

completion of the decommissioning of the TNP site and eventual termination of the 10 CFR part 50 license.

Environmental Impacts of the Proposed Action: In 1999 the NRC issued a license to PGE to construct and operate the Trojan ISFSI. Prior to this action the NRC examined the environmental impacts of constructing, operating, and decommissioning of the Trojan ISFSI and determined that such impacts would be acceptably small. The staff's conclusions were documented in an environmental assessment and finding of no significant impact and published in the **Federal Register** (61 FR 64378) on December 4, 1996. On the basis that the proposed exemption deals with financial matters that will not affect the physical design or operation of the Trojan ISFSI, the staff finds that the proposed exemption will not have any significant environmental impact.

Alternative 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). Approval or denial of the exemption request would result in no change in the environmental impacts described in the staff's final EA. Therefore, the environmental impacts of the proposed action and the alternative action are similar.

Agencies and Persons Consulted: On March 3, 2005, Mr. Adam Bless of the Oregon Office of Energy, Energy Resources Division, was contacted regarding the environmental assessment for the proposed exemption and had no concerns. The NRC staff previously evaluated the environmental impacts of the Trojan ISFSI in the environmental assessment and finding of no significant impact published in the **Federal Register** (61 FR 64378) on December 4, 1996, and has determined that additional consultation under Section 7 of the Endangered Species Act is not required for this specific exemption which involves financial assurance mechanisms and will not affect listed species or critical habitat. The NRC staff has similarly determined that the proposed exemption is not a type of activity having the potential to cause effects on historic properties. Therefore, no further consultation is required under Section 106 of the National Historic Preservation Act.

III. 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 the partial exemption from 10 CFR

72.30(c)(5) that requires an ISFSI licensee to additionally hold a part 50 license in order to use an external sinking fund as the exclusive means of financial assurance for decommissioning costs of an ISFSI, will not significantly impact the quality of the human environment. Accordingly, the Commission has determined that a Finding of No Significant Impact is appropriate, and that an environmental impact statement for the proposed exemption is not necessary.

Supporting documentation, with respect to this exemption request, is available for inspection at NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/ADAMS.html>. A copy of the PGE request for NRC approval of a partial exemption from the provision of 10 CFR 72.30(c)(5), dated April 29, 2004, can be found at this site using the Agencywide Documents Access and Management System (ADAMS) accession number ML041260470. Any questions should be referred to Christopher M. Regan, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington DC 20555, Mailstop O 13D13, telephone (301) 415-8500, fax (301) 415-8555.

Dated in Rockville, Maryland, this 10th day of March, 2005.

For the Nuclear Regulatory Commission.

Christopher M. Regan,

Senior Project Manager, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 72-03]

Progress Energy Carolinas, Incorporated; Notice of Issuance of an Environmental Assessment and Finding of No Significant Impact for License Renewal of the H.B. Robinson Steam Electric Plant, Unit 2 Independent Spent Fuel Storage Installation

AGENCY: Nuclear Regulatory Commission.

ACTION: Environmental assessment.

FOR FURTHER INFORMATION CONTACT: Christopher M. Regan, Senior Project Manager, Mail Stop O 13D13, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone:

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SUPPLEMENTARY INFORMATION: The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering renewing Carolina Power and Light Company (CP&L) now doing business as Progress Energy Carolinas, Inc. (PEC's) (the applicant's) License No. SNM-2502 under the requirements of title 10 of the Code of Federal Regulations, part 72 (10 CFR part 72) authorizing the continued operation of the H.B. Robinson Steam Electric Plant, Unit 2 (HBRSEP) Independent Spent Fuel Storage Installation (ISFSI) located at the HBRSEP in Darlington County, South Carolina. The Commission's Office of Nuclear Material Safety and Safeguards has completed its review of the environmental report submitted by the applicant on February 27, 2004, in support of its application for a renewed materials license. The staff's "Environmental Assessment related to the renewal of the H.B. Robinson Independent Spent Fuel Storage Installation" has been issued in accordance with 10 CFR part 51.

I. Summary of Environmental Assessment (EA)

Description of the Proposed Action: The proposed licensing action would authorize the applicant to continue operating a dry storage ISFSI at the HBRSEP site. The purpose of the ISFSI is to allow for interim spent fuel storage and, indirectly, power generation capability, beyond the term of the current ISFSI license to meet future power generation needs. The current license will expire August 31, 2006. The renewed ISFSI license would permit 40 additional years of storage beyond the current license period. The current ISFSI employs the NUHOMS® system for horizontal, dry storage of irradiated fuel assemblies in concrete modules licensed for use at the HBRSEP ISFSI. Currently, the facility is licensed to store 56 spent fuel assemblies contained in 8 steel dry shielded canisters, 7 fuel assemblies to a canister, housed in 8 horizontal storage modules.

Need for the Proposed Action: The HBRSEP ISFSI is needed to provide continued spent fuel storage capacity so that the HBRSEP can continue to generate electricity. This renewal is needed to provide an option that allows for interim spent fuel storage and, indirectly, power generation capability, beyond the term of the current ISFSI license to meet future system generating needs. The renewed ISFSI license would permit 40 additional years of storage beyond the current license

period and transfer to a Federal repository for permanent disposal of the waste. An exemption would allow an additional 20 years of storage beyond the renewal period for a total of 40 years beyond the original licensed period.

Environmental Impacts of the Proposed Action: The NRC staff has concluded that the license renewal of the HBRSEP ISFSI will not result in a significant impact to the environment. The prior NRC Environmental Assessment associated with the issuance of Materials License SNM-2502 continues to form the basis for assessing the potential environmental impacts of the proposed license renewal action. The environmental impacts associated with the proposed action concentrate on only those impacts projected to occur during the requested 40 year license renewal time period. Environmental impacts include the potential direct effects on the ambient environment and its resources. These potential impacts can be categorized as non-radiological and radiological impacts.

There will be no significant radiological or non-radiological environmental impacts from routine operation of the HBRSEP ISFSI during the extended period of operation. The ISFSI is essentially a passive facility with no liquid and gaseous effluents released from the ISFSI that exceed Federal regulatory limits. The continued operation of the HBRSEP ISFSI will result in no change to the current impact on land use, water resources, air quality, generation of wastewater, geology, biota, cultural resources, and area demographics and socio-economics. The HBRSEP ISFSI is in its completed configuration and as such there will be no environmental impacts from construction activities. The staff does not expect operation of the HBRSEP ISFSI for an additional period of 40 years to impact any threatened or endangered species. The radiological dose rates from the ISFSI will be limited by the design of the horizontal storage module. The total occupational dose to workers at the HBRSEP site resulting from continued ISFSI operation will have a small impact on workers or the public, but all occupational doses must be maintained below the limits specified in 10 CFR part 20. The annual dose to the nearest resident from HBRSEP ISFSI activities remains significantly below the annual dose limits specified in 10 CFR 72.104 and 10 CFR 20.1301. The cumulative dose to an individual offsite from all site activities will be less than the limits specified in 10 CFR 72.104 and 10 CFR 20.1301. These doses are also a small fraction of

the doses resulting from naturally-occurring terrestrial and cosmic radiation of about 300 mrem/yr in the vicinity of the HBRSEP ISFSI. Additionally, occupational doses received by facility workers will not exceed the limits specified in 10 CFR 20.1201. For hypothetical accidents, the calculated dose to an individual at the nearest site boundary is well below the 5 rem limit for accidents set forth in 10 CFR 72.106(b) and in the U.S. Environmental Protection Agency's protective action guidelines.

Radiological decommissioning of the ISFSI would be complete when the last dry shielded canister is removed from the site. Small occupational exposures to workers could occur during decontamination activities, but these exposures would be much less than those associated with cask loading and transfer operations. Due to the containment design of the sealed surface storage casks, no residual contamination is expected to be left behind on the horizontal storage module and concrete base pad. The horizontal storage modules, base pad, fence, and peripheral utility structures are defacto decommissioned when the last cask is removed.

Alternatives to the Proposed Action: The applicant's Environmental Report and the staff's EA discuss several alternatives to the proposed ISFSI license renewal. These alternatives include shipment of spent fuel to a permanent Federal Repository, ship the spent fuel off-site, construct a new spent fuel storage pool at the site, and construct another on-site ISFSI, as well as the no action alternative. In the first category, the alternatives of shipping spent fuel from HBRSEP to a permanent Federal Repository or to another spent fuel storage facility were determined to be non-viable alternatives, as no such facilities are currently licensed in the United States, and shipping the spent fuel to other power stations is not common practice because the receiving utility would have to be licensed to store the HBRSEP spent fuel, and it is unlikely that another utility would be willing to accept it, in light of their own limitations on spent fuel storage capacity. Other alternatives include the construction of additional on-site storage capabilities. These options were considered less favorable because of the increased costs involved and the additional worker exposures from transfer of the spent fuel.

Renewal of the HBRSEP ISFSI license for a term of 20 years would result in the ISFSI license expiring 4 years prior to expiration of the proposed HBRSEP operating license. Based on the expected

limits on the amounts of fuel that can be shipped annually to a potential Federal Repository and the anticipated opening of such a facility, PEC estimates it would not be able to ship all the spent fuel before expiration of the HBRSEP ISFSI license. As a result, a third renewal of the HBRSEP ISFSI license would be required, thereby adding cost.

The no action alternative could result in the expiration of the HBRSEP ISFSI license. The fuel currently stored would then have to be removed. Storage capacity limitations would require PEC to ship fuel to an available offsite storage facility. Transfer of fuel from the existing HBRSEP ISFSI to another facility would increase worker exposure. Following removal of the fuel the HBRSEP ISFSI would be decommissioned. Since the HBRSEP ISFSI would eventually be decommissioned, the impacts of the "no action" alternative are considered similar to the other alternatives.

As discussed in the EA, the Commission has concluded that there are no significant environmental impacts associated with renewing the license of the HBRSEP ISFSI, and other alternatives were not pursued because of significantly higher costs, additional occupational exposures, and the unavailability of offsite storage options.

Agencies and Persons Contacted: Officials from the U.S. Fish and Wildlife Service, the South Carolina State Historic Preservation Office, and the South Carolina Department of Natural Resources were contacted in preparing the staff's environmental assessment. The conclusions by all agencies consulted were consistent with the staff's conclusions.

II. Finding of No Significant Impact

The staff has reviewed the environmental impacts of renewing the HBRSEP ISFSI license relative to the requirements set forth in 10 CFR part 51, and has prepared an Environmental Assessment. Based on the Environmental Assessment, the staff concludes that there are no significant radiological or non-radiological impacts associated with the proposed action and that issuance of renewal of the license for the interim storage of spent nuclear fuel at the HBRSEP ISFSI will have no significant impact on the quality of the human environment. Therefore, pursuant to 10 CFR 51.31 and 51.32, a finding of no significant impact is appropriate and an environmental impact statement need not be prepared for the renewal of the materials license for the HBRSEP ISFSI.

In accordance with 10 CFR 2.390 of NRC's "Rules of Practice," final NRC

records and documents regarding this proposed action, including the application for license renewal dated February 27, 2004, and supporting documentation, and the staff's EA, dated March 2005, are publically available in the records component of NRC's Agencywide Documents Access and Management System (ADAMS). These documents may be inspected at NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html> under Accession No. ML040690774 and ML050700137. These documents may also be viewed electronically on the public computers located at the NRC's Public Document Room (PDR), O1F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee. 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 by telephone at 1-800-397-4209 or (301) 415-4737, or by e-mail to pdrr@nrc.gov.

Dated in Rockville, Maryland, this 10th day of March, 2005.

For the U.S. Nuclear Regulatory Commission.

Christopher M. Regan,

Senior Project Manager, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Meeting Notice

In accordance with the purposes of Sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards (ACRS) will hold a meeting on April 7-9, 2005, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Wednesday, November 24, 2004 (69 FR 68412).

Thursday, April 7, 2005, Conference Room T-2B3, Two White Flint North, Rockville, Maryland

8:30 a.m.-8:35 a.m.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 a.m.-10 a.m.: Final Review of the License Renewal Application for Joseph M. Farley Nuclear Plant, Units 1 and 2 (Open)—The Committee will

hear presentations by and hold discussions with representatives of the Southern Nuclear Operating Company and the NRC staff regarding the license renewal application for Joseph M. Farley Nuclear Plant, Units 1 and 2 and the associated final Safety Evaluation Report prepared by the NRC staff.

10:15 a.m.-11:15 a.m.: NUREG-1792, "Good Practices for Implementing Human Reliability Analysis" (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding NUREG-1792 and the NRC staff's resolution of the comments and recommendations included in the May 13, 2004 ACRS letter.

11:15 a.m.-12:15 p.m.: Preparation for Meeting with the NRC Commissioners (Open)—The Committee will discuss the following topics scheduled for the ACRS meeting with the NRC Commissioners: (a) Sump Performance; (b) Risk-Informing 10 CFR 50.46; (c) Technical Basis for Potential Revision to the Pressurized Thermal Shock Screening Criteria; (d) License Renewal/Power Upgrades; (e) Differences in Regulatory Approaches Between U.S. and Other Countries.

1:30 p.m.-3:30 p.m.: Meeting with the NRC Commissioners, Commissioners' Conference Room, One White Flint North, Rockville, MD (Open)—The Committee will meet with the NRC Commissioners to discuss the topics listed above.

4 p.m.-4:15 p.m.: Subcommittee Report (Open)—Report by the Acting Chairman of the ACRS Subcommittee on Plant License Renewal regarding interim review of the license renewal application for Millstone Power Station, Units 2 and 3 and the associated draft Safety Evaluation Report prepared by the NRC staff.

4:15 p.m.-6:30 p.m.: Preparation of ACRS Reports (Open)—The Committee will discuss proposed ACRS reports on matters considered during this meeting.

Friday, April 8, 2005, Conference Room T-2B3, Two White Flint North, Rockville, Maryland

8:30 a.m.-8:35 a.m.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 a.m.-10:30 a.m.: Accident Sequence Precursor Program and Development of SPAR Models (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the status of the Accident

Sequence Precursor Program and development of the Standardized Plant Analysis Risk (SPAR) Models.

10:45 a.m.-11:45 a.m.: Future ACRS Activities/Report of the Planning and Procedures Subcommittee (Open)—The Committee will discuss the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the full Committee during future meetings. Also, it will hear a report of the Planning and Procedures Subcommittee on matters related to the conduct of ACRS business, including anticipated workload and member assignments.

11:45 a.m.-12 Noon: Reconciliation of ACRS Comments and Recommendations (Open)—The Committee will discuss the responses from the NRC Executive Director for Operations (EDO) to comments and recommendations included in recent ACRS reports and letters. The EDO responses are expected to be made available to the Committee prior to the meeting.

1 p.m.-6:30 p.m.: Preparation of ACRS Reports (Open)—The Committee will discuss proposed ACRS reports.

Saturday, April 9, 2005, Conference Room T-2B3, Two White Flint North, Rockville, Maryland

8:30 a.m.-12:30 p.m.: Preparation of ACRS Reports (Open)—The Committee will continue its discussion of proposed ACRS reports.

12:30 p.m.-1 p.m.: Miscellaneous (Open)—The Committee will discuss matters related to the conduct of Committee activities and matters and specific issues that were not completed during previous meetings, as time and availability of information permit.

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 5, 2004 (69 FR 59620). In accordance with those procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Electronic recordings will be permitted only during the open portions of the meeting. Persons desiring to make oral statements should notify the Cognizant ACRS staff named below five days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during the meeting may be limited to selected portions of the meeting as determined by the Chairman. Information regarding the time to be set