



SECRETARY

DOCKET NUMBER  
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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

DOCKETED  
USNRC

June 8, 1999

'99 JUN -9 P1:13

MEMORANDUM TO: G. Paul Bollwerk, III, Acting  
Chief Administrative Judge  
Atomic Safety and Licensing Board Panel

FROM: Annette L. Vietti-Cook, Secretary *Annette Vietti-Cook*

SUBJECT: REQUEST FOR HEARING SUBMITTED  
BY KEN SLEIGHT

OFFICE OF THE SECRETARY  
RULEMAKING AND  
ADJUDICATION

Attached is a hearing request dated June 1, 1999, and submitted by Ken Sleight. Mr. Sleight submitted his request in response to a "Notice of Consideration of a License Amendment for International Uranium (USA) Corporation's White Mesa Uranium Mill and an Opportunity for a Hearing". International Uranium (USA) Corporation (Docket No. 40-8681) has applied for an amendment to its license to receive and process uranium bearing material removed from Formerly Utilized Sites Remedial Action Program (FUSRAP) sites located in the St. Louis, Missouri area. The notice on the license amendment request was published in the Federal Register at 64 Fed. Reg. 23876 (May 4, 1999) (copy attached).

The request for hearing is being referred to you for appropriate action in accordance with 10 C.F.R. Sec. 2.1261.

Attachments: As stated

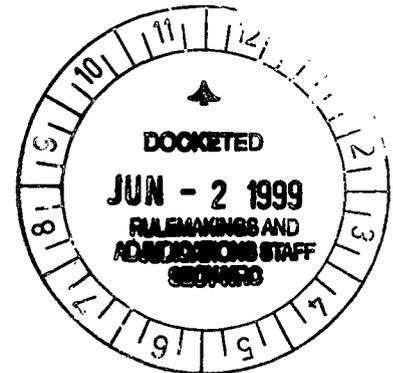
- cc: Commission Legal Assistants
- OGC
- CAA
- OPA
- EDO
- NMSS
- Michelle Rehmann
- International Uranium (USA)
- David C. Lashway, Esquire
- Denise Chancellor, Esquire
- Jill M. Pohlman, Esquire

SECY-EHD-008

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20500

KEN SLEIGHT  
P.O. Box 1270  
Moab, Utah 84532  
(435) 259-8575

June 1, 1999



TO: Secretary  
Attention: Rulemakings and Adjudications Staff  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

SUBJECT:

"Notice of Consideration of a License Amendment for International Uranium (USA) Corporation's White Mesa Uranium Mill and an Opportunity for a Hearing." Docket No. 40-8681

I understand that International Uranium (USA) Corporation (IUC) has made a request of NRC to amend its Source Material License No. SUA-1358 in order to receive waste materials from various sites in the St. Louis, Missouri area.

As a citizen of San Juan County, I respectfully request that I be allowed to respond to this Amendment Request at a full hearing. I have long been interested and affected by nuclear waste matters and have testified before state agencies regarding these issues.

I also filed petitions to intervene in hearing concerning the license amendment issued to International Uranium (USA) Corporation by the NRC that allows IUC to receive wastes from the Ashland One and Ashland Two sites in Tonawanda, New York.

My own interests would surely be affected by the results of the proceedings. As a citizen and as a user of the lands in San Juan County, I am directly affected. The hauling and dumping of such nuclear waste at the White Mesa mill would be highly detrimental to me and my own company.

I am a general partner in the firm, Pack Creek Ranch, a guest ranch catering to the tourist trade. I live in San Juan County at Pack Creek Ranch. Now 69 years of age, I have guided and outfitted wilderness-type trips in the region and in San Juan County professionally since 1955. I conduct horseback trail rides, pack trips, and other tourist excursions into varied regions of San Juan County. I hold permits issued to me and/or my companies by the National Park Service, the Forest Service, and the Bureau of Land Management.

I travel the US-91 and U-95 highways often during my commercial and personal trips. I am directly and negatively affected by the increasing truck travel on US-191 (Moab to White Mesa) by the hauling of nuclear and chemical waste material that would originate in the St. Louis area.

U.S. NUCLEAR REGULATORY COMMISSION  
RULEMAKINGS & ADJUDICATIONS STAFF  
OFFICE OF THE SECRETARY  
OF THE COMMISSION

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I am also an officer and stockholder of High Desert Adventures, a Utah corporation, headquartered in St. George, Utah. High Desert Adventures, as a National Park Service concessioner, conducts boating trips in Utah on the San Juan River and on Lake Powell. I have personally conducted trips on the San Juan River since the 1950's and will continue to do so.

As a citizen of San Juan County, I am concerned with my own health and that of my passengers. I am concerned that the cumulative amounts of radioactivity and other chemicals resulting from nuclear industry activities, over and above the high levels of naturally occurring radiation in the region, threatens my health and well being . I have lived in southern Utah most of my life and have directly experienced downwind radioactive fallout from the nuclear bomb testing in Nevada. I am highly sensitive and allergic to dust and many chemicals and am receiving treatment at the present time for allergic reactions to them.

I and my passengers have occasionally camped near or on old uranium mines or tailings during river travel on the Green, Colorado, and San Juan Rivers unknowing of the dangers. We have drunk from the rivers and wallowed about in the sands of the Green, Colorado and San Juan Rivers for years unknowingly to us that the rivers were heavily contaminated with radionuclides and other chemicals - we ceasing only after the National Park Service issued a directive that we should no longer use the waters for drinking purposes.

While at my residence, office, and bookstore in Moab, I was for years exposed to the wind-swept clouds of dust radiating from the Atlas uranium mill tailings at Moab. Other threats can be documented.

These cumulative amounts of radiation must be taken into account, for my own and others concerns, before adding yet another source of radiation in the form of radioactive material brought in from the St. Louis area.

The public, including myself, have not been fully advised of the dangers of this hazardous waste material. There has been little environmental information given to me and the citizens by NRC or the International Uranium Corporation regarding the acceptance of hazardous waste from the St. Louis area. Few studies have been accomplished during past and present periods of license amendments.

With the absence of important information, it is not possible to adequately assess the health problems that may arise. With the lack of information comes increasing costs to me and to our people.

Without adequate information provided county residents by NRC, concerning the environmental effects, there is a growing fear element perpetrated by the hauling in and storage of nuclear waste and the creation of a nuclear waste dump. This fear and anguish, valid or not, directly affects our physical and mental health and the well-being of each of us.

The health-care system in San Juan County, in desperate straits at the present time, could not near afford the added costs that the nuclear waste might generate.

As a taxpayer in San Juan County and the state of Utah, the added burden by the government in regulating and overseeing nuclear waste problems would definitely cost me and other citizens much more than if there was no dump to be regulated.

And as an outfitter, I am concerned with bringing in tourists from varied areas of the world only to subject them to the dangers of added radiation. As a moral issue, as in the case of polluted rivers, lands, or air, I must warn our visitors of such concerns. This bears a cost to me. And the prospective customer's knowledge that there is an added risk, may cause them to go elsewhere. This would be costly to me and the tourist industry itself.

As a member of the Utah Guides and Outfitters Association, I associate with an active group of outfitters who work for clean waterways and rivers and a clean environment. This group has taken a strong and costly stand against nuclear-based activities in the region. Continuing to increase health hazards, the costs will ultimately increase to all of its members, to myself and to their customers.

We need to know the rationale in opening a nuclear waste dump in such a spectacular region of our nation. This canyon country, a very unique and special place, qualifies as a World Heritage Site based on its natural and cultural heritage. Many business firms, dependent upon the naturalness and beauty of the region and the tourist trade, would be adversely affected.

This diminished quality would be detrimental to me personally, and other outfitters, as there would be a lessened demand for natural and wilderness-type travel that I engage in and promote. It would destroy the very thing the outfitters' customers are coming to see and experience. This is our capital resource. For an effective and viable business, I am dependent upon the preservation of a clean, beautiful, and untarnished environment.

A nuclear waste dump at the White Mesa mill, with its increasing hauls of nuclear and hazardous wastes would adversely bring negative promotion of the region and detract from the region's attractiveness. This would be costly to many in the tourist industry.

I have grave concerns. Environmental Reviews were not performed regarding previous Amendment Requests pertaining to the Ashland One and Ashland Two material. The categorical exclusion was wrong and should not have been applied.

Because no environmental reviews were accomplished at those times, a new review should be accomplished now regarding this St. Louis material. Indeed, because of new impacts and evidence, a supplementary environmental impact statement must be prepared prior to any further waste acceptance at the White Mesa mill.

There remains many questions yet to be answered. Previous license amendment requests have been quickly approved by NRC without the necessary environmental reviews and full public participation.

The White Mesa uranium mill was only designed to process and recover uranium from conventional-type ores. The acceptance and processing of these alternate feed materials had not even been considered when studies were being conducted and plans made to build the initial processing plant.

The White Mesa mill has yet to be appropriately licensed. The NRC is mandated to approve license applications on the basis of a set of guidance instructions. This "guidance list" addresses ten items that must be evaluated before making a determination that such material can be disposed in a tailings impoundment. Among them are such issues as the radiological nature of the material, existing regulation of the material, hazardous nature of the material, and a consideration of potential environmental impacts.

The NRC failed to fully follow these guidances in making this determination. It did not contact the State of Utah to determine if the state agreed to take title to the waste after closure. An evaluation of whether a waste would even be approved for disposal was not accomplished.

Dianne R. Nielson, the executive director of the Utah State Department of Environmental Quality, stated that a policy decision which shifts "reprocessing" to "waste disposal in disguise" will trigger several issues - including the need for a state siting approval, a need for a license for waste disposal of these materials, the payment of appropriate waste disposal fees to the state, and the need for a state groundwater discharge permit.

Ground water is of instrumental importance. We need to know what chemicals and minerals are in the waste, whether they have been "listed" or not. Even minimal amounts can be extremely dangerous. Little or no modeling has been done to adequately demonstrate the protection of our valuable groundwater.

The company refuses to obtain a Utah Groundwater Quality Permit. We need to know if leaks have occurred, if they are possible, and we need to know their possible long-term impacts to downstream users at the nearby communities of White Mesa, the Westwater Canyon Navajos and the towns of Bluff and Montezuma Creek. This information should be available to the public.

We need to know the effect on drinking water from pollution sources. The Ute people at White Mesa already need to carry water from Blanding for their own personal use. Testimony shows their water is bad. In close relationship to this, we need to know the hazards of blowing winds that carry chemically-coated sand and dust from the dump site to the communities of San Juan County. Not only would land be affected but the water supplies would be polluted likewise.

We need to know just how often NRC and State regulators are to be on the site to inspect the facility. We need to know just how this compares to the oversight responsibilities placed on Envirocare by NRC and the State. Will the White Mesa mill be regulated as tightly as Envirocare?

It is apparent that upon acceptance of the material, International Uranium is performing "sham recycling" so it can store radioactive waste as does northern Utah's Envirocare. The recoverable uranium content of the waste material cannot near support the cost of recycling the waste as ore. The primary goal then seems to be in receiving the disposal fee, millions of dollars worth, which the corporation calls a "recycling fee."

The revenue for accepting the waste for disposal or storage by the corporation has been estimated by some reviewers as upward to \$1.00 per cubic foot of material. This would amount to millions of dollars that would go directly to International Uranium. The company would be the winner, the county the loser. None of the revenue would go to the county even though it absorbs most of the costs of the impacts. And the huge radioactive pile would sit there through the centuries. The cost of the future removal of the pile to another location would be tremendous. This pile should not become another Atlas Minerals situation.

Transportation of toxic, chemical, and radiological material is of high concern. As our roads are narrow and not immune to accidents, several questions must be answered. We need to ask whether state trucking regulations are adequate in reducing spills on Utah's highways and what the role of the federal government is in this regard in mitigating the spills and the resulting costs. Ice and snow may be vital factors in winter months. The increase of truck traffic, intermeshed with increasing tourist traffic, will be a major problem, especially for Moab.

There is also a need to place special identifying marks on all vehicles carrying this toxic, chemical, and radiological material. It needs to be determined whether emergency crews are available and are prepared to handle such accidents. The need to protect water sources and drainages are evident.

We need to determine whether there is an overabundance of these shipments through the city of Moab and through other towns of San Juan County.

We need to recognize the Navajo and Ute people's concerns. These people have long been left out of the process even though they have inhabited the region for many, many years. Even the initial EIS did not consider the people's cultural needs. The cultures and antiquities of the more recent "historic period" were not considered at all. The nearby community of White Mesa was avoided. And the close settlement of the Navajos at Westwater was neglected all together. Obviously, their needs have not been met. Environmental and social justice for them have long been lacking.

We need to determine to what extent cultural and archeological resources are threatened. The area, the White Mesa Archeological District, contains many burial sites and other sacred sites in the area of the mill. Additional

survey work needs to be done, and the effect on archeological sites need to be determined. The limited studies already done are not complete enough.

Because of the sacredness of these lands to the Native Americans, and as a further legacy to all of us, this area must be responsibly protected. As some excavations took place during earlier development, these sites are of immediate concern. The Avikan site, nearby, is a very spiritual place.

I feel that the Uranium Mill Feed Material Guidance standards and procedures have not been faithfully followed in the past. I feel that the previous material shipped to the White Mesa mill does contain extremely hazardous material of which we have not been informed. The material, I believe, is not to be processed for its source material content, but it is to be received primarily for storage purposes. This is sham-disposal.

In any event, the disposal or recycling fees to be received by IUCA should not be calculated or included into the formula in determining potential revenue from the source-material content.

We need to know just how much money is in the surety and what the closure costs will be, and what is included when closure actually takes place. After closure who is responsible for the continuing health costs and environmental costs attributed to the plant?

I request that an environmental review be prepared regarding this license amendment request. Furthermore I request that a new Environmental Impact Statement be prepared. There are so many new factors - environmentally, culturally, and economic - that have not been previously addressed.

Upon reading the initial EIS report, prepared years ago, I find many impacts not considered and many stakeholders were not involved. There now needs to be an intensive discussion among all interested citizens and stakeholders who have not had a part in the licensing procedure.

The NRC should now intensively review the issuance of this license amendment request. We need a moratorium on any further waste acceptance.

We need to analyze the cumulative effect and amount of material that have been shipped to the site since 1996. We need to know the materials chemical and radiological makeup.

International Uranium should be prohibited from receiving any more waste material until the NRC has reviewed its past decisions. If it is shown that proper procedure has not been followed, then the material already received at White Mesa mill should immediately be shipped to another site - a site that is appropriately licensed.

I ask that IUC's Amendment Request be stayed and not be approved. Furthermore, I request that NRC support our community's right to know about the proposed actions, about nuclear waste, the chemical risks (listed or otherwise) and the threatened impacts to our environment and our health.

I request an opportunity to make an appearance to submit these and other concerns and to submit documentation supporting my views. Please also advise me of further proceedings relating to this matter.

This request is timely, having been submitted within the thirty days from the date of the proceeding's announcement in the Federal Register of May 4, 1999.

Sincerely,



Ken Sleight

Copies of this request for hearing also delivered my mail to:

NRC Staff  
Executive Director for Operations  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

International Uranium (USA) Corporation  
Attention: Michelle Rehmann  
Independence Plaza, Suite 950  
1050 Seventeenth Street  
Denver, CO 80265

interest. Failure to file a timely Notice of Intent may preclude a party from participating in the distribution proceeding. The notices are due July 6, 1999.

### III. Consolidation of Proceedings

Section 801(d) of the Copyright Act, 17 U.S.C., as amended by the Technical Amendments to the Satellite Home Viewer Act of 1994, Pub. L. 105-80, states that "[t]he Librarian of Congress, upon the recommendation of the Register of Copyrights, . . . shall reimburse the arbitrators presiding in distribution proceedings at such intervals and in such manner as the Librarian shall provide by regulation. . . . Payments to the arbitrators shall be considered reasonable costs incurred by the Library of Congress and the Copyright Office for purposes of section 802(h)(1)." Funds to pay the arbitrators come from the royalty funds under consideration in the distribution proceeding. Because there are insufficient funds available from the Musical Works Fund for any single year to cover the projected cost of an arbitration proceeding that would require oral testimony, the Copyright Office is consolidating the consideration of the distribution of the 1995, 1996, 1997, and 1998 Musical Works Funds into a single proceeding in order to have sufficient funds to meet its financial obligations to the arbitrators.

Dated: April 28, 1999.

Marybeth Peters,  
Register of Copyrights.

[FR Doc. 99-11182 Filed 5-3-99; 8:45 am]  
BILLING CODE 1410-33-P

### NUCLEAR REGULATORY COMMISSION

#### Agency Information Collection Activities: Submission for OMB Review; Comment Request

**AGENCY:** U. S. Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of the OMB review of information collection and solicitation of public comment.

**SUMMARY:** The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

1. Type of submission, new, revision, extension, or reinstatement: Reinstatement.

2. The title of the information collection: NRC Form 536, "Operator Licensing Examination Data".

3. The form number if applicable: NRC Form 536.

4. How often the collection is required: Annually.

5. Who will be required or asked to report: All holders of operating licenses or construction permits for nuclear power reactors.

6. An estimate of the number of responses: 80.

7. The estimated number of annual respondents: 80.

8. An estimate of the total number of hours needed annually to complete the requirement or request: 80.

9. An indication of whether Section 3507(d), Pub. L. 104-13 applies: Not applicable.

10. Abstract: NRC is requesting reinstatement of its clearance to annually request all commercial power reactor licensees and applicants for an operating license to voluntarily send to the NRC: (1) Their projected number of candidates for operator licensing initial examinations; (2) the estimated dates of the examinations; (3) if the examination will be facility developed or NRC developed, and (4) the estimated number of individuals that will participate in the Generic Fundamentals Examination (GFE) for that calendar year. Except for the GFE, this information is used to plan budgets and resources in regard to operator examination scheduling in order to meet the needs of the nuclear industry.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. OMB clearance requests are available at the NRC worldwide web site (<http://www.nrc.gov/NRC/PUBLIC/OMB/index.html>). The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by June 3, 1999. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

Erik Godwin, Office of Information and Regulatory Affairs (3150-0131), NEOB-10202, Office of Management and Budget, Washington, DC 20503

Comments can also be submitted by telephone at (202) 395-3087.

The NRC Clearance Officer is Brenda Jo. Shelton, 301-415-7233.

Dated at Rockville, Maryland, this 27th day of April 1999.

For the Nuclear Regulatory Commission,  
Brenda Jo. Shelton,  
NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 99-11114 Filed 5-3-99; 8:45 am]

BILLING CODE 7590-01-P

### NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8681]

#### Notice of Consideration of a License Amendment for International Uranium (USA) Corporation's White Mesa Uranium Mill and an Opportunity for a Hearing

**AGENCY:** Nuclear Regulatory Commission.

**SUMMARY:** Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) has received, by letter dated March 2, 1999, an application from International Uranium (USA) Corporation ("IUSA") to amend Source Material License No. SUA-1358 to allow for the receipt and processing of uranium-bearing material removed from various sites in the St. Louis, Missouri area. These sites are being remediated by the U.S. Army Corps of Engineers in accordance with its responsibilities under the Formerly-Utilized Sites Remedial Action Program (FUSRAP). Under the proposed license amendment, IUSA would process material shipped from the St. Louis area in its White Mesa uranium mill in Blanding, Utah, to recover usable uranium. IUSA would dispose of the tailings, or byproducts of this process in the existing 11(e)2 mill tailings pile at the site. This FUSRAP material from the St. Louis sites is considered to be an "alternate feed" material, i.e., an input material for uranium extraction that is different from natural ores containing uranium. Prior to the issuance of the amendment, NRC will have made findings required by the Atomic Energy Act of 1954, as amended, and NRC's regulations.

**FOR FURTHER INFORMATION CONTACT:** James E. Kennedy, Uranium Recovery and Low-Level Waste Branch, Division of Waste Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone (301)-415-6668, e-mail [jek1@nrc.gov](mailto:jek1@nrc.gov).

**SUPPLEMENTARY INFORMATION:** IUSA's application to amend Source Material License SUA-1358 describes the proposed change and the reasons for the

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request. It is available for public inspection at the NRC's Public Document Room at 2120 L Street, NW (Lower Level), Washington, DC, 20555.

NRC provides notice that this is a proceeding on an application for a license amendment falling within the scope of Subpart L, "Informal Hearing Procedures for Adjudication in Materials Licensing Proceedings," of NRC's rules of practice for domestic licensing proceedings in 10 CFR Part 2. Pursuant to Section 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing in accordance with Section 2.1205(d). A request for a hearing must be filed within thirty (30) days of the date of publication of this **Federal Register** notice.

The request for a hearing must be filed with the Office of the Secretary

1. By delivery to Secretary, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, between 7:45 am and 4:15 pm Federal workdays; or
2. By mail or telegram addressed to Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Attention: Rulemakings and Adjudications Staff.

In addition to meeting other applicable requirements of Part 2 of the NRC's regulations, a request for a hearing filed by a person other than the applicant must describe in detail:

1. The interest of the requester in the proceeding;
2. How that interest may be affected by the results of the proceeding, including the reasons why the requester should be permitted a hearing, with particular reference to the factors set out in 10 CFR 2.1205(h);
3. The requester's areas of concern about the licensing activity that is the subject matter of the proceeding; and
4. The circumstances establishing that the request for a hearing is timely in accordance with 10 CFR 2.1205(d).

In accordance with 10 CFR 2.1205(f), each request for a hearing must also be served, by delivering it personally or by mail, to:

1. The applicant, International Uranium (USA) Corporation, Independence Plaza, Suite 950, 1050 Seventeenth Street, Denver, CO 80265, Attention: Michelle Rehmann; and,
2. NRC staff, by delivery to the Executive Director for Operations,

U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, between 7:45 am and 4:15 pm Federal workdays, or by mail, addressed to Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Dated at Rockville, Maryland, this 28th day of April 1999.

For the Nuclear Regulatory Commission.

**N. King Stablein,**

*Acting Chief, Uranium Recovery and Low-Level Waste Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 99-11112 Filed 5-3-99; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 72-17]

### Portland General Electric Company; Notice of Issuance of Materials License SNM-2509; Trojan Independent Spent Fuel Storage Installation

The U.S. Nuclear Regulatory Commission (NRC or the Commission) has issued a Materials License under the provisions of title 10 of the Code of Federal Regulations, part 72 (10 CFR part 72), to Portland General Electric Company (PGE), authorizing receipt and storage of spent fuel into an independent spent fuel storage installation (ISFSI) located on site at its Trojan Nuclear Plant in Columbia County, Oregon.

The function of the ISFSI is to provide interim storage, in dry storage casks, for up to 344.5 metric tons of uranium contained in fuel assemblies, damaged fuel assemblies and fuel debris from the Trojan Nuclear Plant. The cask that is authorized for use is a Trojan site-specific model of the TranStor Storage Cask designed by BNFL Fuel Solutions Corporation. The license for an ISFSI under 10 CFR part 72 is issued for 20 years, but the licensee may seek to renew the license, if necessary, prior to its expiration.

The Commission's Office of Nuclear Material Safety and Safeguards (NMSS) has completed its environmental, safeguards, and safety reviews in support of issuance of this license.

Following receipt of the application filed March 26, 1996, a "Notice of Consideration of Issuance of Materials License for the Storage of Spent Fuel and Opportunity for Hearing" was published in the **Federal Register** on April 25, 1996 (61 FR 18448). The

"Environmental Assessment (EA) Related to the Construction and Operation of the Trojan Independent Spent Fuel Storage Installation and Finding of No Significant Impact," was issued and noticed in the **Federal Register** (61 FR 64378, December 4, 1996) in accordance with 10 CFR part 51. The scope of the EA included the construction and operation of an ISFSI on the Trojan Nuclear Plant site including impacts derived from use of the TranStor cask.

The staff has completed its safety review of the Trojan ISFSI site application and safety analysis report. The NRC staff's "Safety Evaluation Report for the Trojan Independent Spent Fuel Storage Installation" was issued on March 31, 1999. Materials License SNM-2509, the staff's Environmental Assessment, Safety Evaluation Report, and other documents related to this action are available for public inspection and for copying for a fee at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW, Washington, DC 20555, and the Local Public Document Room at the Portland State University, Branford Price Millar Library, 934 SW Harrison, Portland, Oregon 97207.

Dated at Rockville, Maryland, this 31st day of March 1999.

For the Nuclear Regulatory Commission.

**E. William Brach,**

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

[FR Doc. 99-11115 Filed 5-3-99; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-321 and 50-366]

### Southern Nuclear Operating Company; Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. DPR-57 and NFP-5 issued to Southern Nuclear Operating Company, Inc., (the licensee) for operation of the Edwin I. Hatch Nuclear Plant, Units 1 and 2, located in Appling County, Georgia.

The proposed amendments would allow an increase of 168 fuel assemblies in the storage capacity of Unit 1's Spent Fuel Pool and an increase of 88 fuel assemblies in the storage capacity of Unit 2's Spent Fuel Pool.