

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

#### IV. Other Information

The application for license termination is available for inspection at NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html> (ADAMS Accession Numbers: ML023180642 and ML023440223). Documents may also be examined and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. Any questions with respect to this action should be referred to Elaine Brummett, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T8-A33, Washington, DC 20555-0001. Telephone: (301) 415-6606; Fax: (301) 415-5390.

Dated at Rockville, Maryland, this 24th day of December, 2002.

For the Nuclear Regulatory Commission.

**Daniel M. Gillen,**

*Chief, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards.*

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#### NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-369 and 50-370]

##### **Duke Energy Corporation, McGuire Nuclear Station, Units 1 and 2; Notice of Availability of the Final Supplement 8 to the Generic Environmental Impact Statement Regarding License Renewal for the McGuire Nuclear Station, Units 1 and 2**

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has published a final plant-specific supplement to the Generic Environmental Impact Statement (GEIS), NUREG-1437, regarding the renewal of operating licenses NPF-9 and NPF-17 for the McGuire Nuclear Station, Units 1 and 2, for an additional 20 years of operation. The McGuire Nuclear Station units are located in Mecklenburg County, North Carolina. Possible alternatives to the proposed action (license renewal) include no action and reasonable alternative methods of power generation.

As discussed in Section 9.3 of this final Supplement 8 to the GEIS, the staff

recommends that the Commission determine that the adverse environmental impacts of license renewal for McGuire Nuclear Station, Units 1 and 2, are not so great that preserving the option of license renewal for energy planning decision makers would be unreasonable. This recommendation is based on (1) The analysis and findings in the GEIS; (2) the Environmental Report submitted by Duke; (3) consultation with Federal, State, and local agencies; (4) the staff's own independent review; and (5) the staff's consideration of public comments.

The final Supplement 8 to the GEIS is available electronically for public inspection in the NRC Public Document Room (PDR) located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, or from the Publicly Available Records (PARS) component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov> (the Public Electronic Reading Room). Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the PDR reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Mr. James H. Wilson, License Renewal and Environmental Impacts Program, Division of Regulatory Improvement Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Mr. Wilson may be contacted at 301-415-1108 or by writing to James H. Wilson, U.S. Nuclear Regulatory Commission, Mail Stop O 12-D-1.

Dated at Rockville, Maryland, this 24th day of December, 2002.

For the Nuclear Regulatory Commission.

**Pao-Tsin Kuo,**

*Program Director, License Renewal and Environmental Impacts Program, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.*

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#### NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-413 and 50-414]

##### **Duke Energy Corporation, Catawba Nuclear Station, Units 1 and 2; Notice of Availability of the Final Supplement 9 to the Generic Environmental Impact Statement Regarding License Renewal for the Catawba Nuclear Station, Units 1 and 2**

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has published a final plant-specific supplement to the Generic Environmental Impact Statement (GEIS), NUREG-1437, regarding the renewal of operating licenses NPF-35 and NPF-52 for the Catawba Nuclear Station, Units 1 and 2, for an additional 20 years of operation. The Catawba Nuclear Station units are located in York County, South Carolina. Possible alternatives to the proposed action (license renewal) include no action and reasonable alternative methods of power generation.

As discussed in Section 9.3 of this final Supplement 9 to the GEIS, the staff recommends that the Commission determine that the adverse environmental impacts of license renewal for Catawba Nuclear Station, Units 1 and 2, are not so great that preserving the option of license renewal for energy planning decision makers would be unreasonable. This recommendation is based on (1) the analysis and findings in the GEIS; (2) the Environmental Report submitted by Duke; (3) consultation with Federal, State, and local agencies; (4) the staff's own independent review; and (5) the staff's consideration of public comments.

The final Supplement 9 to the GEIS is available electronically for public inspection in the NRC Public Document Room (PDR) located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, or from the Publicly Available Records (PARS) component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov> (the Public Electronic Reading Room). Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the PDR reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Mr. James H. Wilson, License Renewal and Environmental Impacts Program,

Division of Regulatory Improvement Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Mr. Wilson may be contacted at 301-415-1108 or by writing to James H. Wilson, U.S. Nuclear Regulatory Commission, Mail Stop O 12-D-1.

Dated at Rockville, Maryland, this 24th day of December, 2002.

For the Nuclear Regulatory Commission.

**Pao-Tsin Kuo,**

*Program Director, License Renewal and Environmental Impacts, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8989]

### Environmental Assessment and Finding of No Significant Impact for Envirocare of Utah, Inc.'s Request to Amend NRC Source Material License SMC-1559

#### I. Introduction

The NRC is considering an amendment to Envirocare of Utah's (Envirocare) NRC Source Material License SMC-1559. The proposed amendment will revise the methods used to suppress dust on haul roads in Envirocare's Clive, Utah facility for the disposal of byproduct material as defined in section 11e.(2) of the Atomic Energy Act. An Environmental Assessment (EA) was performed by the NRC staff in support of its review of Envirocare's license amendment request, in accordance with the requirements of 10 CFR Part 51. The conclusion of the EA is a Finding of No Significant Impact (FONSI) for the proposed licensing action.

#### II. Supplementary Information

##### *Background*

Envirocare requested NRC approval to revise the methods used to suppress dust on facility haul roads, by replacing the requirement to apply magnesium chloride twice a year with a requirement to scrape the roads quarterly. The NRC staff reviewed the proposed revision and concludes that it will be effective in controlling dust from the haul roads.

By letters dated July 12, 2002 (Envirocare, 2002a) and September 4, 2002 (Envirocare, 2002b), the licensee requested NRC approval to revise its license application. The requested change would remove the requirement, in Section 17 and Appendix Z, for semi-annual application of magnesium

chloride to facility haul roads and replace it with a requirement to scrape the roads at least quarterly.

Currently, the licensee is required to have a water truck on site on days when the facility is operating, to apply water to the haul roads, and to keep a record of water applications. Additionally, the licensee is required to apply magnesium chloride solution, which is a surfactant, to the haul roads twice a year.

The requested revision will not change the requirement to apply water to the roads. It would replace the requirement to semi-annually apply magnesium chloride to the haul roads with a requirement to scrape the roads quarterly. The licensee states that scraping the roads is superior to application of magnesium chloride because the radiological contaminants from the road surfaces will be disposed of in a timely manner rather than being trapped on the road surface with a potential for gradual buildup. The licensee also states that scraping the roads will preserve its condition, reducing the potential for spillage of contaminated material from equipment due to uneven road surfaces.

The proposed licensing action meets the conditions for a categorical exclusion under 10 CFR 51.22(c)(11) because the staff has determined that the following conditions have been met:

1. There is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite,
2. There is no significant increase in individual or cumulative occupational radiation exposure,
3. There is no significant construction impact, and
4. There is no significant increase in the potential for or occurrences from radiological accidents.

However, because the proposed revision to the licensee's dust suppression program does not comply with the statement in Section 5.5, "Mitigative Measures" of the licensee's Final Environmental Statement (NUREG-1476-August 1993) issued in support of the original license for the facility, the staff determined that an environmental assessment was necessary. That section requires Envirocare to achieve a high level of dust suppression through watering of the roads and *application of chemical dust suppressants* [emphasis added].

##### *Identification of the Proposed Action*

The proposed action would replace the requirement for the licensee to semi-annually apply magnesium chloride to the facility haul roads with a requirement to scrape the roads

quarterly. The material scraped off the roads, including the contamination contained in the material, would be put into one of the facility's disposal cells.

##### *Purpose and Need for the Proposed Action*

The proposed action would remove contaminated material from the surface of facility haul roads and put it into disposal cells. It would also improve the surface of the haul roads, thus reducing the potential of spillage of contaminated material from equipment using the roads.

##### *Cumulative Impacts*

NRC has found no other current or planned activities in the area that could result in cumulative impacts.

##### *Alternatives to the Proposed Action*

An alternative to the proposed action would be for the staff to deny the licensee's request. The licensee would then continue to apply magnesium chloride to road surfaces semi-annually and not remove soil from the road.

##### *Affected Environment*

NUREG-1476 provides detailed descriptions of the Envirocare facility and the nearby environment.

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

The environmental impacts of the proposed action are minimal. The potential for dust blowing from the haul roads will continue to be controlled by the application of water. There is a potential for a minor increase in dust during the actual scraping of the roads but the licensee will perform the scraping in a manner that minimizes the creation of airborne dust. The proposed action will remove contaminated material from the surface of the road and thus reduce the potential for the contaminated material to be carried away from the site. The proposed action will also eliminate the application of magnesium chloride and thus eliminate the potential of a spill or other inadvertent release of this chemical to the environment.

##### *State Consultation*

NRC provided a draft version of the EA to William J. Sinclair, Director of the Utah Division of Radiation Control (DRC), for comment. The DRC is in agreement with the proposed action and has no additional comments.

#### III. Finding of No Significant Impact

Based upon the environmental assessment, the staff concludes that the proposed action will not have a