

**DATES:** Submit comments on or before April 25, 2003.

**ADDRESSES:** Send comments to Jane Tarr, Management Analyst, Administration and Management, 1100 Wilson Boulevard, Room 2171, Arlington, VA 22209-3939. Commenters are encouraged to send their comments on computer disk, or via Internet E-mail to [Tarr-Jane@Msha.Gov](mailto:Tarr-Jane@Msha.Gov). Ms. Tarr can be reached at (202) 693-9824 (voice), or (202) 693-9801 (facsimile).

**FOR FURTHER INFORMATION CONTACT:** Jane Tarr, Management Analyst, Records Management Group, U.S. Department of Labor, Mine Safety and Health Administration, Room 2171, 1100 Wilson Boulevard, Arlington, VA 22209-3939. Ms. Tarr can be reached at [Tarr-Jane@Msha.Gov](mailto:Tarr-Jane@Msha.Gov) (Internet E-mail), (202) 693-9824 (voice), or (202) 693-9801 (facsimile).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

In response to the recent accidents of September 2001 at the Jim Walter Resources No. 5 Mine and of July 2000 at the Willow Creek Mine, MSHA has determined that new safety standards are necessary to further protect miners when a mine emergency presenting an imminent danger to miners due to fire, explosion, or gas or water inundation occurs which requires an evacuation of miners. Miners and mine operators must be able to rapidly and safely respond to emergency situations created by fire, explosion, or gas or water inundation hazards, and initiate an immediate mine evacuation when necessary to protect miners from the grave dangers of remaining underground or re-entering affected areas when hazards and conditions arise that endanger safety. A rapid and planned evacuation of all miners, who are knowledgeable about the mine's plan for mine emergencies, is essential to survival, and is one of the last safeguards that would allow miners to exit from the mine under extremely adverse conditions. The current lack of such knowledge, and demonstrated inability to quickly initiate and properly conduct a mine evacuation, presents a grave danger to miners who work in underground coal mines when a mine fire, explosion, or gas or water inundation emergency occurs.

##### II. Desired Focus of Comments

MSHA is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including

whether the information will have practical utility;

- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

A copy of the proposed information collection request can be obtained by contacting the employee listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice, or viewed on the Internet by accessing the MSHA home page (<http://www.msha.gov>) and then choosing "Statutory and Regulatory Information" and "Federal Register Documents."

##### III. Current Actions

Section 75.1501(c), required the mine operator to train all miners about the requirements of this section and the identity of the responsible person(s) designated by the operator for the work-shift. The operator also is required to instruct miners of any change in the identity of the responsible person before the start of their work-shift. Section 75.1502 broadens existing section 75.1101-23 by including all mine emergencies created as a result of a fire, an explosion, or gas or water inundation. It requires revisions to existing fire-fighting and evacuation plans to address these emergencies, require training of miners regarding the mine emergency evacuation fire-fighting plan, and require that mine operators train miners in any revisions to the plan after its submission to MSHA for approval.

Section 75.1502(a) requires the operator to adopt a mine emergency evacuation and fire-fighting program. The operator is required to train all miners in the proper evacuation procedures to be followed in the event of a mine emergency, the location and use of fire-fighting equipment, location of escape-ways, exits, and routes of travel to the surface. All miners would be trained on any revisions made to the program of instruction after it has been approved by MSHA to ensure that miners are kept aware of any changes made to the mine emergency evacuation

and fire-fighting plan after they have received initial training.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Emergency Evacuations and Mine Emergency Evaluation and Fire-Fighting Program of Instruction.

*OMB Number:* 1219-0137.

*Frequency:* On Occasion.

*Affected Public:* Business or other for-profit.

*Respondents:* 664.

*Estimated Time Per Respondent:* 7.55 minutes.

*Total Burden Hours:* 5,010 hours.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintaining):* \$0.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated at Arlington, Virginia, this 14th day of February, 2003.

**David L. Meyer,**

*Director, Office of Administration and Management.*

[FR Doc. 03-4268 Filed 2-21-03; 8:45 am]

BILLING CODE 4510-43-P

## NUCLEAR REGULATORY COMMISSION

[DOCKET NO. 70-734]

### Environmental Assessment and Finding of No Significant Impact for General Atomics' Request To Amend Special Nuclear Material License SNM-696

#### I. Introduction

The NRC is considering an amendment to General Atomics' (GA's) NRC Special Nuclear Material License SNM-696. The proposed amendment will revise the material possession limits in its license to reflect the actual amount of inventory currently on its site. An Environmental Assessment (EA) was performed by the NRC staff in support of its review of GA's license amendment request, 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.

#### II. Supplementary Information

##### Background

GA was formerly authorized by the NRC and its predecessor, the Atomic Energy Commission, to use special

nuclear material in nuclear fuel fabrication and research and development pursuant to its license SNM-696. However, following submittal by GA of applications dated September 26, 1995, and June 14 and July 19, 1996, on September 26, 1996, the NRC amended GA's license to authorize only activities incident to decommissioning. On April 29, 1998, the NRC further amended GA's license to incorporate the Decommissioning Plan. 63 FR 20671.

Since issuance of these license amendments, GA has decommissioned a number of areas of its site and has removed a significant amount of

licensed material. GA has removed this material by either transferring the material to licensed recipients or shipping the material to a licensed disposal facility.

By license application dated October 31, 2002 (ADAMS Accession No. ML023160041), GA requested that its license SNM-696 be amended to reduce the limits in its license to reflect the reduction in its inventory of special nuclear material that has resulted from its ongoing decommissioning activities. The initial application indicated that the license authorized GA to acquire, deliver, receive, possess, use and transfer SNM. GA submitted a corrected

application dated November 7, 2002 (ADAMS Accession No. ML023220032), deleting the words "acquire," "receive," and "use," from the initial application, to correctly reflect that GA is authorized only to possess, transfer, and ship special nuclear material.

#### *Identification of the Proposed Action*

The proposed action would be to amend GA's license to reflect the reduced amount of special nuclear material remaining on its site. The previous and revised possession limits are listed in the following table:

| SNM                | Chemical or physical form                | Previous possession limit | Revised possession limit                 |
|--------------------|------------------------------------------|---------------------------|------------------------------------------|
| A. Uranium .....   | Enriched up to 19.99% U-235 .....        | <sup>1</sup> 200          | Less than 10 kilograms U-235.            |
| B. Uranium .....   | Enriched 20-100% U-235 .....             | <sup>2</sup> 5000         | Less than 1,000 gm. <sup>3</sup>         |
| C. U-233 .....     | Any .....                                | <sup>2</sup> 2000         | Less than 100 gm U-233. <sup>3</sup>     |
| D. Plutonium ..... | Encapsulated and/or sealed sources ..... | <sup>2</sup> 2000         | Less than 100 gm total Pu. <sup>3</sup>  |
| E. Plutonium ..... | Bred but unseparated .....               | <sup>2</sup> 1000         | Less than 50 gm total Pu. <sup>3</sup>   |
| F. Plutonium ..... | Plated calibration sources .....         | <sup>2</sup> 5            | Less than 5 grams total Pu. <sup>3</sup> |
| G. Plutonium ..... | Solutions, precipitates, solids .....    | <sup>2</sup> 5            | Less than 5 grams total Pu. <sup>3</sup> |

<sup>1</sup> Gram.

<sup>2</sup> Kilogram.

<sup>3</sup> The sum total quantity of strategic special nuclear material possessed at any one time must be less than 1,000 grams computed by the formula: Grams = grams U-235 in uranium enriched to 20% or more plus 2 x (grams U-233 + grams plutonium).

#### *Purpose and Need for the Proposed Action*

The proposed action would bring the possession limits section of GA's license into conformance with the amounts of special nuclear material actually remaining on site.

#### *Cumulative Impacts*

NRC has found no other current or planned activities in the area that would result in cumulative impacts.

#### *Alternatives to the Proposed Action*

An alternative to the proposed action would be for the NRC staff to deny the licensee's request. The licensee would then continue to be authorized to possess larger quantities of special nuclear material on the site; however, it would also continue to be prohibited from acquiring, receiving, or using special nuclear material, in accordance with its current license.

#### *Affected Environment*

The affected environment is the GA site in La Jolla, California. It is described in the Site Decommissioning Plan, dated October 11, 1996. Since the Site Decommissioning Plan was approved, GA has decontaminated and decommissioned several areas of the site, and these areas have been released for unrestricted use and have been deleted from GA's license.

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

There are no environmental impacts of the proposed action. The license amendment revises the license to reflect the current condition of the site, and does not authorize any change in activities.

#### *State Consultation*

NRC staff discussed this proposed action with Ms. Sudana Kwok, Project Manager of GA's byproduct material license with the California Department of Health Services, Radiologic Health Branch. The DHS/RHB is in agreement with the proposed action and has no comments.

#### **III. Finding of No Significant Impact**

Based upon the foregoing environmental assessment, the staff concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the staff has determined that preparation of an environmental impact statement is not warranted.

#### **IV. Further Information**

The following documents are related to the proposed action.

#### *References*

Code of Federal Regulations (CFR) title 10, chapter I—Nuclear Regulatory

Commission, part 51, Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions.

Code of Federal Regulations (CFR) title 10, chapter I—Nuclear Regulatory Commission, part 70, Domestic Licensing of Special Nuclear Material.

General Atomics, Docket No. 70-734; SNM-696; Submittal of Corrected Revised Section 1 (Material License Limits) of Part II "Specifications Volume" of SNM-696, November 7, 2002 (ADAMS Accession No. 023220032).

Nuclear Regulatory Commission; General Atomics Amendment 75; December 9, 2002; NRC Form 374 Sections 6., 7., and 8 (ADAMS Accession No. ML023250261).

These references may be examined and/or copied for a fee at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The references with ADAMS accession numbers may also be viewed in the NRC's Electronic Public Document Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. Any questions with respect to his action should be referred to Ms. Mary Adams, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T-8

A33, Washington, DC 20555-0001.  
Telephone (301) 415-7249.

Dated at Rockville, Maryland, this 14th day of February, 2003.

For the Nuclear Regulatory Commission.

**Daniel M. Gillen,**

*Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 03-4262 Filed 2-21-03; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Notice of Opportunity To Comment on Model Safety Evaluation on Technical Specification Improvement Regarding Scram Discharge Volume Vent and Drain Valves Actions for Boiling Water Reactors Using the Consolidated Line Item Improvement Process

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Request for comment.

**SUMMARY:** Notice is hereby given that the staff of the Nuclear Regulatory Commission (NRC) has prepared a model safety evaluation (SE) relating to a change in the technical specification (TS) required actions for inoperable vent and drain valves for the scram discharge volume (S.V.) for boiling water reactors (BWRs). This proposed change was proposed for incorporation into the standard technical specifications (STS) by the BWR Owners Group (BWROG) participants in the Technical Specification Task Force (TSTF) and is designated TSTF-404, Revision 0. The proposed change to TS would allow isolation of one or more S.V. vent or drain lines within 7 days if a single vent or drain valve in the line is determined to be inoperable. The TS for most BWRs do not currently include the option of isolating a vent or drain line but instead require restoring a single inoperable S.V. vent or drain valve to operable status within 7 days. Requirements are maintained to isolate a line within 8 hours if both vent or drain valves in a line are inoperable. This notice also includes a model no significant hazards

consideration (NSHC) determination relating to this matter.

The purpose of these models is to permit the NRC to efficiently process proposed amendments to incorporate this change into plant-specific TS for BWRs. Licensees of nuclear power reactors to which the models apply could request amendments conforming to the models. In such a request, a licensee should confirm the applicability of the SE and NSHC-determination to its reactor. The NRC staff is requesting comments on the model SE and model NSHC determination before announcing their availability for referencing in license amendment applications.

**DATES:** The comment period expires March 26, 2003. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

**ADDRESSES:** Comments may be submitted either electronically or via U.S. mail.

Submit written comments to: Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mail Stop: T-6 D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Hand deliver comments to: 11545 Rockville Pike, Rockville, Maryland, between 7:45 a.m. and 4:15 p.m. on Federal workdays.

Copies of comments received may be examined at the NRC's Public Document Room, One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland.

Comments may be submitted by electronic mail to [CLIP@nrc.gov](mailto:CLIP@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** William Reckley, Mail Stop: O-7D1, Division of Licensing Project Management, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-1323.

#### SUPPLEMENTARY INFORMATION:

##### Background

Regulatory Issue Summary 2000-06, "Consolidated Line Item Improvement

Process for Adopting Standard Technical Specifications Changes for Power Reactors," was issued on March 20, 2000. The Consolidated Line Item Improvement Process (CLIP) is intended to improve the efficiency and transparency of NRC licensing processes. This is accomplished by processing proposed changes to the STS in a manner that supports subsequent license amendment applications. The CLIP includes an opportunity for the public to comment on proposed changes to the STS following a preliminary assessment by the NRC staff and finding that the change will likely be offered for adoption by licensees. This notice is soliciting comment on a proposed change to the STS that revises requirements for the S.V. vent and drain valves for BWRs. The CLIP directs the NRC staff to evaluate any comments received for a proposed change to the STS and to either reconsider the change or proceed with announcing the availability of the change for proposed adoption by licensees. Those licensees opting to apply for the subject change to TSs are responsible for reviewing the staff's evaluation, referencing the applicable technical justifications, and providing any necessary plant-specific information. Each amendment application made in response to the notice of availability would be processed and noticed in accordance with applicable rules and NRC procedures.

This notice involves changes to required actions for inoperable S.V. vent and drain valves for BWRs. This proposed change was proposed for incorporation into the STS by the BWROG as TSTF-404, Revision 0. The changes, provided in terms of Limiting Condition for Operation (LCO) 3.1.8 in the STS for BWRs are provided below:

#### Current Requirements

LCO 3.1.8 Each S.V. Vent and Drain Valve Shall be Operable

*Applicability:* Modes 1 and 2.

*Actions:*

**Note:** Separate Condition Entry is allowed for each S.V. vent and drain line.

| Condition                                                            | Required action                                                                                                                                                 | Completion time |
|----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| A. One or more S.V. vent or drain lines with one valve inoperable.   | A.1 Restore Valve to Operable status .....                                                                                                                      | 7 days.         |
| B. One or more S.V. vent or drain lines with both valves inoperable. | B.1 Isolate the associated line .....<br><i>Note:</i> An isolated line may be unisolated under administrative control to allow draining and venting of the S.V. | 8 hours.        |
| C. Required Action and associated Completion Time not met ...        | C.1 Be in Mode 3 .....                                                                                                                                          | 12 hours.       |