

in the stakeholder meeting by regular mail. Please contact the OSHA Docket Office at (202) 693-2350 (TTY (877) 889-5627) for information about security procedures concerning the delivery of materials by express delivery, hand delivery and messenger service.

All comments and submissions will be available for inspection and copying at the OSHA Docket Office at the above address. Comments and submissions will be posted on OSHA's Web site at <http://www.osha.gov>. OSHA cautions you about submitting personal information such as social security numbers, date of birth, etc. Contact the OSHA Docket Office at (202) 693-2350 (TTY (877) 889-5627) for information about materials not available through the OSHA Web site and for assistance in using the Web site to locate docket submissions.

OSHA is providing the public with 60 days to provide comments on the draft retail grocery store ergonomics guidelines. During the development of the nursing home ergonomics guidelines (the final version was published March 13, 2003), the agency provided 30 days for comment, then extended the comment period for an additional 30 days at the request of several stakeholders. The 60-day period provided adequate time for the public to provide comments, so OSHA believes that allowing 60 days for the public to comment on the draft retail grocery guidelines is adequate.

## II. Background

On April 5, 2002, the Department of Labor announced a four-pronged comprehensive approach for addressing musculoskeletal disorders (MSDs), which calls for OSHA to develop industry- or task-specific guidelines. OSHA's second industry-specific guidelines address ergonomic concerns in retail grocery stores and supercenters (combined full-line supermarket and discount merchandisers). While other business operations, such as distribution centers, banks, post offices, or other retail or wholesale operations may also be located in grocery stores, these guidelines are not intended to apply to these other businesses. The guidelines are also not intended to apply to other retail and distribution operations, such as warehouses or convenience stores.

The draft guidelines contain an introduction and two main sections. The introduction provides an overview of MSDs in retail grocery stores. It also explains the role of ergonomics in reducing the incidence of these injuries. A section entitled "A Process for

Protecting Workers" describes a process for developing and implementing a strategy for analyzing the workplace, implementing ergonomic solutions, training, addressing reports of injuries, and evaluating progress.

The Implementing Solutions section describes examples of ergonomic solutions that may be used by grocery stores to control exposure to ergonomic risk factors in grocery stores. The Implementing Solutions section includes general corrective actions, followed by solutions for certain grocery store departments, including:

- Stocking,
- Bakery,
- Produce, and
- Meat department.

The draft guidelines finish with a list of references and sources of additional information grocery store managers can use to help them with their ergonomic efforts.

OSHA encourages interested parties to comment on all aspects of the draft guidelines. The agency is particularly interested in any information about successful ergonomics efforts, and individual ergonomic interventions, that the grocery store industry has used to address ergonomic concerns.

## III. Stakeholder Meeting

Following the close of the comment period, OSHA will hold a stakeholder meeting in the Washington, DC metropolitan area during the week of July 28, 2003. The agency will announce the exact date and location of the stakeholder meeting at a later date.

This notice was prepared under the direction of John L. Henshaw, Assistant Secretary for Occupational Safety and Health. It is issued under sections 4 and 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 657).

Issued at Washington, DC, this 6th day of May, 2003.

**John L. Henshaw,**

*Assistant Secretary of Labor.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-302]

### Florida Power Corporation; Crystal River Unit 3; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from Title 10 of the Code of Federal Regulations (10

CFR) part 55, section 55.59(c)(1) for Facility Operating License No. DPR-72, issued to Florida Power Corporation (the licensee), for operation of Crystal River Unit 3 (CR-3), located in Citrus County, Florida. As required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

## Environmental Assessment

### Identification of the Proposed Action

The proposed action would constitute a one-time exemption to allow the current licensed operator requalification program to exceed 24 months. The requested exemption would extend the completion date for the current requalification program from December 31, 2004, to February 28, 2005, and would include an extension to February 28, 2005, for completing the required annual operating tests and comprehensive biennial written examination. The next requalification program period would begin on March 1, 2005, and continue for 24 months to February 28, 2007, with successive periods running for 24 months.

The proposed action is in accordance with the licensee's application for exemption dated March 6, 2003.

### The Need for the Proposed Action

The proposed action would extend the current CR-3 requalification program from December 31, 2004, to February 28, 2005. The next requalification program period would begin on March 1, 2005, and continue for 24 months to February 28, 2007, with successive periods running for 24 months. The proposed action is needed to allow for minimal interruption of the licensed personnel based on scheduling difficulties associated with an end-of-the-year requalification program cycle. Specifically, the licensee has stated that moving operator annual and biennial exams to a January to February timeframe would support the following benefits for the licensee: (1) Minimize the fall refueling outage impact on exam development; (2) minimize the potential impact from any fall refueling outage extensions; (3) minimize the scheduling and resource impact from holidays; (4) minimize the potential scheduling and resource impact of any exam remediation or retesting requirements during the holidays; and (5) minimize the potential impact from future bargaining unit negotiations that occur periodically in the fourth calendar quarter. The licensee deems it prudent to allow the licensed personnel operating the plant to remain fully available to stand watch on operating

crews and not be distracted by completing the licensed operator requalification program by December 31, 2004.

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

The NRC has completed its evaluation of the proposed action and concludes that there are no significant environmental impacts associated with the extension of the completion date for the operator requalification program from December 31, 2004, to February 28, 2005.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types of 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 have a potential to affect 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.

#### *Environmental Impacts of the 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*

The action does not involve the use of any different resources than those previously considered in the Final Environmental Statement for CR-3.

#### *Agencies and Persons Consulted*

On May 1, 2003, the staff consulted with the Florida State official, William Passetti, of the Florida Department of Health Bureau of Radiation Control, 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 March 6, 2003. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209 or 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

For the Nuclear Regulatory Commission.

Dated at Rockville, Maryland, this 5th day of May, 2003.

**Allen G. Howe,**

*Chief, Section 2, Project Directorate II, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

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#### **NUCLEAR REGULATORY COMMISSION**

[Docket No. 40-6622]

#### **Finding of No Significant Impact and Availability of the Environmental Assessment Regarding the Proposed Changes to the Reclamation Plan for the Pathfinder Mines Corporation's Shirley Basin Site, Shirley Basin Region of Wyoming**

##### **I. Introduction**

The U.S. Nuclear Regulatory Commission (NRC) is considering an amendment of NRC Source Material License SUA-442 to authorize the licensee, Pathfinder Mines Corporation (PMC), to change the Reclamation Plan for the Shirley Basin uranium mill tailings site located in the Shirley Basin region of Wyoming. PMC requested that NRC approve the proposed changes to the Reclamation Plan by letter dated

October 16, 2001, as amended August 9, 2002.

An Environmental Assessment (EA) was performed by the NRC staff in support of its review of PMC's license amendment request, in accordance with the requirements of 10 CFR Part 51. Based on the evaluation, the staff concluded that a Finding of No Significant Impact (FONSI) is appropriate for this licensing action.

##### **II. EA Summary**

The EA was prepared to evaluate the environmental impacts of PMC's request to amend NRC license SUA-442, by revising the Reclamation Plan for the Shirley Basin site to allow PMC to do two things. First, in response to recent tailings analysis which showed a significant decrease in source term from what was estimated in the original Reclamation Plan, it would allow PMC to reduce the radon clay barrier thickness from 2.5 feet to .5 feet. The licensee has calculated that with this reduction on thickness, the average radon flux will still be within the required levels and they will confirm this fact by actual measurement. Second, it would allow PMC to create relatively flat vegetated surfaces or benches, with rock protected apron slopes to make the transition between benches. This would provide a reclamation surface covered primarily by vegetated topsoil instead of large expanses of rock. The technical aspects of the application are to be discussed separately in a Technical Evaluation Report (TER) that will accompany the agency's final licensing action.

The results of the staff's evaluation are documented in an EA placed in the Publicly Available Records (PAR) component of NRC's document system (ADAMS).

##### **III. Finding of No Significant Impact**

Based on the EA, as summarized above, the staff has concluded that the proposed licensing action would not have any significant effect on the quality of the human environment, and therefore, an environmental impact statement is unnecessary.

##### **IV. Further Information**

The EA for this proposed action as well as the licensee's request are available for inspection at the NRC's Public Document Reading Room at <http://www.nrc.gov/reading-rm/adams.html> (ADAMS Accession Number for licensee request is: ML012980334 (October 16, 2001), ML022310348 (August 8, 2002) and ADAMS Accession Number for the EA is: ML031190198). Documents can also