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Dated at Rockville, Maryland, this 10th day of November, 2003.

For the Nuclear Regulatory Commission.

**Frank Rinaldi,**

*Project Manager, Section 1, Project Directorate II, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-498 AND 50-499]

### STP Nuclear Operating Company; Notice of Withdrawal of Application for Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of STP Nuclear Operating Company (the licensee) to withdraw its June 28, 2001, application for proposed amendments to Facility Operating Licenses No. NPF-76 and No. NPF-80 for the South Texas Project, Units 1 and 2, located in Matagorda County, Texas.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on September 28, 2001, (66 FR 49710). However, by letter dated July 28, 2003, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendments dated June 28, 2001, the licensee's letter dated May 21, 2002 requesting that the NRC suspend its review of the June 28, 2001 application, and the licensee's letter dated July 28, 2003, which withdrew the June 28, 2001 application for the license amendments. Documents may be examined and/or copied for a fee, at the NRC's Public Document Room (PDR) located at One White Flint North, Public File Area O-1F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams/html>. Persons who do not have access to ADAMS or who encountered problems in accessing the documents located in ADAMS, should contact the

NRC PDR Reference staff by telephone at 1-800-397-4209 or 301-415-4737 or by email to [pdrc@nrc.gov](mailto:pdrc@nrc.gov).

Dated at Rockville, Maryland, this 12th day of November 2003.

For the Nuclear Regulatory Commission.

**David H. Jaffe,**

*Senior Project Manager, Section 1, Project Directorate IV, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-309]

### Environmental Assessment and Finding of No Significant Impact Related to Maine Yankee Atomic Power Company's Request for Exemption From the Recordkeeping Requirements of 10 CFR 50.59(D)(3); 10 CFR Part 50, Appendix A; 10 CFR Part 50, Appendix B

#### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering granting an exemption from the Recordkeeping requirements of Title 10 of the Code of Federal Regulations (10 CFR) 50.59(d)(3); 10 CFR Part 50, Appendix A; 10 CFR Part 50, Appendix B, for the Maine Yankee Plant as requested by Maine Yankee Atomic Power Company (MY) on July 14, 2003. An environmental assessment (EA) was performed by the NRC staff in support of its review of the exemption request.

#### II. Environmental Assessment

##### Introduction

MY is the licensee and holder of Facility Operating License No. DPR-36 for the Maine Yankee Plant, a permanently shut down decommissioning nuclear plant. On August 7, 1997, MY notified NRC that operations had permanently ceased and that fuel had been permanently removed from the reactor. MY submitted its final revised License Termination Plan (LTP) in October 2002, which the NRC approved on February 28, 2003. Decommissioning of the MY facility is approximately 80% complete. The nuclear reactor and all associated systems and components necessary for the safe generation of power have been removed from the facility and disposed of or sold off-site. In addition, the structures necessary for safe power generation are either demolished or in an advanced state of demolition. Safety-related structures, systems and

components (SSCs) remaining total less than five, all associated with the spent fuel pool. Removal of fuel from the pool is approximately half complete with all fuel scheduled to be removed in early 2004.

#### Purpose and Need for Proposed Action

The requested exemption and application of the exemption will eliminate an unwarranted financial burden on ratepayers associated with the storage of a large volume of hardcopy records.

#### The Proposed Action

The proposed action would allow the disposal of records, prior to termination of MY License No. DPR-36, when: (1) The nuclear power unit and associated support systems no longer exist for SSCs associated with safe power generation; or (2) spent nuclear fuel has been completely transferred from the spent fuel pool for SSCs associated with the safe storage of fuel in the spent fuel pool.

MY is not requesting any exemption associated with recordkeeping requirements for storage of spent fuel at its independent spent fuel storage installation under 10 CFR 50 or the general license requirements of 10 CFR 72.

#### Alternatives to Proposed Action

No action. Under this alternative MY would continue to store the records in question until license termination.

#### The Affected Environment and Environmental Impacts

None. The proposed action is purely administrative in nature and will have no effect on the environment.

#### Agencies and Persons Contacted

None.

#### Conclusions

NRC has determined that the proposed action will have no significant effect on the quality of the human environment.

#### III. Finding of No Significant Impact

Based on this review, the NRC staff has concluded that there are no significant impacts on the quality of the human environment. Accordingly, the staff has determined that preparation of an Environmental Impact Statement is not warranted, and a Finding of No Significant Impact is appropriate.

#### IV. Further Information

The licensee's request for the proposed action (ADAMS Accession No: ML032040178) and other related