that time. GE staff representatives indicate that assessment of these data continues.

Elevated concentrations of nitrate, fluoride, and uranium were also measured in the shallow aquifer beneath the manufacturing buildings. The contamination was due to the seepage of liquids through a seam in a concrete floor in the 1970's and 1980's. When the contamination was discovered, the floor seams were repaired and the contaminated soil was removed. In addition, a shallow horizontal groundwater collection system was installed to contain and collect localized contaminated groundwater.

Although there has been an impact to the shallow aquifer, GE has put into place measures to assess and to mitigate these impacts. There is no indication that radiological contamination has migrated offsite, and therefore, impacts to the offsite population are not expected. Remediation of this contamination may be necessary at the time of decommissioning prior to termination of the license and release of the facility.

The routine monitoring program also identified traces of organics (chlorinated solvents and 1,1,1-trichloroethylene) in the principal aquifer in 1991. The contamination was the result of activities at the site which were discontinued over a decade ago. When the contaminants were discovered, additional monitoring wells were added to both the site boundaries and the site interior for the shallow and the principal aquifer. In addition, pump and treat methods were initiated to contain the spread of contamination. The North Carolina Department of Environmental Quality regulates these monitoring and corrective action programs and

maintains all documents concerning this issue.

The release of radioactive material to air and water from the GE facility represents a potential negative impact on the health and safety of the surrounding population. The primary component of this impact is an incremental increase in the risk of cancer due to low levels of radiation exposure. The impacts due to long-term releases from normal operations are summarized below.

The impact is calculated and presented in terms of committed effective dose equivalent (CEDE) and organ doses resulting from a single year of operations. For doses resulting from the inhalation or ingestion of uranium, this quantity is the total effective dose equivalent (TEDE) (or organ dose) that will accrue to an individual over a 50-year period beginning with the year the intake occurs. Doses to a hypothetical maximally exposed individual (MEI) are summarized in this section. A detailed description of the calculational methods used for the dose assessment is provided in the EA.

The radionuclide doses were estimated using the Hanford Environmental Radiation Dosimetry Software System GENII computer code. Atmospheric release exposure pathways included inhalation, ingestion of contaminated crops and resuspended dirt, and external exposure to the airborne plume and contaminated ground. Liquid release exposure pathways included ingestion of contaminated drinking water, fish, mollusks, and crustaceans.

Based on air effluent data for the past five years, the GE facility releases approximately 100 microcuries of gross alpha particle activity per year. This activity is expected to decrease by 50 percent when the DCP replaces the ADU conversion process. However, doses were conservatively calculated assuming a release of 300 microcuries of gross alpha particle activity per year. The TEDE to the MEI at the site boundary was estimated to be 0.001 mSv/yr (0.1 mrem/yr), the dose to the nearest resident, located 760 m south of the facility was estimated to be about $4E-4$ mSv/yr (0.04 mrem/yr), and the dose to the population was estimated to be 0.0009 person-Sv/yr (0.09 person-rem/yr). Inhalation is the major exposure pathway contributing 99.9 percent of the dose.

Liquid effluents from the facility are released to the Northeast Cape Fear River. Measured uranium concentrations at the site dock, near the effluent outfall averaged $2.8E-9$ microcuries per milliliter for 1989–

1994. This river is not used as a drinking water supply for area residents. However, the maximally exposed individual was assumed to use river water and river food products at the GE Wilmington dock. The radionuclide concentration released in liquid effluent is expected to decrease when the DCP replaces the ADU process. The TEDE to the MEI was estimated to be 0.007 mSv/yr (0.7 mrem/yr) for the current ADU process, 0.001 mSv/yr (0.1 mrem/yr) for the DCP process, and 0.008 mSv/yr (0.8 mrem/yr) during the transitional period.

NRC regulations (10 CFR 20.1301) require that the Total Effective Dose Equivalent (TEDE) for members of the public not exceed 1.0 mSv (100 mrem) per year. The TEDE is the sum of the effective dose equivalent from exposure to external radiation for one year and the CEDE defined above. Estimated doses for all releases from GE are small fractions of the applicable limits.

Radiological impacts to workers at the GE facility were also considered as part of the EA. During 1994 and 1995, approximately 1000 radiation workers at the GE plant were potentially exposed to radioactive materials. The TEDE to the average worker during this time was 0.39 cSv (0.39 rem). The maximum TEDE that any worker received during these years was 2.1 cSv (2.1 rem) during 1994 and 2.4 cSv (2.4 rem) in 1995. These doses are well below the NRC limit of 5 cSv per year (5 rem/yr) in 10 CFR 20.1201. After the ADU to DCP transition period is over, it is anticipated that occupational exposures would decrease because of a less complex process, new equipment, and a better separation between the worker and the nuclear material.

Monitoring data have shown no significant impact from radiological or non-radiological releases on surface water, sediment, soil, groundwater, air quality, or biota outside the boundary of the GE facility. GE has an excellent NPDES compliance record. Although some impact on groundwater and soil has occurred, GE is addressing those issues. GE operations are expected to have little or no impact on cultural resources, and to have a positive socioeconomic impact.

Although there are some minority communities located within three miles of the facility, no high and adverse impacts are projected on these communities. Doses to individuals would be much greater at the property boundary of the site. These doses are well below NRC regulatory limits. Consequently, there are no environmental justice impacts associated with the renewal.

Impacts From Accidental Releases

Release of radioactive or hazardous materials under abnormal or accident conditions poses a potential risk to public health and safety and the environment. The potential consequences of these accidents include personal injury, health effects from acute exposures to toxic materials, non-stochastic effects from acute radiation exposure, and risk of latent cancer fatality from exposure to radioactive material. Most of these risks are to workers at the facility, rather than to members of the public.

Severity Category I and Category II accidents resulting in the release of radioactive materials were examined in the EA. Category I represents accidents that could be anticipated to occur at least once during the lifetime of the facility. Category II represents accidents that would not be expected to occur during the lifetime of the facility, but are considered credible accidents under highly unusual and unlikely conditions. These include two accidents involving the release of non-radioactive materials (hydrofluoric acid and hydrogen).

The accident analyses demonstrated that no adverse health effects would be expected to the off-site population due to the Category I accidents or to the non-radiological accidents. However, Category II accidents including a large UF₆ cylinder fire that occurs in the outside storage area at the facility, a defluorinator/calcliner explosion that results in a building breach, a major criticality accident, or a major facility fire that involves a large amount of UO₂ powder could result in significant doses or toxicity effects to off-site individuals. However, the occurrence of these accidents is extremely unlikely. In addition, the licensee has developed operating and emergency procedures to control and minimize the effects of these types of accidents. Therefore, license renewal will not have a significant impact on the general population.

Conclusion

The staff concludes that the impact to the environment and to human health and safety from operations at this facility has been and is expected to remain minimal. Results of the environmental monitoring program conducted during the previous licensing period indicate no significant impact to the environment as a result of site operations. Radioactive materials in effluents released to the environment are well below regulatory limits. The total dose received by the maximally

exposed individual is well below federal regulatory limits.

Alternative to the Proposed Action

An alternative to the proposed action is to deny renewal of the license. In this case, GE would shut down processing of special nuclear material to produce nuclear fuel, and would decontaminate and decommission (D&D) the site in accordance with an approved plan. With this action, release of radiological and non-radiological effluents from licensed operations would cease in the near term, as would the minimal impacts resulting from those releases. Non-renewal of the license would also result in significant socioeconomic impacts in New Hanover County and beyond. These would include loss of direct and indirect employment as well as reduction in tax revenues to surrounding jurisdictions. The environmental impacts of the D&D activities would be assessed during NRC review of a detailed D&D plan prepared by GE following a thorough site survey.

Agencies and Persons Consulted

During the preparation of the EA, NRC coordinated with various state and local agencies to inform them about NRC's ongoing review and to gather information. These contacts included the North Carolina Department of Environment, Health, and Natural Resources (NCEHN), Nongame and Endangered Species Section and the NCEHN Division of Radiation Protection for information on NPDES permit compliance and the NC Environmental Sampling Program. The NCEHN Division of Water Quality and the Division of Air Quality in Wilmington, the United States Environmental Protection Agency (USEPA) Region IV Superfund Remedial Branch, and the USEPA Toxics Management Division, Air and Radiation Technical Branch were also contacted.

Finding of No Significant Impact

The NRC has prepared an EA related to the renewal of Special Nuclear Materials License SNM-1097. On the basis of this assessment, the NRC has concluded that environmental impacts that would be created by the proposed licensing action would not be significant and do not warrant the preparation of an Environmental Impact Statement. Accordingly, it has been determined that a finding of no significant impact is appropriate.

The EA and the documents related to this proposed action are available for public inspection and copying at the NRC's Public Document Room at the

Gelman Building, 2120 L Street NW, Washington, DC.

Opportunity for a Hearing

Any person whose interest may be affected by the renewal of this license may file a request for a hearing. Based on the EA and accompanying safety evaluation, NRC is preparing to renew License SNM-1097. Prior to renewing the license, NRC will determine that GE has satisfied the requirements of the Atomic Energy Act of 1954, *et seq.*, and NRC requirements. Any request for a hearing must be filed with the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C., 20555, within 30 days of the publication of this Notice in the **Federal Register**; must be served on the NRC staff (Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852); and on the licensee (GE Nuclear Energy Production Facility, P.O. Box 780, Wilmington, NC 28402); and must comply with the requirements for requesting a hearing set forth in the Commission's regulation 10 CFR 2, Subpart L, "Informal hearings Procedures for Adjudications in Materials Licensing Proceedings."

The requestor must address the following requirements 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;
3. The requestor's area of concern about the licensing activity that is the subject matter of the proceeding; and
4. The circumstances establishing that the request for hearing is timely, that is, filed within 30 days of the date of this Notice.

In addressing how the requestor's interest may be affected by the proceeding, the request should describe the nature of the requestor's right under the Atomic Energy Act of 1954, as amended, to be made a party to the proceeding; the nature and extent of the requestor's property, financial, or other (e.g., health, safety) interest in the proceeding; and the possible effect of any order that may be entered in the proceeding upon the requestor's interest.

Dated at Rockville, Maryland, this 6th day of May 1997.

For the Nuclear Regulatory Commission.

Michael F. Weber,

Chief, Licensing Branch, Division of Fuel Cycle Safety and Safeguards, NMSS.

[FR Doc. 97-12365 Filed 5-9-97; 8:45 am]

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