address in Section VI below, prior to engaging in NRC-licensed activities, including activities under an Agreement State license when activities under that license are conducted in areas of NRC jurisdiction pursuant to 10 CFR 150.20. This notice shall include the name, address, and telephone number of the NRC or Agreement State licensee and the location where licensed activities will be performed; and shall include a statement as to why the NRC should have confidence that Dr. Elamir will not, in the future, commit deliberate violations of Commission requirements.

The Director, Office of Enforcement, may, in writing, relax or rescind any of the above conditions upon demonstration by the licensee of good cause.

VI

In accordance with 10 CFR 2.202, Dr. Elamir must, and any other person adversely affected by this Order may, submit an answer to this Order and may request a hearing on this Order, within 20 days of the date of this Order. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and include a statement of good cause for the extension. The answer may consent to this Order. Unless the answer consents to this Order, the answer shall, in writing and under oath or affirmation, specifically admit or deny each allegation or charge made in this Order and shall set forth the matters of fact and law on which Dr. Elamir or other person adversely affected relies and the reasons as to why the Order should not have been issued. Any answer or request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Attn: Chief, Rulemaking and Adjudications, Washington, DC 20555. Copies also shall be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Hearings and Enforcement at the same address, to the Regional Administrator, NRC Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406, and to Dr. Elamir if the answer or hearing request is by a person other than Dr. Elamir. If a person other than Dr. Elamir requests a hearing, that person shall set forth with particularity the manner in which his or her interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).

If a hearing is requested by Dr. Elamir or a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained.

Pursuant to 10 CFR 2.202(c)(2)(i), Dr. Elamir may, in addition to demanding a hearing, at the time the answer is filed or sooner, move the presiding officer to set aside the immediate effectiveness of the Order on the ground that the Order, including the need for immediate effectiveness, is not based on adequate evidence but on mere suspicion, unfounded allegations, or error.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section IV above shall be final 20 days from the date of this Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section IV shall be final when the extension expires if a hearing request has not been received. *An answer or a request for hearing shall not stay the immediate effectiveness of this order.*

Dated at Rockville, Maryland this 15th day of September 1997.

For the Nuclear Regulatory Commission.

Ashok C. Thadani,

Deputy Executive Director for Regulatory Effectiveness.

[FR Doc. 97–25080 Filed 9–19–97; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket 40–7102]

Finding of No Significant Impact for the Renewal of Source Material, License SMB–743, Shieldalloy Metallurgical Corporation, Newfield, New Jersey

The U.S. Nuclear Regulatory Commission is considering the renewal of the Source Material License SMB–743 for the continued operation of Shieldalloy Metallurgical Corporation (SMC), located in Newfield, New Jersey

Summary of the Environmental Assessment

Identification of the Proposed Action

The proposed action is the renewal of SMC's Source Material License SMB–743 for 5 years. With this renewal, the SMC facility will continue to produce specialty alloys, slag fluidizers, and other products. The proposed action would permit SMC to possess up to 1,200,000 kilograms (kg) of thorium–232 and 180,000 kg of uranium–238, as requested in SMC's September 15, 1995, renewal application. As part of the proposed action, SMC would also continue to add radioactive materials to the temporary stockpiles of slag and baghouse dust currently stored at the site until a final disposition is approved by the commission. Although the continued storage of this material is evaluated as part of the environmental assessment (EA), the evaluation of environmental impacts from a final disposition method is outside the scope of this EA and will be addressed in a separate environmental action.

The Need for the Proposed Action

SMC performs a service for the commercial steel industry by producing speciality alloys, slag fluidizers, and other products. SMC is one of two domestic producers of ferrocolumbium (ferroniobium alloy), its main product from the licensed activities; ferrocolumbium is readily available from foreign producers, such as Brazil and, recently, the Confederation of Independent States (formerly the Soviet Union) and Canada. The element niobium can increase the strength of steel by more than 5,000 pounds per square inch (psi) with only a small addition of niobium (approximately 0.01 percent), thus allowing lighter weight alloys. Denial of the license renewal for the SMC facility is an alternative available to NRC, but would either require the construction of a new facility at another site or a possible dependence upon foreign imports of ferrocolumbium.

Environmental Impacts of the Proposed Action

The radiological impacts of the continued operation of the SMC facility were assessed by calculating the radiation doses to the maximally exposed individual located at the facility fence line and the collective radiation dose to the local population living within 80 kilometers (50 miles0 of the plant site. The primary exposure pathway is release and transport of radioactive effluents to the air.

Doses From Routine Airborne Releases

SMC operates their process using two baghouses to filter airborne material: the Flex Kleen (FK) Baghouse and the American Air Filter (AAF) Baghouse. Atmospheric releases were determined from the two D–111 Baghouse stacks. Other potential release points including stored dust and slag piles were also

considered, but off-site doses from these release points were found to be negligible.

SMC submitted March 1996 measurement data from stack emissions showing doses less than 1 millirem (mrem) per year at the fence line under nominal conditions. Conservative estimates of the expected effluent release rates were calculated by the NRC staff using assumptions, including the following: (1) the use of conservative values for the efficiencies of baghouse filters based upon the possibility of undetected filter bag breakages and (2) a ground-level release point for both baghouses. The radiation doses resulting from atmospheric releases were estimated using the CAP88–PC (Clean Air Assessment Package 1988) Version 1.0 computer code. The maximally exposed individual was located at the fence line, which was 250 meters (820) feet) south of the SMC facility. The Total Effective Dose Equivalent (TEDE) to the nearest resident is estimated to be less than 9 mrem per year from all pathways. Inhalation intakes accounted for greater than 85 percent of the total radiation dose. Thorium-232 was the dominant dose contributor, accounting for about 30 percent of the total dose This estimated radiation dose is less than the 100 mrem per year limit established by NRC in 10 CFR 20.1301 and the 10 millirem per year dose constraint for air emissions in 10 CFR 20.1101.

The population within 80 km (50 miles) of SMC's facility is about 6,766,961 people, based on 1994 census data. The collective dose to the surrounding population is expected to be less than 7 person-rem per year. Based on an average background radiation dose of about 0.3 rem per year for individuals in the U.S. from natural sources, the same population would receive about 2,00,000 person-rem per year from background radiation. Thus, the collective radiation dose associated with atmospheric releases from the SMC's facility is a small percentage of the collective radiation dose from natural background radiation for these same people.

Accident Evaluation

In the EA, NRC staff evaluated one accident as the bounding accident: the release of dust from a baghouse or silo. This accident assumed that 10,000 kg of dust were released from structural failure of a baghouse. Calculated release fractions were 4 to 5×10^{-3}. Other accidents were determined to be within the bounds of this accident because both quantities and form of the material made larger dispersions unlikely. This bounding accident was calculated as a result in an exposure of less than 6 mrem TEDE to the nearest resident. The expected population dose from this accident would be no greater than 0.9 person-rem.

Agencies and Persons Consulted

Discussions were held with representatives from the State of New Jersey Department of Environmental Protection and the U.S. Environmental Protection Agency at various times throughout the preparation of the EA. NRC consulted SMC representatives in preparing this document.

Conclusion

On the basis of this Environmental Assessment, NRC has concluded that the environmental impacts from the proposed action would not be significant.

Finding of No Significant Impact

The NRC has prepared an EA related to the renewal of Source Material License SMB–743. On the basis of the assessment, the NRC has concluded that environmental impacts that would be created by the proposed action would not be significant and do not warrant the preparation of an Environmental Impact Statement. Accordingly, NRC has determined that a Finding of No Significant Impact is appropriate.

The EA, the license renewal application dated September 15, 1995, and the documents related to this proposed action are available for public inspection and copying at the Commission's Public Document Room at the Gelman Building, 2120 L Street NW, Washington, DC. Anyone with questions or comments about this proposed action should contact Ms. Heather Astwood, NRC's Project Manager for the facility, at Mail Stop T–8D–14, U.S. NRC, Washington, D.C. 20555 or in (301) 415–5819.

Dated at Rockville, Maryland, this 16th day of September, 1997.

For the Nuclear Regulatory Commission.

Michael F. Weber,

Chief, Licensing Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–321 and 50–366]

Edwin I. Hatch Nuclear Plant, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from certain requirements of its regulations with respect to Facility Operating Licenses DPR–57 and NPF–5 issued to Southern Nuclear Operating Company, Inc., et al. (Southern Nuclear, or the licensee) for operation of the Edwin I. Hatch Nuclear Plant, Units 1 and 2, located in Appling County, Georgia.

Environmental Assessment

Identification of Proposed Action

The proposed action is in accordance with the licensee's application dated July 2, 1997, for exemption from certain requirements of 10 CFR 73.55, ''Requirements for Physical Protection of Licensed Activities in Nuclear Power Reactors Against Radiological Sabotage.'' The exemption would allow photo identification badges to be taken offsite by individuals not employed by the licensee who have been granted unescorted access into protected and vital areas, in light of the implementation of a hand geometry biometrics system to control site access at Hatch.

The Need for the Proposed Action

Pursuant to 10 CFR 73.55, paragraph (a), Southern Nuclear shall establish and maintain an onsite physical protection system and security organization. Regulation 10 CFR 73.55(d), ''Access Requirements,'' paragraph (1), specifies that the ''licensee shall control all points of personnel and vehicle access into a protected area.'' Regulation 10 CFR 73.55(d)(5) specifies that, ''A numbered picture badge identification system shall be used for all individuals who are authorized access to protected areas without escort.'' Section 73.55(d)(5) also states that an individual not employed by the licensee (i.e., contractors) may be authorized access to protected areas without escort provided the individual, ''receives a picture badge upon entrance into the protected area which must be returned upon exit from the protected area....'' Currently, unescorted access into protected areas at the Hatch plant is controlled through the use of a photograph on a badge/keycard (hereafter referred to as a ''badge''), which is stored at the access