

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 amendment.

For further details with respect to this proposed action, see the licensee's letter dated April 7, 1994, as supplemented November 4, 1994, which are 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 Russell Library, 123 Broad Street, Middletown, Connecticut 06547.

Dated at Rockville, Maryland, this 1st day of February 1995.

For the Nuclear Regulatory Commission.

**Phillip F. McKee,**

*Director, Project Directorate I-4, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*

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[Docket No. 50-20]

### Environmental Assessment and Finding of No Significant Impact Regarding Proposed License Amendment; Changing Expiration Date of Amended Facility Operating License No. R-37 Massachusetts Institute of Technology

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of a license amendment extending the expiration date of Amended Facility Operating License No. R-37 (the license) for the Massachusetts Institute of Technology (MIT or the licensee) Research Reactor (MITR) from May 7, 1996, to August 8, 1999. This recaptures construction time between May 7, 1956, the issuance date of Construction Permit No. CPRR-5 and June 9, 1958, the issuance date of the license, and between May 24, 1974, the date reactor operations were terminated to modify the reactor under Construction Permit No. CPRR-118, and July 23, 1975, the date of issuance of Amendment No. 10 to the license which authorized a return to reactor operation.

### Environmental Assessment

#### Identification of Proposed Action

By application dated March 31, 1994, as supplemented on September 29, and November 4, 1994, MIT requested that the expiration date of Amended Facility Operating License No. R-37 be extended from midnight, May, 7, 1996, to midnight, April 24, 2001. MIT has requested that four periods of time be recaptured:

(1) The period from May 7, 1956, the date of issuance of CPRR-5, until June 9, 1958, the issuance date of the license, or July 21, 1958, the date of initial criticality.

(2) The period from July 21, 1958, until June 1, 1959, during which the first reactor (MITR-I) was operated infrequently at low power for startup testing.

(3) From May 24, 1974, the date the reactor was shut down to perform modifications to the facility under Construction Permit No. CPRR-118, (CPRR-118 was issued on April 9, 1973, but component acquisition problems delayed the reactor shut down until May 24, 1974) until August 14, 1975, the date of initial criticality of the modified reactor (MITR-II). The NRC issued Amendment No. 10 to the license on July 23, 1975, which authorized operation of the modified reactor.

(4) The period from August 14, 1975, until April 15, 1976, during which the modified reactor was operated infrequently at low power for startup testing.

The staff has determined that the time between May 7, 1956, the issuance date of Construction Permit No. CPRR-5 and June 9, 1958, the issuance date of the license, and between May 24, 1974, the day reactor operations were terminated to modify the reactor under Construction permit No. CPRR-118, and July 23, 1975, the date of issuance of Amendment No. 10 to the license which authorized a return to reactor operation, represents time that was not available to the licensee due to construction. This period of time is 1188 days, which when added to the expiration date of the Amended Facility Operating License of May 7, 1996, results in an extended expiration date of August 8, 1999.

The staff has also determined that the time (a) between July 9, 1958, the issuance date of the license, through July 21, 1958, the date of initial criticality, to June 1, 1959, the end of low power testing, and (b) between July 23, 1975, the date of issuance of Amendment No. 10, through August 14, 1975, the date of initial criticality for the modified reactor, to April 15, 1976, the end of low power testing, cannot be

added to extend the expiration date of the license. This is because this time was authorized by NRC in the license for reactor operation, was available to the licensee for operations and, after initial criticality in both cases, was used by the licensee for low power testing. A license term of 40 years from the date of issuance of the operating license is permitted by NRC regulations, specifically 10 CFR 50.51. Commission approval of the proposed amendment would be consistent with recent NRC actions for nuclear power reactors.

#### Need for Proposed Action

The granting of this request would allow the licensee to operate the facility for approximately three years and three months beyond the current license expiration date, thus recapturing construction periods. Over 30 similar extensions have been issued to other licensees. Without issuance of the proposed license amendment, an application for license renewal would be required to be developed and submitted before the expiration of the current license on May 7, 1996, or the MITR would be shut down and a decommissioning plan required to be developed and submitted.

#### Environmental Impact of the proposed Action

The anticipated impact of the facility on the environment was evaluated in the Environmental Impact Appraisal for the MITR dated July 23, 1975. This appraisal was prepared for the issuance of Amendment No. 10 to the license, which authorized a return to operation for the facility at a power level of 5 MW(t), after modifications were completed to the reactor as authorized by construction permit No. CPRR-118. The descriptions in and findings of that appraisal are still valid. That appraisal concluded that there will be no significant environmental impact associated with the licensing of the MITR to be operated at 5 MW(t).

The licensee has not requested any changes to the facility as part of this amendment request. The environmental effects of accidents which were discussed and considered negligible in the 1975 appraisal have not changed.

Operating data is available to replace the estimates of the environmental effects of facility operation in the 1975 appraisal. The actual environmental effects of facility operation from July 1, 1984 (FY 85), to June 30, 1994 (FY 94), were obtained from the licensee.

Environmental surveys within a quarter mile of the facility detected an average (averaged because readings are

from multiple monitoring stations) annual radiation exposure as follows:

Year (FY)	Average readings (mrem)
1994	0.4
1993	0.5
1992	0.2
1991	0.1
1990	0.1
1989	0.2
1988	0.2
1987	1.2
1986	1.8
1985	2.2

Annual airborne effluent releases from the facility are given in the next table. FY 94 is presented in two half years periods because amendments to 10 CFR Part 20 became effective on January 1, 1994, which changed the regulatory limits for release concentrations to the environment for certain radionuclides. Total curies released during FY 94 is comparable to past years. The percent of Regulatory Limit column represents the percent of the regulatory limit for concentration of radionuclides in air after taking into account dilution from the release point.

Year (FY)	Stack release (curies)	% of regulatory limit
1/1/94 to 6/30/94	398	21.7
7/1/93 to 12/31/93	275	4.1
1993	923	6.0
1992	728	4.9
1991	684	4.4
1990	542	3.5
1989	1529	9.8
1988	2627	17
1987	4223	30
1986	3797	26
1985	4076	26

Annual liquid effluent releases are as follows:

Year (FY)	Total activity (curies)
1994	0.025
1993	0.007
1992	0.036
1991	0.121
1990	0.080
1989	0.110
1988	0.072
1987	0.098
1986	0.288
1985	0.099

Low level solid waste shipped from the facility is given in cubic feet and total activity in curies. Increased shipments in FY 1994 and FY 1993 represent an effort by the licensee to

remove solid waste from the facility before waste disposal site closures prevented future shipments of low level solid waste.

Year (FY)	Cubic feet	Total activity (curies)
1994	457	0.925
1993	210	0.218
1992	127	0.011
1991	116	0.125
1990	192	0.035
1989	135	0.053
1988	60	0.003
1987	112	0.082
1986	75	0.097
1985	120	0.067

These releases are well within regulatory limits and will not have a significant impact on the environment. Releases for the proposed license extension are estimated to continue at levels well within regulatory limits.

*Alternative Use of Resources*

One alternative to the proposed amendment request is to deny the request. If the request is denied, the MITR would be shut down or an application for license renewal would be developed and submitted before expiration of the current license on May 7, 1996. Shutting the reactor down would result in the loss of an educational tool for the training of students and the conduct of research in many areas including medical therapy. If the request is denied and the licensee proposes to renew the license, resources would have to be expended on the part of the licensee and the Commission sooner than if the request for license extension is granted. Denial of the application would result in no change in current environmental impacts.

*Agencies and Persons Consulted*

The NRC staff consulted no other agencies or persons in reviewing the request from the licensee.

**Finding of No Significant Impact**

The Commission has determined not to prepare an environmental impact statement for the proposed action based upon the foregoing environmental assessment. The Commission concludes that the proposed action will not have a significant effect on the quality of the human environment for the reasons set out above.

For detailed information with respect to this proposed action, see the application for amendment dated March 31, 1994, as supplemented, the Safety Evaluation prepared by the staff, the Negative Declaration Regarding Facility Operating License R-37 for the

Massachusetts Institute of Technology Research Reactor dated July 23, 1975, and the Environmental Impact Appraisal for the Massachusetts Institute of Technology Reactor dated July 23, 1975. These documents are available for public inspection at the Commission's Public Document Room, 2120 L Street, NW., Washington, D.C. 20555.

Dated at Rockville, Maryland, this 2nd day of February 1995.

For the Nuclear Regulatory Commission.

**Seymour H. Weiss,**

*Director, Non-Power Reactors and Decommissioning Project Directorate, Division of Project Support, Office of Nuclear Reactor Regulation.*

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**Advisory Committee on Reactor Safeguards; Subcommittee Meeting on Thermal Hydraulic Phenomena**

The ACRS Subcommittee on Thermal Hydraulic Phenomena will hold a meeting on February 15 and 16, 1995, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

The meeting will be closed to public attendance to discuss Westinghouse proprietary information pursuant to (5 U.S.C. 552b(c)(4)), with the exception of a 1-2 hour session on Thursday, February 16, 1995, that will be open to the public.

The agenda for the subject meeting shall be as follows:

Wednesday, February 15, 1995—8:30 a.m. until the conclusion of business; and

Thursday, February 16, 1995—8:30 a.m. until the conclusion of business.

The Subcommittee will continue its review of the Westinghouse COBRA/TRAC thermal hydraulic code. The purpose of this meeting is to gather information, analyze relevant issues and facts, and to formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Subcommittee, its consultants, and staff. Persons desiring to make oral statements should notify the cognizant ACRS staff engineer named below five days prior to the meeting, if possible, so that appropriate arrangements can be made.