



OFFICE OF THE
GENERAL COUNSEL

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

May 7, 1998

G. Paul Bollwerk, III, Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Peter S. Lam
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Jerry Kline
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

In the Matter of
Private Fuel Storage L.L.C.
(Independent Spent Fuel Storage Installation)
Docket No. 72-22-ISFSI

Dear Administrative Judges:

Enclosed please find a copy of a "Notice of Intent to Prepare an Environmental Impact Statement [EIS] and Conduct Scoping Process," which was published in the *Federal Register* on May 1, 1998 (63 Fed. Reg. 24197). In accordance with this Notice, I wish to inform all parties that an EIS scoping meeting will be held on June 2, 1998, at 6:30 p.m., in the Ballroom of the Little America Inn, 500 South Main Street, Salt Lake City, UT 84101. All parties and petitioners for leave to intervene in this proceeding are invited to attend and participate in the scoping meeting, in accordance with the enclosed Notice.

Sincerely,

Sherwin E. Turk
Counsel for NRC Staff

Enclosure: As stated

cc w/enc.: Service List

NUCLEAR REGULATORY COMMISSION

(Docket Nos. 50-387 and 50-388)

Pennsylvania Power and Light Company; Susquehanna Steam Electric Station, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. NPF-44 and NPF-22, issued to Pennsylvania Power and Light Company (PP&L, the licensee), for operation of the Susquehanna Steam Electric Station (SSES), Units 1 and 2, located in Luzerne County, Pennsylvania.

Environmental Assessment

Identification of the Proposed Action

The proposed action would amend the Technical Specifications (TSs) to increase the Rod Block Monitor (RBM) flow biased trip setpoints and also change the RBM channel calibration frequency and allowed outage times.

The proposed action is in accordance with the licensee's application for amendment dated November 27, 1996, supplemented by letter dated February 12, 1997.

The Need for the Proposed Action

The RBM was originally designed to prevent fuel damage during a Rod Withdrawal Error (RWE) event while operating in the power range in a normal mode of operation. The RWE analyses originally assumed that the RBM automatically actuated to stop control rod motion. This automatic stop of control rod motion is the sole design basis of the RBM.

As a result of rod drift events at SSES, the RWE is currently analyzed without taking credit for the RBM to stop control rod motion. The results of these analyses are operating limits that prevent fuel damage from an RWE without the need for an RBM system to automatically actuate to stop control rod motion.

The licensee considered that the RBM system was no longer needed and could be removed from the TSs and in 1996 requested approval from the NRC to remove it. The NRC decided that an acceptable alternative was a proposal to raise the RBM setpoints to reduce its operational impacts. This proposed amendment is about raising the RBM setpoints.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that the RBM was initially considered as a system that would prevent fuel damage during an RWE event while operating in the power range in a normal mode of operation. However, the licensee's results of their analyses show that the RBM is not required to prevent fuel damage and the staff agrees with this.

Further, it is noted that with this TS change, the licensee will find the need to do fewer control rod pattern adjustments and a reduction in nuisance alarms. In addition to this, the change should reduce operator interaction with the system (reducing possible man-to-machine interface problems).

The TS changes will not increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released offsite, and there is no significant increase in the allowable individual or cumulative occupational radiation exposure. Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does involve features located entirely within the restricted area as defined in 10 CFR part 20. It does not affect nonradiological plant effluents and has no other environmental impact. Accordingly, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

Alternatives to the Proposed Action

Since the Commission has concluded there is no measurable environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact need not be evaluated. As an alternative to the proposed action, the staff considered denial of the proposed action. 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.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for SSES, Units 1 and 2.

Agencies and Persons Consulted

In accordance with its stated policy, on February 18, 1998, the staff

consulted with the Pennsylvania State official, S. Maingi of the Bureau of Radiation Protection, regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated November 27, 1996, as supplemented by letter dated February 12, 1997, which are available for public inspection at the Commission's Public Document Room, The Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Osterhout Free Library, Reference Department, 71 South Franklin Street, Wilkes-Barre, Pennsylvania 18701.

Dated at Rockville, Maryland, this 27th day of April 1998.

For the Nuclear Regulatory Commission,
Victor Nerees,

Senior Project Manager, Project Directorate
I-2, Division of Reactor Projects—I/II, Office
of Nuclear Reactor Regulation.

[FR Doc. 98-11621 Filed 4-30-98; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

(Docket No. 72-22)

Private Fuel Storage, L.L.C.,
Independent Spent Fuel Storage
Installation, Skull Valley Indian
Reservation, Tooele County, UT,
Notice of Intent To Prepare an
Environmental Impact Statement and
Conduct Scoping Process

Description of Proposed Action

Private Fuel Storage, L.L.C. (the applicant) submitted an application, dated June 20, 1997, for a license to construct and operate an independent spent fuel storage installation (ISFSI) at the Skull Valley Indian Reservation in Tooele County, Utah. The license, under the provisions of Part 72 to Title 10 of the Code of Federal Regulations (10 CFR part 72), would authorize the applicant to receive, possess, store, and transfer spent nuclear fuel from licensed commercial U.S. nuclear power reactors in dry storage systems. A notice of consideration of issuance of a materials

license for the proposed Private Fuel Storage Facility (PFSF) was published in the Federal Register on July 31, 1997 (62 FR 41099).

Environmental Report

In connection with this proposed action, the applicant submitted an Environmental Report in accordance with the requirements specified in 10 CFR part 51 and pursuant to the National Environmental Policy Act of 1969. The Environmental Report is available for public inspection at the Commission's Public Document Room in the Gelman Building, 2120 L Street, NW, Washington, DC, and the Local Public Document Room at the University of Utah, Marriott Library, Documents Division, 295 S. 1500 East, Salt Lake City, Utah 84112-0860.

Environmental Impact Statement

In accordance with NRC regulations specified in 10 CFR 51.20(b)(9), NRC has determined that the proposed action is a major federal action that warrants the preparation of an Environmental Impact Statement (EIS) on the construction and operation of the proposed ISFSI.

NRC will first conduct a scoping process and, as soon as practicable thereafter, prepare a draft EIS for comment by the public and other agencies. The draft EIS will be the subject of a separate notice in the Federal Register. After receipt and consideration of comments, the NRC will prepare a final EIS.

Public Scoping Process

The scoping process for the EIS will be used to:

- (1) Define the scope of the proposed action which is to be the subject of the EIS.
- (2) Determine the scope of the EIS and identify the significant issues to be analyzed in depth.
- (3) Identify and eliminate from detailed study issues which are peripheral or are not significant.
- (4) Identify any environmental assessments and other EIS which are being or will be prepared that are related to but are not part of the scope of the EIS under consideration.
- (5) Identify other environmental review and consultation requirements related to the proposed action.
- (6) Indicate the relationship between the timing of the preparation of the environmental analyses and the Commission's tentative planning and decision making schedule.
- (7) Identify any cooperating agencies, and as appropriate, allocate assignments for preparation and schedules for

completion of the EIS to the NRC and any cooperating agencies.

(8) Describe the means by which the EIS will be prepared, including any contractor assistance to be used.

The NRC invites the following persons to participate in the scoping process:

- (1) The applicant, Private Fuel Storage, L.L.C.;
- (2) Any person who has petitioned for leave to intervene or who has been admitted as a party to the proceeding on the license application;
- (3) Any other Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved or which is authorized to develop and enforce relevant environmental standards;
- (4) Affected State and local agencies, including those authorized to develop and enforce relevant environmental standards;
- (5) Any affected Indian tribe; and
- (6) Any person who has requested an opportunity to participate in the scoping process.

Participants should submit written comments on the EIS scoping process to Dr. Edward Y. Shum, Environmental Project Manager, Spent Fuel Licensing Section, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555. To be considered in the scoping process, comments should be postmarked by June 19, 1998.

Participation in the scoping process does not entitle participants to become parties to the proceeding to which the EIS relates. Participation in the adjudicatory proceeding is governed by the procedures specified in 10 CFR 2.714 and 2.715, and in the aforementioned Federal Register Notice (62 FR 41099).

Public Scoping Meeting

In accordance with 10 CFR 51.28, the scoping process may include a public scoping meeting to help identify significant issues related to a proposed activity and to determine the scope of issues to be addressed in an EIS. As part of the EIS scoping process related to the applicant's proposed action, NRC will conduct a public scoping meeting at The Ballroom of the Little America Inn, 500 South Main Street, Salt Lake City, Utah 84101, on June 2, 1998, at 6:30 p.m. The meeting will include a briefing by Private Fuel Storage, L.L.C. on the proposed ISFSI, a briefing by the NRC on the environmental review process and the proposed scope of the EIS, and the opportunity for interested agencies,

organizations, and individuals to submit comments or suggestions on the environmental issues or proposed scope of the EIS. Persons may register to present oral comments by writing to Dr. Edward Y. Shum, at the aforementioned address, or may register at the meeting. Individual oral comments may be limited in time, depending on the number of persons who register. Comments presented at the meeting will be considered in the EIS scoping process.

Summary

At the conclusion of the scoping process, NRC will prepare a concise summary of the determinations and conclusions reached, including the significant issues identified, and will send a copy of the summary to each participant in the scoping process.

For additional information about the proposed action, the EIS, or the scoping process, contact Dr. Edward Y. Shum at the aforementioned address or by telephone at (301) 415-8545.

Dated at Rockville, Maryland, this 24th day of April 1998.

For the Nuclear Regulatory Commission,
Charles J. Haughney,

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

[FR Doc. 98-11620 Filed 4-30-98; 8:45 a.m.]
BILLING CODE 7990-01-7

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 23127; 812-10985]

TCW/BQA Enhanced 500 Limited Partnership, et al.; Notice of Application

April 24, 1998.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of application for an order under section 17(b) of the Investment Company Act of 1940 (the "Act") for an exemption from section 17(a) of the Act.

SUMMARY OF THE APPLICATION:

Applicants seek an order to permit certain limited partnerships to transfer their assets to corresponding series of a registered open-end management investment company in exchange for the series' shares.

APPLICANTS: TCW/BQA Enhanced 500 Limited Partnership, TCW Emerging Markets Fixed Income Total Return Limited Partnership, TCW Large Cap Growth Limited Partnership, TCW La-