

Nuclear Safety; regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed exemption.

For further details with respect to the proposed action, see the request for exemption dated August 28, 1995, which is available for public inspection at the Commission's Public Document Room, The Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room, located at the Jacobs Memorial Library, Illinois Valley Community College, Oglesby, Illinois 61348.

Dated at Rockville, Maryland, this 26th day of March 1996.

For the Nuclear Regulatory Commission
Robert A. Capra,
*Project Director, Project Directorate III-2,
Division of Reactor Projects III/IV, Office of
Nuclear Reactor Regulation.*

[FR Doc. 96-8298 Filed 4-2-96;8:45am]

BILLING CODE 7590-01-P

[Docket Number 40-6622]

Pathfinder Mines Corporation

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Final Finding of No Significant Impact of Mill Decommissioning; Notice of Opportunity for Hearing.

SUMMARY: Notice is hereby given that the U.S. Nuclear Regulatory Commission has amended Pathfinder Mines Corporation's (PMC's) Source Material License SUA-442 for the Shirley Basin facility on finding of no significant impact due to mill decommissioning. The Mill Decommissioning Plan, its Supplemental Environmental Report, and a license amendment request were submitted by PMC's letters dated July 1, 1992, February 3, 1993, and November 30, 1994, respectively. An Environmental Assessment was performed by the NRC staff in accordance with the requirements of 10 CFR Part 51. The conclusion of the Environmental Assessment is a Finding of No Significant Impact (FONSI) for the proposed licensing action.

SUPPLEMENTARY INFORMATION:

Background

PMC's Shirley Basin Mill is wholly owned by Cogema, Inc. The mill is located at Shirley Basin in Carbon County, Wyoming. The mill started operation in early 1971, and the last ore feed to the plant occurred in May 1992.

An environmental statement for the uranium milling facility was prepared in December 1974, by the United States Atomic Energy Commission.

Subsequent to this statement, the mill was operated and the environment was monitored. In consideration of PMC's application dated August 19, 1982, for renewal of Source Material License SUA-442, the NRC staff issued a detailed Environmental Assessment (EA) on September 14, 1984.

The decommissioning plan discusses the processes involved in dismantling and disposing of the mill and associated buildings at the Shirley Basin mill. Details of the final disposal of the dismantled mill are included as part of the site reclamation plan. The decommissioning plan also includes PMC's plan to survey areas around the mill site for contamination by areal gamma scan and soil sampling.

Included in the plan's description of dismantling the site facilities is a discussion of the radiation safety program to be used during the decommissioning. In general, the in-place radiation program was to be relied on with minor changes focusing on the problems associated with decommissioning and dismantling. The plan maintains emphasis on occupational health physics, even though the problems related to daughter products of uranium during operation will be reduced. The plan indicates that the decommissioning will be completed such that personnel exposures are as low as reasonably achievable (ALARA) by including pre-decommissioning cleaning of the facility, use of standard operating procedures and radiation work permits, and establishment of administrative dose limits.

Review Scope

The environmental review of PMC's request for approval of its decommissioning at the Shirley Basin Mill site included evaluation of the Mill Decommissioning Plan dated June 1992, and the accompanying Mill Decommissioning Environmental Report Supplement dated February 1993. In addition, PMC submitted a letter dated May 19, 1994, clarifying that materials and spare equipment parts in the salvage yard, which were radioactively contaminated and could not be cleaned

to meet releasable limits, would be buried at the mill site or in the tailings ponds. This clarification is in agreement with the 1992 Decommissioning Plan which states on page 3-1 "Equipment and materials that can not be decontaminated for release for unrestricted use will be disposed of by burial at the mill site or within the tailings impoundment* * *"

Environmental Assessment

The staff evaluated the decommissioning plan submitted by PMC. The plan satisfies the needs of 10 CFR Part 20 and 10 CFR Part 40 and is similar to other decommissioning plans for mill facilities. The plan appropriately focuses on the implementation of the ALARA program during decommissioning and demolition of the mill buildings. Environmental monitoring plans for contamination on the property satisfy the requirements to identify areas that require clean-up. PMC intends to dispose of the concrete floor of the mill building in place, after survey for unrestricted release, and will fracture the floor before final cover placement. The fracturing of the concrete floor is intended to eliminate ponding in the two-foot cover. The contaminated equipment and buildings are to be disposed of in an interim burial pit; final disposal will occur during future reclamation activities.

The environmental impacts associated with this licensing action are within the scope of the detailed EA issued by the NRC staff, dated September 14, 1984. No further assessment of this decommissioning action is necessary.

Conclusion

The staff has no technical objections related to radiological safety for the submitted decommissioning plan for the Shirley Basin Mill. The plan provides for mill and site decommissioning that will be completed in accordance with the regulations of 10 CFR Part 20 and 10 CFR Part 40. Inspection staff should be cognizant that the submitted plan referenced old Part 20, while the actual decommissioning of the mill was to be done under the current 10 CFR Part 20.

Alternatives to the Proposed Action

Since the NRC staff has concluded that there are no significant environmental impacts associated with the proposed action, any alternatives with equal or greater environmental impacts need not be evaluated. The principal alternative to the proposed action would be to deny the requested action. Since the environmental impacts of the proposed cleanup action are

obviously less than this no-action alternative, there is no need to further evaluate alternatives to the proposed action.

Finding of No Significant Impact

The conclusion of the Environmental Assessment is a Finding of No Significant Impact (FONSI) for this licensing action. Therefore, preparation of an Environmental Impact Statement is not warranted.

PMC's amended License, and the Environmental Assessment prepared by NRC staff are being made available for public inspection at the Commission's Public Document Room at 2120 L Street, NW (Lower Level), Washington, DC 20555.

Notice of Opportunity for Hearing

The NRC hereby provides notice of an opportunity for a hearing on the license amendment under the provisions of 10 CFR Part 2, Subpart L, "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings." Pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing. In accordance with § 2.1205(c), a request for hearing must be filed within 30 days of the publication of this notice in the Federal Register. The request for a hearing must be filed with the Office of the Secretary, either:

- (1) By delivery to the Docketing and Service Branch of the Office of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or
- (2) By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch.

In accordance with 10 CFR 2.1205(e), each request for a hearing must also be served, by delivering it personally or by mail, to:

- (1) The applicant, Pathfinder Mines Corporation, 935 Pendell Boulevard, P.O. Box 730, Mills, Wyoming 82644, Attention: Tom Hardgrove; and
- (2) The NRC staff, by delivery to the Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852 or by mail addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

In addition to meeting other applicable requirements of 10 CFR Part 2 of the NRC'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 § 2.1205(g);

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

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

The request must also set forth the specific aspect or aspects of the subject matter of the proceeding as to which petitioner wishes a hearing.

FOR FURTHER INFORMATION CONTACT:

Mohammad W. Haque, Uranium Recovery Branch, Division of Waste Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone (301) 415-6640.

Dated at Rockville, Maryland, this 26th day of March 1996.

Joseph J. Holonich,

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

[FR Doc. 96-8099 Filed 4-2-96; 8:45 am]

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Advisory Committee on the Medical Uses of Isotopes: Meeting Notice

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Notice of meeting.

SUMMARY: The U.S. Nuclear Regulatory Commission will convene a meeting of the Advisory Committee on the Medical Uses of Isotopes (ACMUI) on May 3, 1996. The ACMUI will discuss the Advance Notice for Proposed Rulemaking for 10 CFR Part 33 and prepare for an afternoon Commission briefing (to be noticed separately). All sessions of the meeting will be open to the public.

DATES: The meeting will begin at 8 a.m., on May 3, 1996. The Commission briefing will begin at 2 p.m. on May 3, 1996.

ADDRESS: The morning session will be held at the U.S. Nuclear Regulatory Commission, Two White Flint North, 11545 Rockville Pike, Room T2B3, Rockville, MD 20852-2738. The Commission briefing will be held at the U.S. Nuclear Regulatory Commission, in the Commissioners' hearing room, located on the lobby level of One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738.

FOR FURTHER INFORMATION, CONTACT:

Patricia K. Holahan, Ph.D., U.S. Nuclear Regulatory Commission, Office of

Nuclear Material Safety and Safeguards, MS T8F5, Washington, DC 20555, Telephone (301) 415-7847. For administrative information, contact Torre Taylor, (301) 415-7900.

Conduct of the Meeting:

Barry Siegel, M.D., will chair the meeting. Dr. Siegel will conduct the meeting in a manner that will facilitate the orderly conduct of business. The following procedures apply to public participation in the meeting:

1. Persons who wish to provide a written statement should submit a reproducible copy to Patricia K. Holahan (address listed previously), by April 26, 1996. Statements must pertain to the topics on the agenda for the meeting.

2. At the meeting, questions from members of the public will be permitted at the discretion of the Chairman.

3. The transcript and written comments will be available for inspection, and copying, for a fee, at the NRC Public Document Room, 2120 L Street, N.W., Lower Level, Washington, DC 20555, telephone (202) 634-3273, on or about May 14, 1996. Minutes of the meeting will be available on or about June 7, 1996.

4. Seating for the public will be on a first-come, first-served basis.

This meeting will be held in accordance with the Atomic Energy Act of 1954, as amended (primarily Section 161a); the Federal Advisory Committee Act (5 U.S.C. App); and the Commission's regulations in Title 10, *U.S. Code of Federal Regulations*, Part 7.

Dated: March 28, 1996

Andrew L. Bates,

Advisory Committee Management Officer.

[FR Doc. 96-8104 Filed 4-2-96; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. IC-21862/International Series Release No. 960; 812-9916]

Compañía de Minas Buenaventura S.A.; Notice of Application

March 28, 1996.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of Application for Exemption under the Investment Company Act of 1940 (the "Act").

APPLICANT: Compañía de Minas Buenaventura S.A.

RELEVANT ACT SECTIONS: Applicant requests an order under section 3(b)(2) or, in the alternative, section 6(c).