

on its review, the staff has determined that the affected environment and environmental impacts associated with the decommissioning of the Charleston Area Medical Center facility are bounded by the impacts evaluated by the "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Facilities" (NUREG-1496). The staff also finds that the proposed release for unrestricted use of the Charleston Area Medical Center facility is in compliance with 10 CFR 20.1402, "Radiological Criteria for Unrestricted Use." The NRC has found no other activities in the area that could result in cumulative impacts.

Agencies and Persons Contacted and Sources Used

This Environmental Assessment was prepared entirely by the NRC staff. The U.S. Fish and Wildlife Service was contacted for comment and responded by letter dated December 10, 2002, with no opposition to the action. The West Virginia Division of Culture and History was also contacted and responded by letter dated November 15, 2002, with no opposition.

Conclusion

Based on its review, the NRC staff has concluded that the proposed action complies with 10 CFR Part 20. NRC has prepared this EA in support of the proposed license termination to release the Charleston Area Medical Center facility located at Suite 304, 830 Pennsylvania Avenue, in Charleston, West Virginia, for unrestricted use. On the basis of the EA, NRC has concluded that the environmental impacts from the proposed action are not expected to be significant and has determined that preparation of an environmental impact statement for the proposed action is not required.

List of Preparers

Orysia Masnyk Bailey, Health Physicist, Materials Licensing/Inspection Branch 1, Division of Nuclear Materials Safety, Region II.

List of References

1. NRC License No. 47-15473-01 inspection and licensing records.
2. Charleston Area Medical Center. (License amendment request and supporting documentation) Letter from S. Danak to NRC dated September 3, 2002. (ML022470219)
3. Title 10 Code of Federal Regulations Part 20, Subpart E, "Radiological Criteria for License Termination."

4. **Federal Register** notice, Volume 65, No. 114, page 37186, dated Tuesday, June 13, 2000, "Use of Screening Values to Demonstrate Compliance With the Federal Rule on Radiological Criteria for License Termination."

5. NRC. NUREG-1757 "Consolidated NMSS Decommissioning Guidance," Final Report dated September 2002.

6. NRC. NUREG 1496 "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities," Final Report dated July 1997.

7. U.S. Fish and Wildlife Service. Letter from J.K. Townner to NRC dated December 10, 2002 (ML023500031).

8. West Virginia Department of Culture and History. Letter from S.M. Pierce to NRC dated November 15, 2002.

III. Finding of No Significant Impact

Based upon the environmental assessment, the staff concludes that the proposed action will not have a significant effect of 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 references listed above are available for public inspection and may also be copied for a fee at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. These documents are also available for public review through ADAMS, the NRC's electronic reading room, at: <http://www.nrc.gov/reading-rm/adams.html>. Any questions with respect to this action should be referred to Orysia Masnyk Bailey, Materials Licensing/Inspection Branch 1, Division of Nuclear Materials Safety, U.S. Nuclear Regulatory Commission, Region II, Suite 23T85, 61 Forsyth Street, SW., Atlanta, Georgia, 30303. Telephone 404-562-4739.

Dated at Atlanta, Georgia the 11th day of July, 2003.

For the Nuclear Regulatory Commission.

Douglas M. Collins,

Division of Nuclear Materials Safety, Region II.

[FR Doc. 03-18960 Filed 7-24-03; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-443]

FPL Energy Seabrook, LLC, Et al.; Seabrook Station; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering issuance of an exemption from Title 10 of the Code of Federal Regulations (10 CFR) part 50, section 50.60, "Acceptance criteria for fracture prevention measures for light-water nuclear power reactors for normal operation," and 10 CFR part 50, appendix G, "Fracture Toughness Requirements," for Facility Operating License No. NPF-86, issued to FPL Energy Seabrook, LLC, *et al.* (the licensee), for operation of the Seabrook Power Station, located in Seabrook, New Hampshire. Therefore, as required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

Environmental Assessment

Identification of the Proposed Action

The proposed action would exempt the licensee from the requirements of 10 CFR part 50, section 50.60(a) and Appendix G, and allow the use of American Society of Mechanical Engineers *Boiler and Pressure Vessel Code* (ASME Code) Code Case N-641 in the development of the Seabrook Reactor Pressure Vessel (RPV) Pressure and Temperature (P-T) limits. These limits would be used through 20 effective full-power years of operation.

10 CFR 50.60(a) requires, in part, that except where an exemption is granted by the Commission, all light-water nuclear power reactors must meet the fracture toughness requirements for the reactor coolant pressure boundary set forth in appendices G and H to 10 CFR part 50. Appendix G to 10 CFR part 50 requires that P-T limits be established for RPVs during normal operating and hydrostatic or leak-rate testing conditions. Specifically, 10 CFR part 50, Appendix G states, "The appropriate requirements on both the pressure-temperature limits and the minimum permissible temperature must be met for all conditions." Additionally, the appendix specifies that the requirements for these limits are given in the ASME Code, section XI, appendix G limits.

ASME Code Case N-641 permits the use of alternate reference fracture toughness curves (*i.e.*, use of the "K_{IC} fracture toughness curve" instead of the