

apart horizontally. On March 5, 1987, the NRC staff approved a revision to this exemption to allow minimal intermittent combustibles between the redundant trains. The staff approved the exemptions based, in part, on the redundant trains being separated by more than 7 feet horizontally and 25 feet vertically. The licensee subsequently determined that the assumption of 25 feet vertical separation was incorrect. The proposed action would revise the exemption to eliminate the vertical separation assumption. The licensee provided a fire hazard assessment utilizing a detailed fire model to demonstrate that, with the existing vertical separation and a minimum of 7 feet horizontal separation, a fire in one train will not damage the redundant train. The revised request limits the exemption to the cable trays in the containment annular region between radial column lines 2 and 6 and permits no intervening combustibles.

In summary, the exemption would be revised to allow separation of cables of redundant trains by a horizontal distance of at least 7 feet with no intervening combustibles inside containment in the annular region between radial column lines 2 and 6.

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

The NRC has completed its evaluation and concludes, as set forth below, that there are no significant environmental impacts associated with the proposed exemption. The details of the staff's safety evaluation will be provided with the exemption when it is issued by the NRC.

The proposed action will not significantly increase the probability or consequences of accidents, there are no significant changes in the types or significant increase in the quantities of effluents that may be released offsite, and there is no significant increase in occupational or public radiation exposure.

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 related to the St. Lucie Plant Unit 1, dated June 1973 and Supplement 11 to NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants Regarding St. Lucie, Units 1 and 2," dated May 2003.

#### *Agencies and Persons Consulted*

On November 3, 2003, the staff consulted with the Florida State official, Mr. William Passetti of the 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 October 23, 2002, as supplemented on August 28, 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 O1F21, 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 at 1-800-397-4209, or 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 9th day of December 2003.

For the Nuclear Regulatory Commission.

**Allen G. Howe,**

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

[FR Doc. 03-30860 Filed 12-12-03; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[Docket No. 030-00842]**

### **Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for the University of Minnesota and Release of its Facility in Minneapolis, MN**

**ACTION:** Notice of availability of Environmental Assessment and Finding of No Significant Impact for license amendment.

#### **FOR FURTHER INFORMATION CONTACT:** Dr.

Peter J. Lee, Division of Nuclear Materials Safety, U.S. Nuclear Regulatory Commission, Region III, 801 Warrenville Road, Lisle, Illinois 60532-4351; telephone (630) 829-9870 or by email at [pjl2@nrc.gov](mailto:pjl2@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

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

The U.S. Nuclear Regulatory Commission (NRC) is issuing an amendment to University of Minnesota Byproduct Material License No. 22-00187-46, to remove authorization to use radioactive materials from its license for Stone Lab I and II Buildings located at 410 Church Street SE, in Minneapolis, Minnesota, and release the facilities for unrestricted use.

The NRC staff has prepared an Environmental Assessment (EA) in support of this licensing action in accordance with the requirements of 10 CFR Part 51. Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONS) is appropriate. The amendment will be issued following publication of this Notice.

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

The purpose of the proposed action is to allow for the release of the licensee's Stone Lab I and II Buildings located on Minneapolis campus for unrestricted use. The University of Minnesota was authorized by the NRC to use radioactive materials for medical diagnosis, therapy, and research utilizing labeled compounds, such as H-3, C-14, P-32, etc. On September 11, 2003, the University of Minnesota requested that NRC release the facilities

for unrestricted use. The University of Minnesota has conducted surveys of the facilities and provided information to the NRC to demonstrate that the site meets the license criteria in Subpart E of 10 CFR Part 20 for unrestricted release.

The staff has prepared an EA in support of the proposed licensing action. The staff examined the University of Minnesota's request and the information that the licensee has provided in support of its request, including the surveys performed by University of Minnesota to demonstrate compliance with 10 CFR 20.1402, "Radiological Criteria for Unrestricted Use," to ensure that the NRC's decision is protective of the public health and safety and the environment. Based on its review, the staff has determined that the affected environment and the environmental impacts associated with the unrestricted use of the University of Minnesota's facilities are bounded by the impacts evaluated by the "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities" (NUREG-1496). Additionally, no non-radiological impacts were identified.

### III. Finding of No Significant Impact

On the basis of the EA, summarized above, the staff has concluded that there are no significant environmental impacts from the proposed action. Accordingly, the staff has determined that a FONSI is appropriate, and has determined that the preparation of an environmental impact statement is not warranted.

### IV. Further Information

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," University of Minnesota's request, the EA summarized above, and the documents related to this proposed action are available electronically for public inspection and copying from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. These documents include University of Minnesota's letter dated September 11, 2003, with enclosures (Accession No. ML033230183); and the EA summarized above (Accession No. ML033280741).

Dated at Lisle, Illinois, this 2nd day of December 2003.

**Christopher G. Miller,**

*Chief, Decommissioning Branch, Division of Nuclear Materials Safety, RIII.*

[FR Doc. 03-30858 Filed 12-12-03; 8:45 am]

BILLING CODE 7590-01-P

### NUCLEAR REGULATORY COMMISSION

#### Draft Criteria for Determining Feasibility of Manual Actions To Achieve Post-Fire Safe Shutdown

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Extension of opportunity for public comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is considering a revision to the fire protection regulations in 10 CFR Part 50, Appendix R, Paragraph III.G.2 to allow the use of manual actions by nuclear power plant operators to achieve hot shutdown conditions in the event of fires in certain areas provided the actions are evaluated against specific criteria and determined to be acceptable. For complying with the requirements of Appendix R, Paragraph III.G.2, licensees who rely on operator manual actions which have not been reviewed and approved by the NRC are generally considered to be in non-compliance. However, the NRC believes that manual actions relied upon by licensees are safe and effective if they meet appropriate acceptance criteria. Accordingly, until the fire protection regulations are revised, the NRC is planning to issue an interim enforcement policy to exercise enforcement discretion for non-compliant licensees if their manual actions meet the NRC's interim acceptance criteria. The NRC is seeking public comments on the adequacy and clarity of draft interim acceptance criteria. On November 26, 2003 (68 FR 66501), the NRC published its draft interim acceptance criteria in the **Federal Register**. The 30 day comment period established for these criteria was to have expired on December 26, 2003. In letters dated November 26 and December 2, 2003, the Nuclear Information and Resource Service and the Union of Concerned Scientists requested a 30 day extension to the comment period. The letters noted that the comment period included two major holidays and stated that the additional time was needed to research the issues and provide meaningful comments. Similar requests were made by many other members of the public. In view of

the importance of meaningful stakeholder input on these criteria, the NRC has decided to extend the comment period by 30 days.

**DATES:** The comment period has been extended and now expires on January 26, 2004.

**ADDRESSES:** Submit written comments to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Mail Stop T6-D59, Washington, DC 20555-0001. Comments may be submitted by e-mail to [nrcrep@nrc.gov](mailto:nrcrep@nrc.gov). Comments may be delivered to the NRC's headquarters at Two White Flint North, 11545 Rockville Pike, Rockville, Maryland 20852.

#### FOR FURTHER INFORMATION CONTACT:

Richard Dudley, Office of Nuclear Reactor Regulation, Washington, DC 20555-0001, telephone (301) 415-1116, e-mail [rfd@nrc.gov](mailto:rfd@nrc.gov) or Ray Gallucci, telephone (301) 415-1255, e-mail [rhg@nrc.gov](mailto:rhg@nrc.gov).

Dated at Rockville, Maryland, this 9th day of December, 2003.

For the Nuclear Regulatory Commission.

**Catherine Haney,**

*Program Director, Policy and Rulemaking Program, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.*

[FR Doc. 03-30859 Filed 12-12-03; 8:45 am]

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### PENSION BENEFIT GUARANTY CORPORATION

#### Required Interest Rate Assumption for Determining Variable-Rate Premium; Interest Assumptions for Multiemployer Plan Valuations Following Mass Withdrawal

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of interest rates and assumptions.

**SUMMARY:** This notice informs the public of the interest rates and assumptions to be used under certain Pension Benefit Guaranty Corporation regulations. These rates and assumptions are published elsewhere (or can be derived from rates published elsewhere), but are collected and published in this notice for the convenience of the public. Interest rates are also published on the PBGC's Web site (<http://www.pbgc.gov>).

**DATES:** The required interest rate for determining the variable-rate premium under part 4006 applies to premium payment years beginning in December 2003. The interest assumptions for