

without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section III 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 23rd day of October 2003.

For the Nuclear Regulatory Commission.

R. William Borchardt,

Acting Director, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 72-26]

Pacific Gas and Electric Company; Notice of Issuance of Environmental Assessment and Finding of No Significant Impact for the Diablo Canyon Independent Spent Fuel Storage Installation

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering issuance of a materials license under the requirements of Title 10 of the Code of Federal Regulations, Part 72 (10 CFR Part 72), to the Pacific Gas and Electric Company (the applicant), authorizing the construction and operation of an independent spent fuel storage installation (ISFSI) to be located at the Diablo Canyon Power Plant (DCPP) in San Luis Obispo County, California. The Commission's Office of Nuclear Material Safety and Safeguards has completed its review of the environmental report submitted by the applicant on December 21, 2001, as amended by letter dated October 15, 2002, in support of its application for a materials license. The staff's "Environmental Assessment Related to the Construction and Operation of the Diablo Canyon Independent Spent Fuel Storage Installation" has been issued in accordance with 10 CFR Part 51.

Summary of Environmental Assessment (EA)

Description of the Proposed Action: The proposed licensing action would authorize the applicant to construct and operate a dry storage ISFSI at the DCPP site. The purpose of the ISFSI is to provide for additional interim storage of spent nuclear fuel generated from the operation of the Diablo Canyon Power Plant, Units 1 and 2. The proposed ISFSI would employ the HI-STORM

100 dry cask storage system designed by Holtec International, Inc. The major components of the system include the steel multipurpose canisters (MPCs), each containing 24 or 32 spent fuel assemblies; the concrete overpacks, which provide additional shielding for the MPCs in storage; and the transfer cask, used to move loaded and sealed MPCs from the fuel handling building to the ISFSI. A license issued for an ISFSI under 10 CFR Part 72 is issued for a fixed period not to exceed 20 years. A license holder may apply to the Commission to renew the license prior to its expiration.

Need for the Proposed Action: The Diablo Canyon ISFSI is needed to provide additional spent fuel storage capacity so that the two DCPP reactors can continue to generate electricity beyond 2006, when the storage capacity of the plant's two spent fuel pools will be reached. A delay in the availability of this additional storage capacity may cause a reduction in power operation, or could necessitate the shutdown of Units 1 and 2. By providing additional capacity for temporary spent fuel storage with the proposed ISFSI, sufficient space can be maintained in each unit's spent fuel pool to fully offload its reactor core, if necessary, enabling the applicant to continue to operate both units until the current operating licenses expire (September 2021 for Unit 1 and April 2025 for Unit 2).

Environmental Impacts of the Proposed Action: The NRC staff has concluded that the construction, operation, and decommissioning of the Diablo Canyon ISFSI will not result in a significant impact to the environment. Construction impacts of the ISFSI will be minor, and limited to the small area of the ISFSI site and the excavated material disposal sites. The site chosen for the ISFSI, on approximately 5 acres of the 760 acre DCPP site, has been previously disturbed during plant construction, as have the disposal sites for the excavated material. The proposed ISFSI site and the disposal areas have been extensively surveyed and no federal or state listed threatened or endangered species have been found in those areas. Thus, the staff does not expect the proposed ISFSI to impact any threatened or endangered species. There will be minor impacts of increased noise and dust from construction equipment and activities during the construction phase, but this phase will be of short duration and will not impact offsite populations. The proposed ISFSI site is near a site which is included in the National Register of Historic Places, CA-SLO-2, but construction of the

ISFSI will not cause any adverse impacts to that site, due to the natural features and to the administrative controls employed by the applicant.

There will be no significant radiological or non-radiological environmental impacts from routine operation of the ISFSI. The ISFSI is a passive facility and no liquid or gaseous effluents will be released from the storage casks. The dose rates from the spent fuel will be limited by the design of the storage cask concrete overpacks. The total occupational dose to workers at the DCPP site may increase slightly due to work associated with loading, transferring, and storing the casks, but all occupational doses must be maintained below the limits specified in 10 CFR Part 20. The annual dose to the nearest resident from ISFSI activities is estimated to be 0.40 mrem/year, which is significantly below the annual dose limits specified in 10 CFR 72.104 and 10 CFR 20.1301(a) (25 mrem and 100 mrem, respectively). The cumulative dose to an individual offsite from all site activities will be 0.45 mrem/year, which is also much less than the limits specified in 10 CFR 72.104 and 10 CFR 20.1301. These doses are also a small fraction of the doses resulting from naturally-occurring terrestrial and cosmic radiation of about 100 mrem/yr in the vicinity of the DCPP.

Additionally, occupational doses received by facility workers will not exceed the limits specified in 10 CFR 20.1201. For hypothetical accidents, the calculated dose to an individual at the nearest site boundary is well below the 5 rem limit for accidents set forth in 10 CFR 72.106(b) and in the U.S. Environmental Protection Agency's protective action guidelines.

The impacts from decommissioning the ISFSI will be much less than the minor impacts of construction and operation. Very small occupational exposures could occur during decontamination activities, if they are necessary, and minor noise and dust impacts could result from dismantling the pad and structures.

Alternatives to the Proposed Action: The applicant's Environmental Report and the staff's EA discussed several alternatives to the proposed ISFSI. These alternatives included shipment of spent fuel off site, and other methods to increase onsite spent fuel storage capacity, as well as the no action alternative. In the first category, the alternatives of shipping spent fuel from Diablo Canyon to a permanent Federal Repository, to a reprocessing facility, or to a privately owned spent fuel storage facility were determined to be non-viable alternatives, as no such facilities