

containment, shielding, or criticality control.

The bounding consequences of a major seismic event at an ISFSI using the NUHOMS system technology are limited by a canister drop onto the concrete pad, although this would occur only at a ground motion well above the proposed 0.36 g PGA design value, as detailed in Section 8.2.3.2 of the TMI-2 ISFSI SAR. The casks and canisters are designed to withstand such events with no release of radioactive material. The effects of a NUHOMS canister drop are analyzed in Section 8.2.5.2 of the SAR. In addition, analysis of beyond-design basis accidents leading to cask or canister rupture estimate off-site doses well below the 0.05 Sv (5 rem) whole body dose limit of 10 CFR 72.106(b). In a letter dated July 19, 1996, DOE-ID presented a conservative analysis of off-site doses resulting from a beyond-design basis accident. In this hypothetical accident, for which neither DOE-ID nor the staff has identified a credible mechanism, both a NUHOMS dry shielded canister and one of the 12 inner core debris canisters are assumed to fail, allowing unmitigated dispersal of the contents. The calculated off-site dose from such an accident is 0.75 mSv (75 mrem), well below the 0.05 Sv (5 rem) siting evaluation factor of 10 CFR 72.106(b).

DOE-ID has completed both a Deterministic Seismic Hazard Analysis (DSHA) (Appendix A of Part 100) and PSHA (10 CFR 100.23) for the ISFSI site. The staff has evaluated these analyses and finds the resultant values acceptable: 0.56 g PGA for an SSE by the deterministic method and 0.30 g PGA mean ground motion with a 2000-year return period by the probabilistic method. The staff finds acceptable the risk-graded approach to seismic hazard characterization and design in DOE Standard 1020, which is similar to the risk-graded approach of using the 2000-year return period mean ground motion as the DE is adequately conservative. Moreover, the expected life span of the ISFSI, 20 years with the possibility of renewal, per 10 CFR 72.42, justifies use of this ground motion as the DE. The DE proposed by DOE-ID for the ISFSI, 0.36 g PGA with an appropriate response spectrum exceeds the 0.30 g PGA value for the 2000-year return period mean ground motion. Therefore, the staff concludes that granting the requested exemption from 10 CFR 72.102(f)(1) will maintain an adequate design margin for seismic events and will not be inimical to public health and safety.

#### *Alternatives to the Proposed Action*

Since there are no significant environmental impacts associated with the proposed action, any alternatives with equal or greater environmental impact are not evaluated. The alternative to the proposed action would be to deny approval of the 10 CFR 72.102(f)(1) exemption and require that DOE design the facility to withstand the effects of a higher PGA. This alternative would have no significant environmental impact as well.

#### *Agencies and Persons Consulted*

On March 1, 1999, Mr. Alan Merritt from the State of Idaho, INEEL Oversight Program, was contacted about the EA for the proposed action and had no concerns.

#### *Finding of no Significant Impact*

The environmental impacts of the proposed action have been reviewed in accordance with the requirements set forth in 10 CFR part 51. Based upon the foregoing EA, the Commission finds that the proposed action of granting an exemption from 10 CFR 72.102(f)(1), given the absence of radiological consequences from any credible seismic event, will not significantly impact the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed exemption.

The staff finds acceptable the risk-graded approach to seismic hazard characterization and design in DOE Standard 1020, which is similar to the risk-graded approach to design basis events in 10 CFR part 60. Given the absence of radiological consequences from any credible seismic event, the staff finds that the DOE Standard 1020 risk-graded approach of using the 2000-year return period mean ground motion as the DE is adequately conservative. Moreover, the expected life span of the ISFSI, 20 years with the possibility of renewal, per 10 CFR 72.42, justifies use of this ground motion as the DE. The DE proposed by DOE-ID for the ISFSI, 0.36 g PGA with an appropriate response spectrum, exceeds the 0.30 g PGA value for the 2000-year return period mean ground motion. Therefore, the staff concludes that granting the requested exemption from 10 CFR 72.102(f)(1) will maintain an adequate design margin for seismic events and will not be inimical to public health and safety.

This application was docketed under 10 CFR part 72, Docket 72-20. For further details with respect to this action, see the application for an ISFSI license dated October 31, 1996, and the

request for exemption dated September 15, 1997, which is available for public inspection at the Commission's Public Document Room, 2120 L Street, NW, Washington, DC 20555 and the Local Public Document Room at the INEEL Technical Library, 1776 Science Center Drive, Idaho Falls, ID 83402.

Dated at Rockville, Maryland, this 13th day of March 1999.

For the Nuclear Regulatory Commission.

**E. William Brach,**

*Director, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.*

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## **NUCLEAR REGULATORY COMMISSION**

[Docket No. 72-20]

### **Department of Energy, Idaho Operations Office; Issuance of Environmental Assessment and Finding of No Significant Impact Regarding the Proposed Exemptions From Certain Regulatory Requirements of 10 CFR Part 10**

The U.S. Nuclear Regulatory Commission (NRC or Commission) is considering issuance of an exemption, pursuant to 10 CFR 20.2301, from the requirements of 10 CFR 20.1501(c) to the U.S. Department of Energy, Idaho Operations Office (DOE-ID or applicant). Exemption from 10 CFR 20.1501(c) would allow DOE-ID to use a DOE Laboratory Accreditation Program process for personnel dosimetry at its proposed Independent Spent Fuel Storage Installation (ISFSI). The proposed ISFSI is to be located at the Idaho National Engineering and Environmental Laboratory (INEEL), within the Idaho Nuclear Technology Engineering Center (INTEC) site in Scoville, Idaho. The proposed ISFSI would store the spent nuclear fuel debris created as a result of the Three Mile Island Unit 2 (TMI-2) accident.

#### **Environmental Assessment (EA)**

*Identification of Proposed Action:* The applicant is seeking Commission approval to construct and operate an ISFSI at INTEC. INTEC is an existing facility initially constructed to both store and reprocess spent fuel and high-level waste processed by DOE. Pursuant to 10 CFR Part 72, DOE-ID submitted an application, including a Safety Analysis Report (SAR), for the ISFSI by letter dated October 31, 1996, as supplemented. NRC staff is currently performing a review of that application. On December 18, 1998, DOE-ID

requested an exemption from the requirements of 10 CFR 20.1501(c) which state in part that "All personnel dosimeters \* \* \* that require processing \* \* \* must be processed and evaluated by a dosimetry processor \* \* \* (1) Holding current personnel dosimetry accreditation from the National Voluntary Laboratory Accreditation Program (NVLAP) of the National Institute of Standards and Technology \* \* \*". Specifically, the applicant proposes allowing the DOE Laboratory Accreditation Program (DOELAP) as an approved alternative.

**Need for the Proposed Action:** The applicant is preparing to build and operate the TMI-2 ISFSI as described in its application and SAR, subject to approval of the pending license application. The applicant is implementing programs and procedures necessary to operate the ISFSI and seeks to have those programs make efficient use of resources. One of the programs developed by DOE is the capability to monitor personnel occupational radioactive dose for routine and non-routine activities at the TMI-2 ISFSI. Personnel dosimetry requires processing by a qualified processing facility. DOE prefers to use a processing organization that currently processes dosimetry for the INEEL. That processor is accredited under the DOELAP, rather than under the NVLAP. To support the efficient use of resources, DOE has requested to use the DOELAP for processing personnel dosimetry associated with the TMI-2 ISFSI.

**Environmental Impacts of the Proposed Action** The staff has examined both the NVLAP and DOELAP processes and standards. Both the NVLAP and DOELAP have similar requirements in that they incorporate similar test categories (type of radiation and energy levels), tolerance levels, bias, and performance criteria. The staff concludes that the DOELAP process is at least as stringent as the NVLAP process and further concludes that, for the TMI-2 ISFSI, the DOELAP process is an acceptable alternative to the NVLAP process required by 10 CFR 20.1501(c). The "Final Environmental Impact Statement (FEIS) for the Construction and Operation of the TMI-2 Independent Spent Fuel Storage Installation," NUREG-1626 (March 1998), considered the potential environmental impacts of licensing this facility. The proposed action now under consideration would not change the potential environmental effects assessed in the FEIS. Specifically, there are no environmental impacts associated with the accreditation.

**Alternative to the Proposed Action:** Since there are no significant environmental impacts associated with the proposed action, any alternatives with equal or greater environmental impacts are not evaluated. The alternative to the proposed action would be to deny approval of the 10 CFR 20.1501(c) exemption and, therefore, not allow use of the DOELAP. This alternative would have no significant environmental impact as well.

**Agencies and Persons Consulted:** On March 1, 1999, Mr. Alan Merritt of the State of Idaho, INEEL Oversight Program, was contacted about the EA for the proposed action and had no concerns.

#### **Finding of No Significant Impact**

The environmental impacts of the proposed action have been reviewed in accordance with the requirements set forth in 10 CFR part 51. Based upon the foregoing EA, the Commission finds that the proposed action of granting an exemption from 10 CFR 20.1501(c) so that DOE-ID may use the DOELAP, rather than the NVLAP, as required by existing regulations, will not significantly impact the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed exemption.

This application was docketed under 10 CFR part 72, Docket 72-20. For further details with respect to this action, see the application for an ISFSI license dated October 31, 1996, and the request for exemption dated December 18, 1998, which are available for public inspection at the Commission's Public Document Room, 2120 L Street, NW, Washington, DC 20555 and the Local Public Document Room at the INEEL Technical Library, 1776 Science Center Drive, Idaho Falls, ID 83402.

Dated at Rockville, Maryland, this 13th day of March 1999.

For the Nuclear Regulatory Commission.

**E. William Brach,**

*Director, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.*

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#### **NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-199]

#### **Manhattan College; Zero Power Reactor Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (the Commission) is

considering the issuance of a license amendment to Facility Operating License No. R-94, issued to Manhattan College (the licensee) that would allow decommissioning of the Manhattan College Zero Power Reactor (MCZPR) located in the Riverdale section of the borough of the Bronx, New York City.

#### **Environmental Assessment**

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

The MCZPR is located on the Manhattan College campus on the first and second floors of the Leo Engineering Building. The Leo Engineering Building provides classrooms, laboratories, library, and computer facilities for an estimated 1800 students at any one time. The Nuclear Engineering Facility is designed for isolation from the rest of the engineering building.

The MCZPR is a very low power research reactor (100 milliwatts), and was in operation from 1964 until 1996, when it was shut down and defueled. There have been no instances of significant contamination during the operating lifetime of the reactor.

The licensee submitted a decommissioning plan in accordance with 10 CFR 50.82(b) on December 18, 1997, as supplemented on July 21, October 29, November 10, 1998 and January 6, 1999. Decommissioning, as described in the plan, will consist of transferring licensed radioactive equipment and material from the site, and decontamination of the facility to meet unrestricted release criteria (this is also called the DECON option). After the Commission verifies that the release criteria have been met, the reactor license will be terminated. The licensee submitted an Environmental Report on July 21, 1998, (Section 8) which was supplemented on January 6, 1999, that addresses the estimated environmental impacts resulting from decommissioning the MCZPR.

A "Notice and Solicitation of Comments Pursuant to 10 CFR 20.1405 and 10 CFR 50.82(b)(5) Concerning Proposed Action to Decommission Manhattan College Zero Power Research Reactor" was published in the **Federal Register** on February 12, 1999, (64 FR 7214) and in the Bronx Press Review on February 11, 1999. There were no comments.

##### *Need for the Proposed Action*

The proposed action is necessary because of Manhattan College's 1997 decision to cease operations permanently. As specified in 10 CFR 50.82, any licensee may apply to the NRC for authority to surrender a license