

concrete vault. The concrete vault provides missile and earthquake protection and radiation shielding. Concerns for vault dry storage include security, land consumption, eventual decommissioning of the new vault, and high cost. The alternative of constructing and licensing new SFPs is not practical for Palo Verde because such an effort would require about 10 years to complete and would not be available in the time frame needed.

The alternative technologies that could create additional storage capacity involve additional fuel handling with an attendant opportunity for a fuel handling accident, involve higher cumulative dose to workers affecting the fuel transfers, require additional security measures that are significantly more expensive, and would not result in a significant improvement in environmental impacts compared to the proposed action to increase the capacity of the current SFPs.

Reduction of Spent Fuel Generation

Generally, improved usage of the fuel and/or operation at a reduced power level would be an alternative that would decrease the amount of fuel being stored in the SFPs and, thus, increase the amount of time before the maximum storage capacities of the SFPs are reached. However, operating the plant at a reduced power level would not make effective use of available resources, and would cause unnecessary economic hardship on the licensee and its customers. Therefore, reducing the amount of spent fuel generated by increasing burnup further or reducing power is not considered a practical alternative.

The No-Action Alternative

The NRC staff also considered denial of the proposed action (i.e., the "no-action" alternative). Denial of the application would result in no significant 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 Palo Verde, Units 1, 2, and 3.

Agencies and Persons Contacted

In accordance with its stated policy, on January 27, 2000, the staff consulted with the Arizona State official, Mr. Audbry Godwin of the Arizona Radiation Protection Agency, 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 NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC 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 letters dated June 8, July 20, and November 24, 1999, which are available for public inspection at the Commission's Public Document Room, Gelman Building, 2120 L Street, NW., Washington DC. Publicly 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 24th day of February 2000.

For the Nuclear Regulatory Commission.

Mel B. Fields,

Project Manager, Section 2, Project Directorate IV & Decommissioning Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 00-4890 Filed 2-29-00; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 72-1026]

BNFL Fuel Solutions Corporation; Issuance of Environmental Assessment and Finding of No Significant Impact Regarding the Proposed Exemption From Requirements of 10 CFR Part 72

By letter dated January 14, 2000, BNFL Fuel Solutions Corporation (BFS or applicant) requested an exemption, pursuant to 10 CFR 72.7, from the requirements of 10 CFR 72.234(c). BFS, located in Scotts Valley, California, is seeking Nuclear Regulatory Commission (NRC or the Commission) approval to procure materials for and fabricate 14 Wesflex W150 storage casks prior to receipt of a Certificate of Compliance (CoC) for the Wesflex Spent Fuel Management System (Wesflex System). The Wesflex storage cask is a basic component of the Wesflex System, a cask system designed for the dry storage of spent fuel. The Wesflex System is intended for use under the general license provisions of Subpart K of 10 CFR part 72 by Consumers Energy at the

Palisades Nuclear Plant, located in Covert, Michigan, and at the Big Rock Point Nuclear Plant, located in Charlevoix, Michigan. The application for the CoC was submitted by BFS to the Commission on February 3, 1998, as supplemented.

Environmental Assessment (EA)

Identification of Proposed Action

BFS is seeking Commission approval to procure materials for and fabricate 14 Wesflex W150 storage casks prior to receipt of the CoC. The applicant is requesting an exemption from the requirements of 10 CFR 72.234(c), which states that "Fabrication of casks under the Certificate of Compliance must not start prior to receipt of the Certificate of Compliance for the cask model." The proposed action before the Commission is whether to grant this exemption under 10 CFR 72.7.

Need for the Proposed Action

BFS requested the exemption to 10 CFR 72.234(c) to ensure the availability of storage casks so that Consumers Energy can maintain full core offload capability at the Palisades Nuclear Plant. Palisades will lose full core offload capability after its planned April 2001 refueling outage. Currently, the Ventilated Storage Cask—24 (VSC-24), fabricated by Sierra Nuclear Corporation, is used at Palisades for the dry storage of spent fuel. However, the licensee requires another cask option because the storage capability of the VSC-24 is limited by its burnup and enrichment requirements. Beyond April 2001, a significant portion of the remaining and future spent fuel inventory at Palisades will not meet the VSC-24 burnup and enrichment limits. Already, there are nearly 250 spent fuel assemblies at Palisades that do not qualify for storage in the VSC-24.

BFS is also requesting the exemption to ensure the availability of dry storage casks at Big Rock Point to support its decommissioning schedule. The Big Rock Point decommissioning schedule requires that all fuel be loaded into dry storage casks by 2002.

To maintain full core offload at Palisades and to meet Big Rock Point's decommissioning schedule, Consumers Energy anticipates that fuel loading of Wesflex Systems would need to begin in 2001 at both sites. Thus, at both Palisades and Big Rock Point, the availability of the Wesflex System is needed in 2000 to support training and dry runs in anticipation of loading fuel in the following year. To meet this schedule, procurement of the W150

storage cask materials must begin promptly.

The Wesflex System CoC application is under consideration by the Commission. It is anticipated that, if approved, the CoC would be issued in early 2001.

The proposed procurement and fabrication exemption will not authorize use of the Wesflex System to store spent fuel. That will occur only when, and if, a CoC is issued. NRC approval of the procurement and fabrication exemption request should not be construed as an NRC commitment to favorably consider BFS's application for a CoC. BFS will bear the risk of all activities conducted under the exemption, including the risk that the 14 storage casks that BFS plans to construct may not be usable because they may not meet specifications or conditions placed in a CoC that NRC may ultimately approve.

Environmental Impacts of the Proposed Action

The Environmental Assessment for the final rule, "Storage of Spent Nuclear Fuel in NRC-Approved Storage Casks at Nuclear Power Reactor Sites" (55 FR 29181 (1990)), considered the potential environmental impacts of casks which are used to store spent fuel under a CoC and concluded that there would be no significant environmental impacts. The proposed action now under consideration would not permit use of the Wesflex System, but only procurement and fabrication. There are no radiological environmental impacts from procurement or fabrication since the storage cask material procurement and fabrication does not involve radioactive materials. The major non-radiological environmental impacts involve use of natural resources due to fabrication. Each W150 storage cask weighs approximately 127 tons and is made of reinforced concrete and steel. The amount of steel required for these storage casks is expected to have very little impact on the steel industry. Fabrication of the steel liner and guide rails would be at a metal fabrication facility, not at the reactor site. Fabrication of the storage casks is insignificant compared to the amount of metal fabrication performed annually in the United States. If the storage casks are not usable, they could be disposed of or recycled. The amount of material disposed of is insignificant compared to the amount of steel that is disposed of annually in the United States. Based upon this information, the procurement of materials and fabrication of the storage cask will have no significant impact on the environment since no radioactive materials are involved, and

the amount of natural resources used is minimal.

Alternative to the Proposed Action

Since there is no significant environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact are not evaluated. The alternative to the proposed action would be to deny approval of the exemption and, therefore, not allow procurement of materials and fabrication of the storage cask until a CoC is issued. This alternative would have the same, or greater, environmental impact.

Given that there are no significant differences in environmental impacts between the proposed action and the alternative considered and that the applicant has a legitimate need to procure materials and fabricate prior to certification and is willing to assume the risk that any material procured or any storage cask fabricated may not be approved or may require modification, the Commission concludes that the preferred alternative is to approve the procurement and fabrication request and grant the exemption from the prohibition on fabrication prior to receipt of a CoC.

Agencies and Persons Consulted

Mr. Lou Brandon, an official from the Michigan Department of Environmental Quality, was contacted on February 2, 2000, about the EA for the proposed action and had no comments.

Finding of No Significant Impact

The environmental impacts of the proposed action have been reviewed in accordance with the requirements set forth in 10 CFR Part 51. Based upon the foregoing EA, the Commission finds that the proposed action of granting an exemption from 10 CFR 72.234(c) so that BFS may procure materials for and fabricate 14 Wesflex W150 storage casks prior to issuance of a CoC for the Wesflex System will not significantly impact the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed exemption.

The request for the exemption from 10 CFR 72.234(c) was filed by BFS on January 14, 2000. For further details with respect to this action, see the application for a CoC for the Wesflex System, dated February 3, 1998, as supplemented. The exemption request and CoC application are docketed under 10 CFR part 72, Docket 72-1026. The exemption request and the non-proprietary version of the CoC application are available for public

inspection at the Commission's Public Document Room, 2120 L Street, NW, Washington, DC 20555.

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

For the Nuclear Regulatory Commission.

Susan F. Shankman,

Deputy Director, Licensing and Inspection Directorate, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.
[FR Doc. 00-4889 Filed 2-29-00; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-315 and 50-316]

Indiana Michigan Power Company and Donald C. Cook, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of amendments to Facility Operating License No. DPR-58 and No. DPR-74, issued to the Indiana Michigan Power Company (the licensee), for operation of the Donald C. Cook Nuclear Plant (D. C. Cook), Units 1 and 2, located in Berrien County, Michigan.

Environmental Assessment

Identification of the Proposed Action

The proposed action would delete Technical Specification (TS) 5.4.2, "Reactor Coolant System Volume," regarding the reactor coolant system (RCS) volume information. This information is not required to be in the TS for compliance with 10 CFR 50.36(c)(4). Information concerning the RCS volume is included in the D. C. Cook Updated Final Safety Analysis Report and any changes to the information are controlled in accordance with 10 CFR 50.59. In addition, format changes are proposed to TS page 5-5 for both Unit 1 and Unit 2.

The proposed action is in accordance with the licensee's application for amendment dated December 22, 1999.

The Need for the Proposed Action

The proposed action is necessary to correct the plant Technical Specifications. This information is not required to be in the TS for compliance with 10 CFR 50.36(c)(4) and is redundant to information contained in the D. C. Cook Updated Final Safety Analysis Report.