

## Opportunity for a Hearing

Any person whose interest may be affected by the issuance of this action may file a request for a hearing. Any request for hearing must be filed with the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, within 30 days of the publication of this notice in the **Federal Register**; be served on the NRC staff (Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852), and on the licensee (Gulf Coast International Inspection, Inc., 227 Clendenning Road, Houma, LA 70363); and must comply with the requirements for requesting a hearing set forth in the Commission's regulations, 10 CFR Part 2, Subpart L, "Information Hearing Procedures for Adjudications in Materials Licensing Proceedings."

These requirements, which the request must address in detail, are:

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 areas 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 (*i.e.*, 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 15th day of August, 2000.

For the Nuclear Regulatory Commission.

**John W.N. Hickey,**

*Chief, Material Safety and Inspection Branch, Division of Industrial and Medical Nuclear Safety, Office of Nuclear Material Safety and Safeguards.*

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-321 and 50-366]

### **Southern Nuclear Operating Company, Inc.; Edwin I. Hatch Nuclear Plant, Units 1 and 2; 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 Title 10 of the Code of Federal Regulations (10 CFR) Part 50, Section 50.60(a) to the Southern Nuclear Operating Company, Inc. (the licensee) for operation of the Edwin I. Hatch Nuclear Plant, Units 1 and 2 located in Appling County, Georgia.

### **Environmental Assessment**

#### *Identification of the Proposed Action*

The proposed action would exempt the licensee from certain provisions of 10 CFR Part 50, Section 50.60(a) and 10 CFR Part 50, Appendix G. The NRC has established requirements in 10 CFR Part 50 to protect the integrity of the reactor coolant pressure boundary (RCPB) in nuclear power plants. As part of these requirements, 10 CFR Part 50, Appendix G requires that pressure-temperature (P-T) limits be established for reactor pressure vessels (RPVs) during normal operating and hydrostatic pressure and leak rate test conditions. Specifically, 10 CFR Part 50, Appendix G states that "[t]he appropriate requirements \* \* \* on pressure-temperature limits and minimum permissible temperature must be met for all conditions." Appendix G of 10 CFR Part 50 specifies that the requirements for these limits are the American Society of Mechanical Engineers (ASME) Code, Section XI, Appendix G limits.

Pressurized water reactor licensees have installed cold overpressure mitigation systems/low temperature overpressure protection (LTOP) systems in order to protect the RCPB from being operated outside of the boundaries established by the P-T limit curves and to provide pressure relief on the RCPB during low temperature overpressurization events. The licensee is required by the Hatch Technical Specifications (TS) to update and submit the changes to its LTOP setpoints whenever the licensee is requesting approval for amendments to the P-T limit curves in the Hatch TS.

Therefore, in order to address provisions of amendments to the TS P-T limits and LTOP curves, the licensee requested in its submittal dated June 1,

2000, that the staff exempt Hatch, Units 1 and 2 from application of specific requirements of 10 CFR Part 50, Section 50.60(a) and 10 CFR Part 50, Appendix G and substitute use of two ASME Code Cases as follows:

1. N-588 for determining the reactor vessel P-T limits derived from postulating a circumferentially-oriented reference flaw in a circumferential weld, and

2. N-640 as an alternate reference fracture toughness for reactor vessel materials for use in determining the P-T limits.

The proposed action is in accordance with the licensee's application for exemption contained a submittal dated June 1, 2000, and is needed to support the TS amendments that are contained in the same submittal and are being processed separately. The proposed amendments will revise the P-T limits of TS 3.4.9 for Hatch, Units 1 and 2 related to the heatup, cooldown, and inservice test limitations for the Reactor Coolant System of each unit to a maximum of 54 Effective Full Power Years (EFPY).

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

ASME Code Case N-588 and Code Case N-640 are needed to revise the method used to determine the RCS P-T limits since continued use of the present curves unnecessarily restricts the P-T operating window. Application of the codes will, therefore, relax the LTOP operating window and reduce potential challenges to the reactor coolant system power operated relief valves.

In the associated exemption, the staff has determined that, pursuant to 10 CFR 50.12(a)(2)(ii), the underlying purpose of the regulation will continue to be served by the implementation of these Code Cases.

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

The Commission has completed its evaluation of the proposed action and concludes that the exemption described above would provide an adequate margin of safety against brittle failure of the Hatch, Units 1 and 2 reactor vessels.

The proposed action will not significantly 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 occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological environmental impacts, the proposed action does not involve any historic sites. It does not affect nonradiological plant effluents and has no other environmental impacts. Therefore, there are no significant nonradiological impacts associated with the proposed action.

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

#### *Alternatives to the Proposed Action*

As an alternative to the proposed action, the staff considered denial of the proposed action (*i.e.*, the “no-action” alternative). 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 for the Edwin I. Hatch Nuclear Plant, Units 1 and 2 dated October 1972.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on August 11, 2000, the staff consulted with the Georgia State official, James Setser, regarding the environmental impact of the proposed action. The State official had no comments.

#### **Finding of No Significant Impact**

On the basis of 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 June 1, 2000, which is available for public inspection at the Commission's Public Document Room, The Gelman Building, 2120 L Street, NW., Washington, DC. Publically available records will be accessible electronically from the ADAMS Public Library component on the NRC Web site, <http://www.nrc.gov> (the Electronic Reading Room).

Dated at Rockville, Maryland, this 22nd day of August 2000.

For the Nuclear Regulatory Commission.  
**Richard L. Emch, Jr.,**  
*Chief, Section 1, Project Directorate II,  
Division of Licensing Project Management,  
Office of Nuclear Reactor Regulation.*  
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#### **NUCLEAR REGULATORY COMMISSION**

**[Docket No. 030-34751]**

#### **VA Medical Center in Brooklyn, NY: License Amendment**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice Of Intent to Amend Byproduct Materials License for the St. Albans Extended Care Facility in Queens, NY: Environmental Assessment, Finding of No Significant Impact, and Opportunity for Hearing.

**SUMMARY:** The St. Albans Extended Care Center (ECC), operated by the Department of Veterans Affairs (VA) Medical Center in Brooklyn, was formerly a U.S. Navy hospital. The Navy was authorized by the U.S. Atomic Energy Commission under various licenses from 1956 through 1973 to use radioactive materials for nuclear medicine purposes at the site. The Navy's license was terminated in 1973 based on previous contamination survey records. In the early 1990s the Nuclear Regulatory Commission (NRC) conducted a review of terminated licenses, in which the NRC's contractor, Oak Ridge National Laboratory, identified St. Albans as a formerly licensed site which should be reviewed to determine if residual contamination remained after the license was terminated. As a result of this review, strontium-90 (90Sr) and tritium (3H) contamination was identified in the former nuclear medicine facilities at St. Albans. In 1993 the U.S. Army Corps of Engineers (the Corps) stabilized the site, isolating the sewer lines and sealing the affected rooms. The Navy and the Corps conducted subsequent characterization surveys of the facilities, and in 1998 NRC issued a license to the VA for decommissioning of the facility. In 1999 the Corps submitted for the VA a decommissioning plan for the St. Albans facility proposing derived concentration guideline levels (DCGLs) for residual contamination values acceptable to release the facilities for unrestricted use and termination of the NRC license. The final decommissioning plan was submitted on July 7, 2000. NRC plans to amend the

St. Albans license to incorporate acceptable DCGLs. Upon approval of this license amendment, residual contamination limits which satisfy the requirements of Subpart E, Title 10, Part 20 of the Code of Federal Regulations, will be applied to the license.

#### **Introduction**

The St. Albans ECC incorporates 15 buildings on 55 acres located at 179th Street and Linden Boulevard in Queens, NY. The affected area of the St. Albans ECC consists of the former nuclear medicine laboratory and associated rooms in the basement of one building, identified as Building 90. A Decommissioning Plan was developed for the VA Medical Center in Brooklyn by the Corps. The Corps is responsible for performing the decommissioning under the Formerly Utilized Defense Sites (FUDS) program.

In August 1998, the NRC issued a license to the VA for decontamination and decommissioning of the St. Albans facility. During 1999 the Corps conducted a characterization survey of the affected areas and developed a decommissioning plan. The survey confirmed the presence of 90Sr contamination and traces of 3H contamination in portions of the facility, and was used as the basis for development of the Decommissioning Plan. In December 1999 the Corps proposed DCGLs to be used as radiological cleanup criteria for decommissioning and NRC termination of the license. Revised DCGLs for 90Sr contamination in soil were proposed by the Corps in June 2000.

The licensee's objective for the decommissioning project, as stated in the decommissioning plan, is to decontaminate and remediate the affected areas of Building 90 sufficiently to enable unrestricted use, while ensuring exposures to occupational workers and the public during the decommissioning are maintained as low as reasonably achievable (ALARA).

#### **Proposed Action**

The proposed action is to amend NRC Radioactive Materials License Number 31-02892-06 to incorporate appropriate and acceptable DCGLs into the license. The DCGLs will define the maximum amount of residual contamination, such as on building surfaces and in affected soil, that will satisfy the NRC requirements of Subpart E, 10CFR20, Radiological Criteria for License Termination. The DCGLs proposed to be incorporated into the license are as follows: