

## NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8778-MLA-2; ASLBP No. 00-775-03-MLA]

### Atomic Safety and Licensing Board; Molycorp, Inc.; Site Decommissioning Plan; Notice of Hearing

September 29, 2000.

This proceeding involves a proposed amendment by Molycorp, Inc. to its Source Materials License No. SMB-1393, to authorize a site decommissioning plan (SDP) for the Licensee's former processing facility in Washington, Pennsylvania. The proposal under review (a modification of a previously submitted proposal) represents Part 1 of the SDP. It was submitted to the Nuclear Regulatory Commission on June 30, 1999, and would authorize the decommissioning to unrestricted levels of a portion of the site. (Part 2 of the SDP, covering restricted decommissioning of the remainder of the site, was submitted to the Nuclear Regulatory Commission on August 14, 2000, but an opportunity for hearing has not yet been noticed.)

Notice is hereby given that, by Memorandum and Order dated September 28, 2000, LBP-00-25, 52 NRC , the Presiding Officer has granted the request for a hearing submitted by Canton Township, Pennsylvania, with respect to Part 1 of the SDP. Parties to this proceeding are the Licensee, Molycorp, Inc.; Canton Township, Pennsylvania, Intervenor; and the Staff of the Nuclear Regulatory Commission.

This proceeding will be conducted under the Commission's informal hearing procedures set forth in 10 CFR Part 2, Subpart L. In response to a Notice of Opportunity for Hearing, published at 64 FR 62227 (November 16, 1999), Canton Township submitted a timely hearing request. Administrative Judge Charles Bechhoefer has been designated Presiding Officer and, pursuant to 10 CFR 2.722 and 2.1209, Administrative Judge Richard F. Cole has been appointed as Special Assistant to assist the Presiding Officer in taking evidence and preparing a suitable record for review. 65 FR 3258 (January 20, 2000).

During the course of this proceeding, the Presiding Officer, pursuant to 10 CFR 2.1211(a), will entertain limited appearance statements from any member of the public who is not a party to the proceeding, for the purpose of stating his or her views on the issues involved in this proceeding. Although these statements are not evidence and do not become part of the decisional

record, they may assist the Presiding Officer and parties in their consideration of matters at issue in this proceeding. Limited appearance statements should be made in writing. If the Presiding Officer conducts an oral argument or in-person prehearing conference, the Presiding Officer may, at his discretion, hear oral statements from members of the public, at a time and location yet to be determined. Written statements, and requests to make oral statements, should be submitted to the Office of the Secretary, Rulemaking and Adjudications Staff, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy of such statement or request should also be served on the Presiding Officer, T-3 F23, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, or CXB2@nrc.gov.

Documents related to this proceeding, issued prior to December 1, 1999, are available in microfiche form (with print form available on one-day recall) for public inspection at the Commission's Public Document Room (PDR), Room O-1 F21, NRC One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738.

Documents issued subsequent to November 1, 1999 are available electronically through the Agencywide Documents Access and Management System (ADAMS), with access to the public through NRC's Internet Web site (Public Electronic Reading Room Link, <<http://www.nrc.gov/NRC/ADAMS/index.html>>). The PDR and many public libraries have terminals for public access to the Internet.

Dated: September 29, 2000.

**Charles Bechhoefer,**

*Administrative Judge, Presiding Officer,  
Rockville, Maryland.*

[FR Doc. 00-25492 Filed 10-4-00; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-266 AND 50-301]

### Nuclear Management Company, LLC; Point Beach Nuclear Plant, Units 1 and 2 Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) 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, for Facility Operating License Nos. DPR-24 and DPR-27, issued to the Nuclear Management Company, LLC (the licensee), for operation of the Point Beach Nuclear

Plant (PBNP), Units 1 and 2, Facility Operating License Nos. DPR-24 and DPR-27, respectively, located in the town of Two Rivers, Manitowoc County, Wisconsin.

### Environmental Assessment

#### *Identification of the Proposed Action*

The proposed action would exempt the licensee from certain requirements of 10 CFR 50.60 to allow the application of American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code), Section XI, Code Case N-641, for determining the pressure-temperature (P-T) limit curves, the power-operated relief valve setpoint for low temperature overpressure protection (LTOP), and the LTOP effective temperature.

The proposed action is in accordance with the licensee's application for an exemption dated July 14, 2000.

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

ASME Code Case N-641 is needed to (1) determine stress intensity factors for postulated circumferential defects in circumferential welds, and for postulated axial defects in plates, forgings, and axial welds; (2) use the  $K_{Ic}$  fracture toughness curve shown in ASME Code, Section XI, Appendix A, Figure A-2200-1, in lieu of the  $K_{IA}$  fracture toughness curve of ASME Code, Section XI, Appendix G, Figure G-22101, as the lowest bound for fracture toughness; and (3) determine the LTOP system effective temperature on a plant-specific basis consistent with ASME Code, Section XI, Appendix G. Also, ASME Code Case N-641 is 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. Therefore, application of the code case will relax the LTOP operating window and reduce potential challenges to the reactor coolant system power-operated relief valves.

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

The NRC staff 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 reactor pressure vessels at PBNP, Units 1 and 2.

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 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 NRC staff 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 NRC 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 PBNP, Units 1 and 2.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on September 22, 2000, the staff consulted with the Wisconsin State official, Ms. S. Jenkins of the Public Service Commission, 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 letter dated July 14, 2000, which is available for public inspection at the Commission's Public Document Room, One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records are 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 29th day of September, 2000.

For The Nuclear Regulatory Commission.

**Beth A. Wetzel,**

*Senior Project Manager, Section 1, Project Directorate III, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 00-25562 Filed 10-4-00; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

### **Experts' Meeting on High-Burnup Fuel Behavior Under Postulated Accident Conditions**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of meeting.

**SUMMARY:** The Nuclear Regulatory Commission will hold a meeting to complete the Phenomena Identification and Ranking Tables (PIRTs) for three accidents. PIRTs have been used at NRC since 1988, and they provide a structured way to obtain a technical understanding that is needed to address certain issues. About twenty of the world's best technical experts are participating in this activity, and the experts represent a balance between industry, universities, foreign researchers, and regulatory organizations. The current PIRT activity is addressing high-burnup fuel behavior for a PWR control rod ejection accident, a BWR failure to scram accident with power oscillations, and a loss of coolant accident for a BWR and a PWR.

**DATES:** October 26-27, 2000, 8:30 am-5:30 pm.

**ADDRESSES:** Room T10A1 (TWFN) of the Nuclear Regulatory Commission, 11545 Rockville Pike, Rockville, MD.

**SUPPLEMENTARY INFORMATION:** The meeting agenda will be posted on the NRC Web site at [www.nrc.gov/RES/meetings.htm](http://www.nrc.gov/RES/meetings.htm) by October 17, 2000. The meeting is open to the public. Attendees will need to obtain a visitor badge at the TWFN building lobby.

**FOR FURTHER INFORMATION CONTACT:**

Ralph Meyer, SMSAB, Division of Systems Analysis and Regulatory Effectiveness, Office of Nuclear Regulatory Research, Washington, DC 20555-0001, telephone (301) 415-6789.

Dated at Rockville, Maryland, this 29th day of September 2000.

For the Nuclear Regulatory Commission.

**John H. Flack,**

*Acting Director, Division of Systems Analysis and Regulatory Effectiveness, Office of Nuclear Regulatory Research.*

[FR Doc. 00-25560 Filed 10-4-00; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

### **Draft Regulatory Guide; Issuance, Availability**

The Nuclear Regulatory Commission has issued for public comment a proposed revision of a guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public such information as methods acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques used by the staff in evaluating specific problems or postulated accidents, and data needed by the staff in its review of applications for permits and licenses.

The draft guide, temporarily identified by its task number, DG-8026 (which should be mentioned in all correspondence concerning this draft guide), is titled "Health Physics Surveys in Uranium Recovery Facilities." This guide is being revised to describe health physics surveys that are acceptable to the NRC staff for protecting workers at uranium recovery facilities from radiation and the chemical toxicity of uranium while on the job. Uranium recovery facilities can include uranium mills, in situ leach facilities, ion exchange recovery facilities and certain other types of recovery facilities.

This draft guide has not received complete staff approval and does not represent an official NRC staff position.

Comments may be accompanied by relevant information or supporting data. Written comments may be submitted to the Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Copies of comments received may be examined at the NRC Public Document Room, 11555 Rockville Pike, Rockville, MD. Comments will be most helpful if received by December 15, 2000.

You may also provide comments via the NRC's interactive rulemaking website through the NRC home page (<http://www.nrc.gov>). This site provides the availability to upload comments as files (any format) if your web browser supports that function. For information about the interactive rulemaking website, contact Ms. Carol Gallagher, (301) 415-5905; email [CAG@NRC.GOV](mailto:CAG@NRC.GOV). For information about the draft guide and the related documents, contact Mr. J.H. Lusher at (301) 415-7694; e-mail [JHL@NRC.GOV](mailto:JHL@NRC.GOV).

Although a time limit is given for comments on this draft guide, comments and suggestions in connection with items for inclusion in guides currently being developed or