

TABLE 2.—SUMMARY OF RADIOLOGICAL ENVIRONMENTAL IMPACTS OF POWER UPRATE

Surface Water .....	No change in radiological impact to surface water.
Groundwater .....	No change in radiological impact to ground water.
Radiological Waste Stream Impacts .....	No changes in design or operation of waste streams.
Gaseous Radioactive Waste Impacts .....	An increase in release rate that is linearly proportional to the power increase will be expected.
Liquid Radioactive Waste Impacts .....	No change in ANO-2 liquid release policy.
Solid Radioactive Waste Impacts:	
Wet Waste .....	No appreciable change in radioactive secondary resins expected due to EPU.
Dry Waste .....	No significant changes in dry waste foreseen.
Irradiated Reactor Components .....	No significant changes in irradiated components foreseen.
Dose Impacts:	
In-plant Radiation .....	Even though some RCS activity levels are elevated, in-plant exposures are controlled to mitigate worker exposures.
Offsite Doses .....	Slight increase in gaseous activity levels possible, but doses will remain ALARA and within 10 CFR Part 20 limits.
Accident Analysis Impacts .....	No increase in the probability of an accident. Some increase in consequences of an accident, but still within NRC acceptance limits.
Fuel Cycle and Transportation Impacts .....	Increase in bundle average enrichment; impacts will remain within the conclusions of Table S-3 and Table S-4 of 10 CFR Part 51.

### Alternatives to the Proposed Action

As an alternative to the proposed action, the NRC 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.

The estimated cost of the increase in generating capacity is approximately half the cost projected for purchasing the power and one-third the cost of producing the power by constructing a new combined-cycle, natural-gas-fueled facility with the attendant environmental impacts of construction and operation. The licensee concluded that increasing ANO-2 capacity would be an economical and environmentally sound option for increasing power supply. Furthermore, unlike fossil fuel plants, ANO-2 does not routinely emit sulfur oxides, nitrogen oxides, particulate, matter carbon dioxide, or other atmospheric pollutants that contribute to greenhouse gases or acid rain.

### Alternative Use of Resources

This action does not involve the use of any resources different than those previously considered in the FES for ANO-2, dated June 1977 (NUREG-0254).

### Agencies and Persons Consulted

In accordance with its stated policy, on April 15, 2002, the NRC staff consulted with Division of Radiation Control and Emergency Management of the Arkansas Department of Health, regarding the environmental impact of the proposed action. The State official had no comment.

### 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 following: The environmental impacts of ANO-2 have been described in (1) the FES, dated June 1977 (NUREG-0254), (2) the PULR, which is Enclosure 5 to the EPU application dated December 19, 2000, and (3) the June 26 and December 10, 2001, and January 15, 2002, RAI responses. On January 31, 2000, as supplemented by letters dated June 26, July 31, and September 21, 2000, Entergy submitted its ER supporting the license renewal of ANO-1. The staff Environmental Impact Statement has been issued as NUREG-1437, Supplement 3. Supplement 3 addresses many balance-of-plant site features that are common to ANO-1 and ANO-2. Supplement 3 was cited in Enclosure 5 of the December 19, 2000, license application in instances where site characteristics common to both ANO-1 and ANO-2 are unchanged by the EPU. Documents may be examined and/or copied for a fee at the NRC's Public Document Room, at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. 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). Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC Public Document Room Reference staff by

telephone at 1-800-397-4209, or 301-415-2737, or by e-mail at [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 19th day of April 2002.

For the Nuclear Regulatory Commission.

**William D. Reckley,**

*Acting Chief, Section 1, Project Directorate IV, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 02-9989 Filed 4-23-02; 8:45 am]

**BILLING CODE 7590-01-P**

### NUCLEAR REGULATORY COMMISSION

#### Notice of Delay in Issuance of the Draft and Final Environmental Impact Statements for the Mixed Oxide Fuel Fabrication Facility

**AGENCY:** United States Nuclear Regulatory Commission.

**ACTION:** Notice of change in schedule.

**SUMMARY:** On March 7, 2001, pursuant to the National Environmental Policy Act (NEPA), the U.S. Nuclear Regulatory Commission (NRC) published a Notice of Intent (NOI) to Prepare an Environmental Impact Statement (EIS) for a proposed Mixed Oxide (MOX) Fuel Fabrication Facility (66 FR 13794). NRC staff subsequently held scoping meetings, and issued a Scoping Summary Report in connection with preparing the EIS. NRC staff planned to issue a Draft Environmental Impact Statement (DEIS) on February 27, 2002. NRC staff decided this schedule needed to be changed when, in January 2002, the U.S. Department of Energy (DOE) announced its decision to alter its planned hybrid approach for surplus weapons plutonium disposition [65 FR 1608]. The Plutonium Immobilization Plant (PIP) that DOE had planned to build and operate as part of its hybrid

approach will not be built. Instead, DOE decided that 34 metric tons of surplus weapons plutonium would be converted into MOX fuel at the proposed MOX facility. During the scoping process, immobilization of plutonium was identified as one of the No Action Alternatives to be evaluated in the EIS for the proposed MOX facility. DOE's decision not to build the PIP and convert all of the plutonium into MOX fuel requires design changes to the proposed MOX facility. These design changes were generally described in a February 13, 2002, public meeting between the NRC staff and the applicant, Duke COGEMA Stone & Webster (DCS). The NRC staff found that due to these changes, DCS would be required to submit a supplemental Environmental Report (ER), and that the DEIS should not be issued until after the supplemental ER is received and reviewed. The supplemental ER is expected to be submitted in July 2002, and the NRC staff anticipates issuing the DEIS in February 2003.

**FOR FURTHER INFORMATION CONTACT:** For general or technical information associated with the proposed MOX facility, please contact: Tim Johnson at (301) 415-7299, or Drew Persinko at (301) 415-6522. For general information on the NRC NEPA process, please contact: Tim Harris at (301) 415-6613.

**Availability of Documents for Review:** Information and documents associated with the MOX project are available for public review through our electronic reading room: <http://www.nrc.gov/reading-rm.html>. Documents may also be obtained from NRC's Public Document Room at U.S. Nuclear Regulatory Commission, Public Document Room, Washington, DC 20555.

**SUPPLEMENTARY INFORMATION:**

**Background:** In January 2000, DOE issued its Record of Decision (ROD) for the Surplus Plutonium Disposition Final EIS (65 FR 1608). The fundamental purpose of the DOE program is to ensure that plutonium produced for nuclear weapons and declared excess to national security needs is converted to forms that are inaccessible and unattractive for nuclear weapons. In its ROD, DOE announced that it had decided to use a hybrid approach for the disposition of surplus weapons plutonium, and that the facilities would be located at DOE's Savannah River Site (SRS) in South Carolina. The first approach described in the ROD was immobilization of approximately 17 metric tons of surplus plutonium. Immobilization would involve placing the weapons plutonium

into canisters at the PIP, and filling the canisters with vitrified waste from the SRS high-level waste (HLW) tanks. The second approach would have converted up to 33 metric tons of surplus plutonium into MOX fuel at the proposed MOX facility.

DOE selected DCS to design, build, and operate the proposed MOX fuel fabrication facility. DCS submitted its ER for the MOX facility to NRC on December 19, 2000, and submitted its construction authorization request (CAR) to NRC on February 28, 2001. The NRC staff has been reviewing the CAR and ER to determine whether DCS should be authorized to begin constructing the proposed MOX facility.

NRC staff held scoping meetings to gather comments from members of the public in April and May 2001, and issued a Scoping Summary Report of those comments in August 2001. However, because of the changes in the project (summarized above and discussed below), NRC has decided to delay issuance of the DEIS.

**Cancellation of Plutonium Immobilization Plant:** In DOE's 2003 Fiscal Year budget, it stated that the immobilization approach will not be pursued. The Plutonium Immobilization Plant (PIP) was one of the three facilities planned as part of DOE's hybrid approach for surplus weapons plutonium disposition (65 FR 1608). Under DOE's new plan, approximately 6 metric tons of plutonium previously destined for immobilization would be processed in the re-designed proposed MOX facility. Plutonium that is too costly to convert to MOX fuel would be disposed of as waste by DOE.

During EIS scoping, immobilization of all surplus plutonium was identified as one of the No Action Alternatives for the MOX facility EIS. DOE's cancellation of the PIP requires that discussions of this No Action Alternative in the DEIS be reconsidered.

The NRC staff believes that it would be difficult for the public to comment effectively on the DEIS if it were issued in its current form, since the immobilization No Action Alternative arose from public comments received during the scoping process. The NRC is reviewing how it will present the second No Action Alternative in the DEIS.

**Additional Changes in the Proposed DOE Action:** As a result of the PIP cancellation, 6 metric tons of plutonium, originally slated for immobilization (designated as alternate feedstock), and 2 metric tons from additional sources, would now be processed in a re-designed proposed MOX facility. The alternate feedstock

includes impurities that would require more processing than the plutonium already scheduled for conversion into MOX fuel. In addition, the amount of high-alpha waste produced from the MOX facility would be greater, due to processing of the alternate feedstock. The current MOX facility design will be updated to include new or additional equipment and processing steps to accommodate the additional plutonium.

In addition to the changes in the proposed MOX fuel fabrication facility prompted by the PIP cancellation, DOE plans to construct and operate a new waste processing building at the SRS to solidify the MOX waste streams (high-alpha and uranium) that were originally planned to go to DOE's HLW tanks at the SRS.

**Resulting Changes in the Proposed NRC MOX DEIS:** The DEIS will be revised to include and evaluate the proposed changes to the MOX fuel fabrication facility, including new and/or altered equipment plans, additional processing steps and the consequent hazards, and the additional waste generated. The DEIS will also evaluate the changes to the waste processing plans, including construction and operation of a new DOE facility. Finally, the DEIS will be revised to evaluate the impacts of transporting and using the additional MOX fuel. The impacts related to reactor use of MOX fuel, as described in the ER, consider only fuel converted from 25.5 metric ton of surplus plutonium, and not the 34 metric ton now scheduled to be converted into MOX fuel at the proposed MOX facility.

**Your Comments are Requested:** The NRC is hereby soliciting comments on our plans for the DEIS to accommodate the changes in the DOE and DCS programs. We would specifically like you to comment on:

(1) How the immobilization of surplus plutonium as a No Action Alternative should be discussed in the DEIS, since DOE has canceled plans to build the Plutonium Immobilization Plant.

(2) Whether there are additional reasonable alternatives not identified during scoping that should be considered in the DEIS, in light of the changes described above. As discussed in the Scoping Summary Report, NRC is considering the environmental impacts of the proposed action (construction and operation of the proposed MOX fuel fabrication facility), continued storage of surplus plutonium at existing DOE sites, and immobilization of surplus plutonium. If the immobilization alternative is not considered, then the DEIS would only evaluate the proposed action and one No Action Alternative.

Please submit your comments on or before August 30, 2002. Written comments should be mailed to Mike Lesar, Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Comments will also be accepted by e-mail. Interested parties may e-mail their comments to [teh@nrc.gov](mailto:teh@nrc.gov). Comments will also be accepted by fax at (301) 415-5398, Attention: Tim Harris.

**Tentative Schedule:** Based on available information, and assuming DCS submits a supplemental ER in July 2002, NRC has revised the EIS schedule as follows:

Conduct Acceptance Review of DCS Supplemental Environmental Report—August 2002

Conduct Informational Meetings—September 2002

Issue Draft Environmental Impact Statement—February 2003

Public Comment on DEIS—February–April 2003

Issue Final Environmental Impact Statement—August 2003

Signed in Rockville, MD, this 17th day of April, 2002.

For the Nuclear Regulatory Commission.

**Thomas H. Essig,**

Chief, Environmental and Performance Assessment Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 02-9991 Filed 4-23-02; 8:45 am]

BILLING CODE 7590-01-P

## 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 May 2-4, 2002, in Conference Room T-2B3, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Monday, November 26, 2001 (66 FR 59034).

#### Thursday, May 2, 2002

**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.: Brunswick Steam Electric Plant, Units 1 & 2 Core Power Uprate** (Open/Closed)—The Committee will hear presentations by

and hold discussions with representatives of the NRC staff and the Carolina Power and Light Company regarding the license amendment to increase core power level by approximately 15% for the Brunswick Steam Electric Plant, Units 1 & 2, pursuant to the General Electric Nuclear Energy Extended Power Uprate Program.

[**Note:** A portion of this session may be closed to discuss General Electric proprietary information.]

**10:45 a.m.–11:45 a.m.: Expert Panel Recommendations on Source Term for High Burnup and Mixed Oxide (MOX) Fuel** (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the Expert Panel's recommendations on source term for high burnup and MOX fuel and on revising NUREG-1465, "Accident Source Terms for Light-Water Nuclear Power Plants."

**12:45 p.m.–1:45 p.m.: Confirmatory Research Program on High Burnup Fuel** (Open)—The Committee will hear presentations by and hold discussions with representatives of the Office of Nuclear Reactor Regulation and the Office of Nuclear Regulatory Research regarding their views on the need for the confirmatory research program on high burnup fuel.

**1:45 p.m.–2:45 p.m.: Subcommittee Report** (Open)—Report by the Chairman of the ACRS Subcommittee on Reactor Fuels regarding the staff's draft Safety Evaluation Report on the Duke Cogema Stone & Webster application for a construction authorization for a proposed MOX Fuel Fabrication Facility that was discussed during the April 10, 2002 Subcommittee meeting, and other related matters.

**3 p.m.–6:15 p.m.: Safeguards and Security Activities** (Closed)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding ongoing and planned NRC activities in the safeguards and security areas.

[**Note:** The entire session will be closed to protect national security information and safeguards information.]

**6:30 p.m.–7:15 p.m.: Proposed ACRS Reports** (Open)—The Committee will discuss proposed ACRS reports on matters considered during this meeting.

#### Friday, May 3, 2002

**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.–11:30 a.m.: PHEBUS-FP, PHEBUS-2K and PHEBUS-LOCA International Projects** (Open)—The Committee will hear presentations by and hold discussions with representatives of the French PHEBUS-FP Project regarding the recent results of the PHEBUS-FP Project and plans for the PHEBUS-2K and PHEBUS-LOCA Projects.

**11:45 a.m.–12:30 p.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, and organizational and personnel matters relating to the ACRS.

**1:30 p.m.–1:45 p.m.: 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.

**1:45 p.m.–7:00 p.m.: Proposed ACRS Reports** (Open)—The Committee will discuss proposed ACRS reports.

#### Saturday, May 4, 2002

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

**12:30 p.m.–1:00 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 3, 2001 (66 FR 50462). 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 and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify Dr. Sher Bahadur, ACRS, 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,