

or safety or protection of the environment.

Environmental Impacts of Proposed Action

There are no impacts associated with the proposed action, as no further remediation activities will be conducted at the Revere site. Based on its review, the NRC staff has concluded that the environmental impacts associated with the proposed action do not warrant either denial of the licensee's request, or additional site remediation.

Additionally, in the SER prepared for this action, the staff has reviewed the licensee's proposed action with respect to the criteria for license termination, specified in 10 CFR part 20, Subpart E, and has no basis for denial of the proposed action. Therefore, the staff concludes that the proposed alternative is appropriate.

Agencies and Individuals Consulted

NRC staff prepared the EA. No other sources were used beyond those referenced in the EA.

NRC staff provided a draft of the EA to the PADEP for review. By letter dated April 26, 2001, PADEP concurred with NRC's conclusion that the requirements for radiological unrestricted release have been met.

Finding of No Significant Impact

The NRC staff has prepared an EA for the proposed amendment to NRC Source Material License SMC-1562. On the basis of this assessment, the NRC staff has concluded that the environmental impacts that may result from the proposed action would not be significant, and therefore, preparation of an Environmental Impact Statement is not warranted.

The EA and other documents related to this proposed action are available for public inspection and copying at the NRC Public Document Room in NRC's One White Flint North Headquarters building, located at 11555 Rockville Pike (first floor), Rockville, Maryland; and in the Agency-wide Documents Access and Management System (ADAMS) Public Electronic Reading Room at Web address <<http://www.nrc.gov/ADAMS/index.html>>.

Notice of Opportunity for Hearing

The Commission hereby provides notice that this is a proceeding on an application for a licensing action falling within the scope of 10 CFR part 2, subpart L, "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings," of the Commission's Rules of Practice for

Domestic Licensing Proceedings and Issuance of Orders.

Pursuant to 10 CFR 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing. In accordance with 10 CFR 2.1205(d), a request for a hearing must be filed within thirty (30) days from the date of publication of the **Federal Register** notice. The request for a hearing must be filed with the Office of the Secretary either:

(1) By delivery to the Rulemakings and Adjudications Staff of the Office of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or

(2) By mail, telegram, or facsimile addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Rulemakings and Adjudications Staff. In accordance with 10 CFR 2.1205(f), each request for a hearing must also be served, by delivering it personally or by mail to:

(1) The applicant, Cabot Corporation, P.O. Box 1608, County Line Road, Boyertown, PA 19512-1608;

(2) The NRC staff, by delivery to the Office of the General Counsel, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852.

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 10 CFR 2.1205(h);

(3) The requestor's areas of concern about the licensing activity that are the subject matters of the proceeding; and

(4) The circumstances establishing that the request for a hearing is timely in accordance with 10 CFR 2.1205(d).

Any hearing that is requested and granted will be held in accordance with the Commission's "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings" in part 2, subpart L.

Dated at Rockville, Maryland, this 4th day of June 2001.

For the Nuclear Regulatory Commission.

Larry W. Camper,

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

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NUCLEAR REGULATORY COMMISSION

Docket No. 50-309

Maine Yankee Atomic Power Company; Maine Yankee Atomic Power Station 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 its regulations to Facility Operating License No. DPR-36, issued to Maine Yankee Atomic Power Company (MYAPC or the licensee), for the Maine Yankee Atomic Power Station (MYAPS), a permanently shutdown nuclear reactor facility located in Lincoln County, Maine.

Environmental Assessment

Identification of Proposed Action

ACTION: The proposed action would exempt the MYAPS Independent Spent Fuel Storage Installation (ISFSI) from some requirements of 10 CFR 72.212(b)(5) to "protect the spent fuel against the design basis threat of radiological sabotage in accordance with the same provisions and requirements as are set forth" in 10 CFR 73.55, "Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage." The proposed action is in accordance with the licensee's application for exemption dated January 4, 2001, as supplemented by letters dated March 12 and April 4, 2001.

The Need for the Proposed Action

MYAPS was shut down in December 1996. On August 7, 1997, the licensee informed the Commission that it had decided to permanently cease operations at Maine Yankee Atomic Power Station and that all fuel had been permanently removed from the reactor. In accordance with 10 CFR 50.82(a)(2), the certifications in the letter modified the facility operating license to permanently withdraw MYAPC's authority to operate the reactor and to load fuel into the reactor vessel. The MYAPS spent nuclear fuel is currently being stored in the spent fuel pool, which is protected by a physical protection system meeting the requirements of 10 CFR 73.55, with exemptions as previously issued by the NRC. To complete the plant site decommissioning process, the spent fuel will be removed from the spent fuel pool and transferred to an onsite ISFSI for interim storage. Under the

provisions of 10 CFR part 20, subpart K, General License for Storage of Spent Fuel at Power Reactor Sites, as specified in 10 CFR 72.212(b)(5), MYAPS is required to meet the physical protection requirements of 10 CFR 73.55 for an ISFSI at a reactor site. However, MYAPC has proposed to be exempted from the requirements of 10 CFR 72.212(b)(5) to "protect the spent fuel against the design basis threat of radiological sabotage in accordance with the same provisions and requirements as are set forth" in 10 CFR 73.55 (with certain exceptions provided by 10 CFR 72.212(b)(5)). Instead, MYAPC has proposed alternative approaches to meet the provisions of portions of 10 CFR 73.55 related to the security organization, physical barriers, access requirements, detection aids, requirements, and response requirements. The alternative measures for protection against radiological sabotage would meet the same high assurance objectives and the general performance requirements of 10 CFR 73.55 related to spent fuel storage at an ISFSI.

Environmental Impacts of the Proposed Action

The NRC has completed its evaluation of the proposed action and concludes that granting an exemption from the requirements of 10 CFR 72.212(b)(5) to protect the spent fuel against the design basis threat of radiological sabotage in accordance with the requirements of 10 CFR 75.55, thereby enabling MYAPC to implement alternative provisions of 10 CFR 73.55, would not have a significant impact on the environment.

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

Accordingly, the NRC 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 related to Operation of Maine Yankee Atomic Power Station (July 1972).

Agencies and Persons Contacted

In accordance with its stated policy, on April 19, 2001, the staff consulted with Mr. Patrick Dostie of the State of Maine, Department of Human Services, Division of Health Engineering, 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 January 4, 2001, March 12, 2001, and April 4, 2001, which may be examined, and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. 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 5th day of June 2001.

For the Nuclear Regulatory Commission.

Michael K. Webb,

Project Manager, Section 1, Project Directorate IV & Decommissioning, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

Biweekly Notice; Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations

I. Background

Pursuant to Public Law 97-415, the U.S. Nuclear Regulatory Commission (the Commission or NRC staff) is publishing this regular biweekly notice. Public Law 97-415 revised section 189 of the Atomic Energy Act of 1954, as amended (the Act), to require the Commission to publish notice of any amendments issued, or proposed to be issued, under a new provision of section 189 of the Act. This provision grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from May 21, 2001 through June 1, 2001. The last biweekly notice was published on May 30, 2001 (66 FR 29349).

Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period.