

for future arctic research, assist in the development of a national arctic research policy, prepare a multi-agency budget and plan for arctic research, and simplify coordination of arctic research.

*Proposed Meeting Agenda Items:*

1. U.S. Arctic Policy Review.
2. Goals and Opportunities Report of the Arctic Research Commission.
3. IARPC Program Initiatives—Global Change Research, Arctic Environmental Change.
4. Implementation of Program Initiatives in FY 2001–2005.

**Charles E. Myers,**

*Head, Interagency Arctic Staff, Office of Polar Programs.*

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## NUCLEAR REGULATORY COMMISSION

[Dockets 72–4 and 72–40]

### **Duke Energy Corporation, Oconee Nuclear Site; Issuance of Environmental Assessment and Finding of No Significant Impact Regarding the Proposed Exemption From Certain Requirements of 10 CFR Part 72**

The U.S. Nuclear Regulatory Commission (NRC or Commission) is considering issuance of an exemption, pursuant to 10 CFR 72.7, from the provisions of 10 CFR 72.212(a)(2) and 72.214 to Duke Energy Corporation (Duke). The requested exemption would allow Duke to store burnable poison rod assemblies (BPRAs) in the NUHOMS®–24P storage system at the Oconee Nuclear Site Independent Spent Fuel Storage Installation (ISFSI).

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

##### *Identification of Proposed Action*

By letter dated August 30, 1999, Duke requested an exemption from the requirements of 10 CFR 72.212(a)(2) and 72.214 to store BPRAs in the NUHOMS®–24P storage system at the Oconee Nuclear Site ISFSI. Duke is a general licensee, authorized by NRC to use spent fuel storage casks approved under 10 CFR part 72, Subpart K. Furthermore, Duke is using the NUHOMS®–24P storage system design approved by NRC under Certificate of Compliance (CoC) No. 1004 to store only spent fuel at the ISFSI.

By exempting Duke from both 10 CFR 72.214 and 72.212(a)(2), Duke will be authorized to use its general license to store BPRAs in casks approved under part 72, as exempted. The proposed action before the Commission is

whether to grant these exemptions under 10 CFR 72.7.

The ISFSI is located 30 miles west of Greenville, SC, on the Oconee Nuclear Power Plant site. The Oconee Nuclear Site ISFSI is an existing facility constructed for interim dry storage of spent nuclear fuel.

On July 26, 1999, the cask designer, Transnuclear West Inc. (TN West), submitted a CoC amendment request to NRC to address the storage of Babcock and Wilcox (B&W) 15x15 and Westinghouse 17x17 fuel assembly types with BPRAs. TN West provided additional information and revised calculations on November 29, 1999, in response to the NRC staff's request. The NRC staff has reviewed the application and determined that storing B&W 15x15 and Westinghouse 17x17 fuel assembly types with BPRAs in the NUHOMS®–24P storage system would have minimal impact on the design basis and would not be inimical to public health and safety.

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

Duke has an imminent need to reduce the inventory of spent nuclear fuel assemblies at the Oconee Nuclear Site prior to an upcoming refueling activity that requires empty fuel storage locations in the spent fuel pool. Furthermore, Duke must load spent fuel containing BPRAs to accommodate the number of planned and potential refueling activities that require empty spent fuel storage locations scheduled for the first calendar quarter of 2000. Because the 10 CFR part 72 rulemaking to amend the CoC will not be completed prior to the date that Duke needs to begin loading the NUHOMS®–24P with fuel containing BPRAs, the NRC is granting this exemption based on the staff's technical review of information submitted by Duke and TN West.

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

The potential environmental impact of using the NUHOMS®–24P storage system was initially presented in the Environmental Assessment (EA) for the Final Rule to add the NUHOMS®–24P to the list of approved spent fuel storage casks in 10 CFR 72.214 (59 FR 65898 (1994)). Furthermore, each general licensee must assess the environmental impacts of the specific ISFSI in accordance with the requirements of 10 CFR 72.212(b)(2). This section also requires the general licensee to perform written evaluations to demonstrate compliance with the environmental requirements of 10 CFR 72.104, "Criteria for radioactive materials in effluents and direct radiation from an

ISFSI or MRS [Monitored Retrievable Storage Installation]."

The NUHOMS®–24P storage system is designed to mitigate the effects of design basis accidents that could occur during storage. Design basis accidents account for human-induced events and the most severe natural phenomena reported for the site and surrounding area. Postulated accidents analyzed for an ISFSI include tornado winds and tornado generated missiles, design basis earthquake, design basis flood, accidental cask drop, lightning effects, fire, explosions, and other incidents.

Special cask design features of the NUHOMS®–24P storage system include a horizontal canister system composed of a steel dry shielded canister (DSC), a reinforced concrete horizontal storage module (HSM) and a transfer cask (TC). The welded DSC provides confinement and criticality control for the storage and transfer of spent nuclear fuel. The concrete module provides radiation shielding while allowing cooling of the DSC and fuel by natural convection during storage. The TC is used for transferring the DSC from/to the spent fuel pool building to/from the HSM.

Considering the specific design requirements for each accident condition, the design of the cask would prevent loss of containment, shielding, and criticality control. Without the loss of either containment, shielding, or criticality control, the risk to public health and safety is not compromised.

The staff performed a detailed safety evaluation of the proposed exemption request and the CoC amendment request and found that the addition of the BPRAs to the B&W 15x15 and Westinghouse 17x17 fuel types does not reduce the safety margin. In addition, the staff has determined that the storage of BPRAs in the NUHOMS®–24P storage system does not pose any increased risk to public health and safety.

Furthermore, the proposed action now under consideration would not change the potential environmental effects assessed in the initial rulemaking (59 FR 65898 (1994)).

Therefore, the staff has determined that there is no reduction in the safety margin nor significant environmental impacts as a result of storing B&W 15x15 or Westinghouse 17x17 fuel types with BPRAs in the NUHOMS®–24P storage system.

##### *Alternative to the Proposed Action*

The staff evaluated other alternatives involving removal of the BPRAs from the fuel assemblies and found that these alternatives produced a greater occupational exposure, increased handling and storage costs, and an

increased environmental impact as a result of handling the BPRAs separately as low-level waste. The alternative to the proposed action would be to deny approval of the exemption and, therefore, require Duke to disassemble and store the BPRAs as low-level waste in separate containers.

#### *Agencies and Persons Consulted*

On January 24, 2000, the Division of Radiation Control, South Carolina Department of Health, 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 72.212(a)(2) and 72.214 so that Duke may store spent nuclear fuel containing BPRAs in the NUHOMS®-24P storage system 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.

For further details with respect to this exemption request, see the Duke exemption request dated August 30, 1999, which is docketed under 10 CFR part 72, Docket Nos. 72-4 and 72-40.

The exemption request is available for public inspection at the Commission's Public Document Room, 2120 L Street, NW, Washington, DC 20555.

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

For the Nuclear Regulatory Commission.

**E. William Brach,**

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

[FR Doc. 00-3339 Filed 2-11-00; 8:45 am]

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## **NUCLEAR REGULATORY COMMISSION**

### **General Electric Company; Vallecitos Nuclear Center; Notice of Public Meeting**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of public meeting.

The U.S. Nuclear Regulatory Commission (NRC) will conduct a public meeting on various aspects of the Commission's responsibilities for the regulation of the General Electric (GE) Vallecitos Nuclear Center in Sunol, California. The facility is operated by

the General Electric Company, an NRC licensee. The objective of the meeting is to ensure that the public has knowledge about the activities that take place at Vallecitos, and understands the NRC's responsibilities in respect to these activities. The NRC staff will discuss these matters with the public, including answering questions and listening to public comments.

The meeting will be held the evening of Thursday, February 24, 2000, from 7:00 p.m. to 10:00 p.m. The meeting will be preceded by an informal open house beginning at 6:00 p.m. to allow the public an opportunity to talk with the NRC staff and other organizations such as citizen groups, and state and local government officials.

The meeting will be held at the Pleasanton Public Library in Pleasanton, California. The library is located at 400 Old Bernal Avenue, Pleasanton, California, 94566. The Library's main phone number is 925-931-3400.

#### **FOR FURTHER INFORMATION CONTACT:**

Francis X. Cameron, Special Counsel for Public Liaison, U.S. Nuclear Regulatory Commission, Washington D.C. 20555, Telephone: 301-415-1642, email: [fxc@nrc.gov](mailto:fxc@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The General Electric Company has been engaged since 1955 in various activities involving nuclear energy at the Vallecitos Nuclear Center located near Pleasanton, California. One of the ongoing activities is research and development on the physical and chemical analysis of irradiated reactor fuel at the facilities Radioactive Materials Laboratory. GE possesses a Special Nuclear Materials License from the NRC that authorizes them to perform this work. The work requires periodic shipments of irradiated nuclear fuel into the facility from various sites throughout the United States. The Vallecitos site also houses three permanently shutdown reactors, and an operating research reactor, licensed by the NRC. In addition, the facility also fabricates radioactive sources used in medicine and industry under a license issued by the State of California.

The NRC previously held a public meeting on the Vallecitos facility on October 20, 1999, in Livermore, California. In order to ensure that the public has the necessary information about the facility, and to provide sufficient time for public discussion of this information, the NRC has scheduled an additional public meeting on the Vallecitos facility for February 24, 2000. The NRC staff will address the issues previously covered at the October 20, 1999, meeting, and also provide

additional information on issues that were raised by the public at the October 20, 1999, meeting. A detailed agenda for the meeting will be available at the meeting. Anticipated topics are the research and development activities involving the NRC Special Nuclear Materials license at the facility, related radioactive materials transportation activities, the status of the permanently shutdown reactors and the operating research reactor at the facility, and related NRC inspection activities. Francis X. Cameron, Special Counsel for Public Liaison, at the NRC will serve as the facilitator for the meeting.

Dated at Rockville, Maryland, this 8th day of February, 2000.

For the Nuclear Regulatory Commission.

**Theodore S. Sherr,**

*Chief, Licensing and International Safeguards Branch, Office of Nuclear Materials Safety and Safeguards.*

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## **NUCLEAR REGULATORY COMMISSION**

### **Advisory Committee on Reactor Safeguards; Subcommittee Meeting on Planning and Procedures; Notice of Meeting**

The ACRS Subcommittee on Planning and Procedures will hold a meeting on February 29, 2000, Room T-2B1, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed pursuant to 5 U.S.C. 552b(c) (2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of ACRS, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.

The agenda for the subject meeting shall be as follows:

*Tuesday, February 29, 2000—8:30 a.m. until the conclusion of business*

The Subcommittee will discuss proposed ACRS activities and related matters. It will also discuss matters scheduled for the ACRS meeting with the Commission on Thursday, March 2, 2000. The purpose of this meeting is to gather information, analyze relevant issues and facts, and to formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be