

Procedures for Hearings on License Transfer Applications," of 10 CFR Part 2. In particular, such requests and petitions must comply with the requirements set forth in 10 CFR 2.1306, and should address the considerations contained in 10 CFR 2.1308(a). Untimely requests and petitions may be denied as provided in 10 CFR 2.1308(b), unless good cause for failure to file on time is established. In addition, an untimely request or petition should address the factors that the Commission will also consider, in reviewing untimely requests or petitions, set forth in 10 CFR 2.1308(b)(1)–(2).

Requests for a hearing and petitions for leave to intervene should be served upon: the counsel for PSE&G, Jeffrie J. Keenan, Esquire, Public Service Electric and Gas Company, Nuclear Business Unit—N21, P.O. Box 236, Hancocks Bridge, NJ 08038 (tel: 856–339–5429, fax: 856–339–1234, and e-mail: jeffrie.keenan@pseg.com); the counsel for PECO, William E. Baer, Jr., Esquire, Morgan, Lewis and Bockius LLP, 1800 M Street, NW., Washington, DC 20036–5869 (tel: 202–467–7454, e-mail: webaer@mlb.com); the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555 (e-mail address for filings regarding license transfer cases only: ogclt@nrc.gov); and the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; Attention: Rulemakings and Adjudications Staff, in accordance with 10 CFR 2.1313.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be publishing in the **Federal Register** and served on the parties to the hearing.

As an alternative to request for hearing and petitions to intervene, by April 10, 2000, persons may submit written comments regarding the license transfer application, as provided for in CFR 2.1305. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff, and should cite the publication date and page number of this **Federal Register** notice.

For further details with respect to this action, see the application dated December 20, 1999, and supplement from ComEd dated January 14, 2000, available for public inspection at the

Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>).

Dated at Rockville, Maryland this 3rd day of March 2000.

For the nuclear Regulatory Commission.

William Gleaves,

Project Manager Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

Florida Power Corporation, et al.

[Docket No. 50–302]

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 the requirements of 10 CFR 70.51(d) for Facility Operating License No. DPR–72 issued to Florida Power Corporation, et al. (FPC or the licensee), for operation of Crystal River Unit 3, located in Citrus County, Florida.

Environmental Assessment

Identification of the Proposed action

The proposed action would exempt the licensee from the requirement to perform a physical inventory of the fuel in the Crystal River Unit 3 spent fuel pool (SFP) every 12 months. Instead of this requirement, the licensee will perform a physical inventory of the fuel in the SFP within 90 days of removing missile shields covering the SFP, if a physical inventory had not been performed within the previous 12 months.

The proposed action is in accordance with the licensee's application for exemption dated July 14, 1999.

The Need for the Proposed Action

The underlying purpose of the annual physical inventory required by 10 CFR 70.51(d) is to verify that the material control and accounting procedures are sufficient to enable the licensee to account for the special nuclear material in the licensee's possession. When missile shields are in place on the SFP, movement of fuel in the SFP is not possible. Therefore, removing the missile shields for the sole purpose of

conducting an annual inventory is an unnecessary burden on the licensee.

Environmental Impacts of the Proposed Action

The NRC has completed its evaluation of the proposed action and concludes that it is administrative only and will have no environmental impact.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types of any 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 non-radiological impacts, the proposed action does not involve any historic sites. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the Commission concludes that there are no significant environmental impacts associated with the proposed action.

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

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for Crystal River Unit 3.

Agencies and Persons Consulted

In accordance with its stated policy, on February 15, 2000, the staff consulted with William Passetti, Chief, Department of Health, Bureau of Radiation Control, for the state of Florida, 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 July 14, 1999, which is available for public inspection at the Commission's Public Document Room, The Gelman Building, 2120 L Street, NW., Washington, DC. Publicly available records will be accessible electronically from the ADAMS Public Library component on the NRC Web site, <http://www.nrc.gov> (the Electronic Reading Room).

Dated at Rockville, Maryland, this 2nd day of March 2000.

For the Nuclear Regulatory Commission.

L.A. Wiens,

Senior Project Manager, Section 2, Project Directorate II, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8698]

Plateau Resources Limited

AGENCY: U.S. Nuclear Regulatory Commission.

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

SUMMARY: Plateau Resources Limited (PRL) requested that the U.S. Nuclear Regulatory Commission (NRC) amend NRC Source Material License SUA-1371, to approve the Reclamation Plan, as amended, for the Shootaring Canyon Uranium Mill near Ticaboo, Utah. An Environmental Assessment (EA) was performed by the NRC staff 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.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Weller, Uranium Recovery and Low-Level Waste Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T7-J8, Washington, D.C. 20555. Telephone (301) 415-7287.

SUPPLEMENTARY INFORMATION:

Background

Materials License SUA-1371 was originally issued by NRC on September 21, 1979, pursuant to Title 10, Code of Federal Regulations (10 CFR), Part 40, "Domestic Licensing of Source

Material." The Shootaring Canyon site is licensed by the NRC under Materials License SUA-1371 to possess byproduct material in the form of uranium waste tailings and other uranium byproduct waste generated by the licensee's milling operations. The mill is currently in standby status, however, the licensee has requested that the license be amended. The license amendment would approve PRL's reclamation plan (RP). The proposed action is needed to minimize exposure to contaminated materials, once the mill operations have ceased, by reclaiming contaminated areas and stabilizing wastes. The goal of the RP is to permanently isolate and stabilize the tailings and associated contamination by minimizing disturbances by natural forces, and to do so without ongoing maintenance. The design objective is for stabilization to be effective for up to one thousand years, to the extent reasonable, and, in any case for at least 200 years, to provide reasonable assurance that releases of radon-222 from the residual radioactive material will be less than 20 pCi/m²/s (averaged over the entire impoundment), and to provide reasonable assurances to protect groundwater resources.

The facilities to be reclaimed include the following:

1. Mill buildings and equipment.
2. Tailings disposal area.
3. On-site contaminated areas.
4. Off-site contaminated areas (i.e., potential areas affected by windblown tailings).

The decommissioning and reclamation of the above facilities will include the following:

1. Remove mill structures and re-grade disturbed areas to blend with the surroundings. Radioactive waste and contaminated soils and concrete will be disposed of in the tailings impoundment.
2. Cover and stabilize the tailings impoundment area.
3. Replace stockpiled topsoil in selected areas for plant growth.
4. Re-vegetate disturbed areas using native and introduced species.

The RP further describes the designs, activities, schedule, and estimated costs for reclaiming PRL's Shootaring Canyon Uranium Mill site and tailings impoundment, for bonding and surety coverage requirements. The actual final reclamation design and cost analyses will depend on the quantity and depth of the tailings actually placed in the impoundment area and the surface area that they occupy. All conditions and commitments in the RP are subject to NRC inspection. Violation of the RP may result in enforcement action.

PRL submitted the RP in a letter dated January 10, 1997, and the RP was subsequently amended by letters of July 10, and December 17, 1997, and January 14, February 20, and September 3, 1998.

Summary of the Environmental Assessment

The NRC staff performed an appraisal of the environmental impacts associated with the RP for the Shootaring Canyon Uranium Mill, in accordance with 10 CFR Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions." In conducting its appraisal, the NRC staff considered the following: (1) information contained in the previous environmental evaluations of the Shootaring Canyon project; (2) information contained in PRL's RP; (3) environmental monitoring reports; and (4) information derived from NRC staff site visits and inspections of the Shootaring Canyon Uranium Mill site and from communications with PRL, the State of Utah Department of Environmental Quality, the U.S. Bureau of Land Management Henry Mountain Field Station, the U.S. National Park Service Glen Canyon National Recreation Area, the U.S. Fish and Wildlife Service, and the State of Utah Historic Preservation Officer. The results of the staff's appraisal are documented in an Environmental Assessment placed in the licensee's docket file. Based on its review, the NRC staff has concluded that there are no significant environmental impacts associated with the proposed action.

Conclusions

The NRC staff has examined the actual and potential environmental impacts associated with the RP and has determined that the action is: (1) consistent with requirements of 10 CFR part 40; and (2) will not have long-term detrimental impacts on the environment. The following statements support the FONSI and summarize the conclusions resulting from the staff's environmental assessment:

1. An acceptable environmental and effluent monitoring program is in place to monitor effluent releases and to determine if applicable regulatory limits are exceeded. Radiological effluents from site operations have been and are expected to continue to remain below the regulatory limits.

2. Potential risks from the reclamation were assessed. Given the remote location, the small area of impact, and the past activities on the site, the staff has determined that the risk factors for health and environmental hazards are insignificant.