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

Dated at Rockville, Maryland, this 26th day of February 1997.

For the Nuclear Regulatory Commission.

Joseph J. Holonich,

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

[FR Doc. 97–5388 Filed 3–4–97; 8:45 am]

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[Licenses SMB–179 and SUB–1452—Dockets 40–672 and 40–8866]

Nuclear Metals, Inc.—Concord, Massachusetts: Renewal of Source Material Licenses; Finding of No Significant Impact and Notice of Opportunity for a Hearing (NUREG/CR–6528)

The U.S. Nuclear Regulatory Commission is considering the renewal of Source Material Licenses SMB–179 and SUB–1452 for the continued operation of Nuclear Metals, Inc. (NMI), located in Concord, Massachusetts.

Summary of the Environmental Assessment

Identification of the Proposed Action

The proposed action is the renewal of NMI's Source Material Licenses SMB–179 and SUB–1452 for at least 5 years. With these renewals, the NMI facility will continue to conduct ongoing operations including the development and manufacture of castings, extrusions, machined parts, and metal powders comprised of depleted uranium and natural uranium metal. The proposed action would permit NMI to possess, under License SMB–179, natural uranium metal, alloy, or oxide; depleted uranium metal, alloy, oxide, or fluoride; natural thorium metal, alloy, or oxide; and depleted uranium slab. The licensed uranium may be an element of any compound except uranium hexafluoride (UF_6). The proposed action would also permit NMI to possess, under License SUB–1452, depleted uranium as contamination in sand; depleted uranium as contamination on metallic components, packaging materials or equipment, or as waste solids; and natural thorium as contamination on metallic components, packaging materials or equipment, or as waste solids.

Prior to September 1985, liquid and sludge wastes from the processes were stabilized and emptied into an unlined holding basin and adjacent bog located on site property. The holding basin was covered by a special membrane in 1986 to reduce infiltration of rain water and discharge of contaminants to surface and ground waters. Remediation of the holding basin and contaminated groundwater is being planned as a separate decommissioning action; therefore, this action and subsequent environmental impacts are outside the scope of this EA.

The Need for the Proposed Action

The action is to determine if the licenses should be renewed or denied. NMI manufactures products composed of depleted uranium and natural uranium that have military, aerospace, industrial, and medical applications. Depleted uranium metal is processed to form armor penetrators, aircraft counterweights and radiation shielding devices. Denial of the license renewals for NMI is an alternative available to NRC, but since approximately half of the U.S. demand for these products is being met by operations at NMI facilities, denying the licenses would not be in the nation's best interest.

Environmental Impacts of the Proposed Action

Both radiological and nonradiological atmospheric emissions occur and were assessed during normal (incident-free) operations at NMI. The radiological impacts of the continued operation of the NMI facility were assessed using atmospheric dispersion modeling to estimate ambient annual dose to the public resulting from emissions at the NMI facility. To assess the impact of uranium emissions on atmospheric resources, the COMPLY computer code was used to determine the maximum annual dose equivalent received from uranium concentrations in the ambient air (at or beyond the site boundary). These estimated annual doses were compared to NRC requirements and EPA standards to gauge impacts to public health and safety.

Ambient air concentrations (at or beyond the site boundary) resulting from the primary sources of nonradiological air emissions were estimated using the Industrial Source Complex—Version 2 (ISC2) air dispersion model (EPA 1992a). Total predicted concentrations were compared to the National Ambient Air Quality Standards (NAAQS) in order to gauge impacts on air quality.

Doses From Routine Airborne Releases

Small amounts of uranium are emitted from 33 stacks at NMI. The town of Concord permits depleted uranium emissions of up to 280 μCi per calendar quarter for operations associated with License Nos. SMB–179 and SUB–1452. NRC's regulations (10 CFR 20.1301) require licensees to limit doses to members of the public to 100mrem per year. Emission rates of depleted uranium in 1994 were less than 60 percent of the 280 μCi per calendar quarter limit. For the modeling, annual emissions were assumed to be at maximum permitted levels (i.e., 1,120 μCi/y as by the town of Concord). The assumptions are conservative in that they result in higher predicted doses than are expected to occur. The maximum annual committed effective dose equivalent predicted was 2.5 mrem. This dose was estimated to occur to a person located 150 m (492 ft) from the nearest building. This is about one-half the distance to the nearest resident. Therefore, 150 m (492 ft) is considered a sufficiently conservative distance to form an upper bound of doses that could be received by the public annually. The predicted annual dose is 2.5 percent of the NRC limit.

The primary sources of nonradiological air emissions at NMI are two boilers, which burn #4 fuel oil, and which emit the following criteria pollutants: SO_2, NO_2, PM–10, and CO. Short-term emission rates, calculated using the maximum monthly fuel usage rates, were used in ISC2 for periods of 24 hr or less. Long-term emission rates, calculated using the maximum annual fuel usage rates, were used in ISC2 for the annual time period. Both site specific data and conservative assumptions were used in the modeling analysis. Total predicted concentrations were compared to the NAAQS in order to gauge impacts on air quality. The results of the analysis show that maximum 3-hr and 24-hr average SO_2 concentrations are about twice their respective NAAQS. For all other criteria

pollutants, maximum concentrations are within the NAAQS, and impacts to local air quality associated with these pollutants would be minor. NMI is prepared to undertake mitigative action to prevent potential exceedances of the short-term SO_2 NAAQS, and the Massachusetts Department of Environmental Protection is prepared to resolve the issue.

Accident Evaluation

The EA evaluated one accident as the bounding accident: the potential quantities of uranium and nonradiological materials that might be released to the atmosphere in the unlikely event of a major fire at the NMI facility. The regulatory analysis documented in NUREG–1140 (McGuire 1988), which assessed the accident potential for doses exceeding EPA protective action guides, was used to evaluate potential impacts. For uranium, NUREG–1140 found that the highest doses come from the inhalation pathway. The analysis shows a committed effective dose equivalent of 0.89 rems at 100 m (330 ft) might occur to a nearby downwind individual that would result from a fire involving the limiting value quantities agreed to by NMI of 454,000 kg (1,000,000 lb) of depleted uranium in any one building. This value is less than the EPA-recommended lower limit for consideration of protective actions (i.e., a dose of 1 rem). Therefore, radiological impacts resulting from exposure to natural uranium during a severe fire would not be major.

NMI's operations with licensed material involve use of several acids. The evaluation of the potential impacts of these nonradiological materials was based on a release to the atmosphere using the same accidental fire scenario as for the radiological materials. The results were compared to the Emergency Response Planning Guidelines (ERPGs) established by the American Industrial Hygiene Association, the immediately dangerous to life and health (IDLH) threshold value, established by the National Institute of Occupational Safety and Health (NIOSH), and the LC_{50}, the concentration which would result in fatalities to 50 percent of the exposed population. Of the acids, only sulfuric (H_2SO_4) caused concern as the predicted concentration of H_2SO_4 is below the LC_{50} but higher than the ERPG levels. These results were discussed with Commonwealth of Massachusetts staff and NMI is prepared to discuss the potential for an accidental H_2SO_4 release with local emergency response officials.

Conclusion

The NRC staff concludes that the environmental impacts associated with the proposed license renewal for continued operation of the NMI's Concord, Massachusetts facility are expected to be insignificant.

Finding of No Significant Impact

The Commission has prepared an EA related to the renewal of Special Nuclear Material Licenses SMB–179 and SUB–1452. On the basis of the assessment, the Commission has concluded that environmental impacts that would be created by the proposed 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 is being made available as NUREG/CR–6528. Copies of NUREG/CR–6528 may be purchased from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 37082, Washington, DC 20402–9328. Copies are also available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161. A copy is also available for inspection and copying for a fee in the NRC Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC 20555–0001.

Opportunity for a Hearing

Any person whose interest may be affected by the issuance of this renewal 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 (Nuclear Metals, Inc., 2229 Main Street, Concord, MA 01742); 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 20th day of February, 1997.

For the Nuclear Regulatory Commission.

Larry W. Camper,

Chief, Medical, Academic, and Commercial Use Safety Branch, Division of Industrial and Medical Nuclear Safety, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 97–5385 Filed 3–4–97; 8:45 am]

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[Docket No. 50–344]

Portland General Electric Company, Trojan Nuclear Plant; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an order approving an application regarding a proposed merger involving the holding company for Portland General Electric Company (PGE, the licensee), holder of Facility Operating License No. NPF–1, for the Trojan Nuclear Plant located on the west bank of the Columbia River in Columbia County, Oregon. The Trojan Nuclear Plant permanently ceased operating in January 1993 and is being decommissioned.

Environmental Assessment

Identification of the Proposed Action

The proposed action would approve, by issuance of an order, the application under 10 CFR 50.80 regarding the merger between Portland General Corporation (PGC), the parent company of PGE, a 67.5 percent holder of the Trojan Nuclear Plant license, and Enron Corporation (Enron). Enron is a Delaware corporation engaged in the gathering, transportation, and wholesale marketing of natural gas. PGC has agreed to a merger with Enron, subject to certain conditions. Those conditions