

nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, the final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to Eugene V. Imbro: petitioner's name and telephone number, date petition was mailed, plant name, and publication date and page number of this Federal Register notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to A. H. Stephens, General Counsel, Florida Power Corporation, MAC-A5D, P. O. Box 14042, St. Petersburg, Florida 33733, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1) (i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated March 21, 1996, which is 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 Coastal Region Library, 8619 W. Crystal Street, Crystal River, Florida 32629.

Dated at Rockville, Maryland, this 25th day of March 1996.

For the Nuclear Regulatory Commission.

Bart C. Buckley,  
*Acting Director, Project Directorate II-1,  
Division of Reactor Projects—I/II, Office of  
Nuclear Reactor Regulation.*

[FR Doc. 96-7674 Filed 3-27-96; 8:45 am]

BILLING CODE 7590-01-P

## **Revision of the NRC Enforcement Policy; Correction**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Policy statement: Correction.

**SUMMARY:** This document corrects a notice appearing in the Federal Register on June 30, 1995 (60 FR 34381), that announced the revision of the Nuclear Regulatory Commission's (NRC's) Enforcement Policy. This action is necessary to correct an inadvertent omission of the Paperwork Reduction Act Statement for the policy statement. Because this notice and a notice announcing the removal of the NRC's Enforcement Policy from the Code of Federal Regulations (60 FR 34380; June 30, 1995) were subsequently issued in their entirety as NUREG-1600, NUREG-1600 also failed to include the Paperwork Reduction Act Statement for the revised policy statement. An errata for NUREG-1600 is being issued to address this issue.

**FOR FURTHER INFORMATION CONTACT:** James Lieberman, Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-2741.

On page 34383, after the first full paragraph in the first column, (i.e., immediately preceding the revised policy statement), insert the following section:

### **Paperwork Reduction Act Statement**

This policy statement does not contain a new or amended information collection requirement subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). Existing requirements were approved by the Office of Management and Budget, approval number 3150-0136. The approved information collection requirements contained in this policy statement appear in Section VII.C.

Dated at Rockville, Maryland, this 22nd day of March 1996.

For the Nuclear Regulatory Commission.

John C. Hoyle,  
*Secretary of the Commission.*

[FR Doc. 96-7531 Filed 3-27-96; 8:45 am]

BILLING CODE 7590-01-P

**[Docket No. 50-244]****Rochester Gas and Electric Corporation; R. E. Ginna Nuclear Power Plant; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC) is considering granting an exemption from Facility Operating License No. DRP-18, issued to Rochester Gas and Electric Corporation (RG&E or the licensee), for operation of the R.E. Ginna Nuclear Power Plant (Ginna), located in Wayne County, New York.

**Environmental Assessment*****Identification of the Proposed Action***

The proposed action is the granting of an exemption from Appendix K to Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 50), Paragraph I.D.3, "Calculation of Reflood Rate for Pressurized Water Reactors," and Paragraph I.D.5, "Refill and Reflood Heat Transfer for Pressurized Water Reactors."

The Ginna design relies on upper plenum injection (UPI) for the emergency core cooling system (ECCS) injection during the reflood phase of a large-break (LB) loss-of-coolant accident (LOCA). UPI is therefore not a lower-flooding design, and the prescriptions in Paragraphs I.D.3 and I.D.5 prescriptions do not apply. The evaluation model (EM) described in WCAP-10924-P, Volume 1, Revision 1, Addendum 4, "Westinghouse UPI Model Improvements," dated August 1990 is an empirically verified model, approved by the staff, and is more directly applicable to top-flooding situations at Ginna that satisfy the intent of Appendix K, Paragraphs I.D.3 and I.D.5.

The proposed action is in accordance with the licensee's exemption request dated November 5, 1992, as supplemented by letter dated June 19, 1995.

***The Need for the Proposed Action***

The licensee has requested the proposed action to support conversion from a 12-month fuel cycle to an 18-month fuel cycle (Cycle 26), which is scheduled to begin with the startup of the plant from the 1996 refueling outage on May 31, 1996. During Cycle 26, the plant will operate with different thermal-hydraulic characteristics and neutron (power) distribution in the core. Higher power distribution limits and larger peaking factors require an update of an ECCS EM that is acceptable to the staff and includes the effects of UPI. The licensee's submittal of November 5,

1992, as supplemented on June 19, 1995, references the EM used to perform an LB LOCA analysis for plants with UPI are described in WCAP-10924-P, Volume 1, Revision 1, Addendum 4, and gives the technical bases for the requested exemption for Ginna.

***Environmental Impacts of the Proposed Action***

The Commission has completed its evaluation of the proposed action and concludes that the proposed exemption would allow the licensee to use the EM that is described in WCAP-10924-P, Volume 1, Revision 1, Addendum 4, and has been approved by the staff. The staff has concluded that the empirically verified EM model is more directly applicable to top-flooding situations at Ginna, and thus satisfies the intent of Appendix K, Paragraphs I.D.3 and I.D.5.

The exemption will not result in any changes to the facility or the environment.

The R.E. Ginna Nuclear Plant reactor is designed to withstand the effects caused by a loss-of-coolant accident including the double ended severance of the largest pipe in the reactor coolant system. The reactor core and internals together with the safety injection system are designed so that the reactor can be safely shut down, the essential heat transfer geometry of the core preserved following the accident, and the long-term coolability maintained. The ECCS is designed to meet acceptance criteria which preclude fission product release to the environment in excess of the guideline values of 10 CFR Part 100. The acceptance criteria for the LOCA, as prescribed in 10 CFR 50.46, are

(1) The calculated peak fuel element cladding temperature is below the limit of 2200 °F,

(2) The cladding temperature transient is terminated at a time when the core geometry is still amenable to cooling. The localized cladding oxidation of 17% are not exceeded during or after quenching,

(3) The amount of hydrogen generated by fuel element cladding that reacts chemically with water or steam does not exceed an amount corresponding to interaction of 1% of the total amount of Zircaloy in the reactor,

(4) The core remains amenable to cooling during and after the break, and

(5) The core temperature is reduced and decay heat is removed for an extended period of time, as required by the long-lived radioactivity remaining in the core.

These criteria were established to provide significant margin in ECCS performance following a LOCA. The ECCS is designed to meet acceptance

criteria even when operating with the most severe single failure.

The anticipated impact of the plant on the environment was evaluated in the Staff's Final Environmental Statement (FES) dated December 1973. Subsequently, in preparation for the Atomic Safety and Licensing Board's (ASLB) hearing on the conversion of Provisional Operating License No. DPR-18 for the R.E. Ginna Nuclear Power Plant to a Full-Term Operating License, the NRC staff performed an Environmental Evaluation (EE) dated June 17, 1983, of the original FES. The staff EE did not identify any significant new environmental impacts or any significant changes from those identified previously in the FES.

The offsite exposure from releases due to postulated design basis accidents has been analyzed by the licensee in the RG&E Ginna Nuclear Power Plant Updated Final Safety Analyses Report (UFSAR). The results of these analyses were within the bounds of 10 CFR Part 100 and considered (1) various accidents, including loss-of-coolant accidents; (2) the radioactivity release calculated for each accident; (3) the assumed meteorological conditions; and (4) population distribution versus distance from the plant. The staff has concluded that neither the types of accidents nor the calculated radioactivity releases will change due to the proposed action. The site meteorology as defined in the UFSAR is essentially a constant. One parameter that would be dependent on the proposed action is the population size and distribution as it could vary with time; however, the projected increase in population densities, as addressed in the FES and EE, are minimal through the year 2009 and the proposed action will not significantly increase doses to the public. Due to design conservatism, maintenance and surveillance programs, inspection programs and the plant Technical Specifications, operation for the remaining life of the plant consistent with the proposed action will have no significant environmental impact.

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

With regard to potential nonradiological impacts, the proposed action involves features located entirely within the restricted area as defined in

10 CFR Part 20. It does not, however, affect nonradiological plant effluents and has no other environmental impact. Accordingly, the staff concludes that no significant nonradiological environmental impacts are associated with the proposed action.

#### *Alternatives to the Proposed Action*

Since the Commission has concluded that no measurable environmental impacts are 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 the R.E. Ginna Nuclear Power Plant.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on April 11, 1995, the staff consulted with New York State official F. William Valentino, State Liaison Officer of the New York Energy, Research, and Development Authority, regarding the environmental impact of the proposed action. The State official had no comments.

#### *Finding of No Significant Impact*

On the basis of the environmental assessment, the staff concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, it has determined that it will not 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 5, 1992, as supplemented by letter dated June 19, 1995, both of 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 Rochester Public Library, 115 South Avenue, Rochester, New York.

Dated at Rockville, Maryland, this 22th day of March 1996.

For the Nuclear Regulatory Commission.  
Susan Frant Shankman,  
*Acting Director, Project Directorate I-1,  
Division of Reactor Projects—I/II, Office of  
Nuclear Reactor Regulation.*  
[FR Doc. 96-7530 Filed 3-27-96; 8:45 am]  
BILLING CODE 7590-01-P

### **PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL**

#### **Northwest Conservation and Electric Power Plan Draft Amendments**

**AGENCY:** Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council, Council).

**ACTION:** Notice of availability of Draft Fourth Northwest Conservation and Electric Power Plan.

**SUMMARY:** Following the mandate set out in the Pacific Northwest Electric Power Planning and Conservation Act of 1980 (16 U.S.C. 839 *et seq.*) (the Act), in April 1983 the Council adopted a regional power plan, the Northwest Conservation and Electric Power Plan (the plan). The plan was completely amended in 1986. Although the Act requires the Council to review the plan at least every five years, the council has taken up certain parts of the plan more often, to respond to ongoing changes in the regional energy picture and to incorporate the most recent technology and analysis. The Council amended the plan in 1989 by publishing the 1989 Supplement to the 1986 Power Plan, updating certain technical data. In April 1991, the Council adopted another complete amendment of the plan. In March 1996, the Council released for public comment the Draft Fourth Power Plan. Hearings in each of the four Northwest states will be scheduled during the comment period, as required by the Act. **SUPPLEMENTARY INFORMATION:** The electricity industry nationwide is undergoing a radical restructuring. To ensure that the four Northwest states have a say in how this restructuring affects the region, the governors of these states have convened a "Comprehensive Review of the Northwest Energy System." A steering committee has been appointed to study the power system and to make recommendations about its future.

In light of this review, the Council's draft Power Plan has taken a different approach from that of earlier plans. The 1991 Power Plan, for example, had as its theme: "a time for action." In contrast, this draft plan focuses on "Northwest Power in Transition: Issues and

Opportunities." The draft has few policy determinations or recommended actions. Instead, it is designed to serve as a guidebook for the regional review. It has background on the industry and analysis of the major issues that must be addressed as the Northwest moves into a new energy future. Its goals reflects that of the governors in convening the regional review: to develop, through a public process, recommendations for changes in the institutional structure of the region's electric utility industry. The resulting system, the governors said, should "protect the region's natural resources and distribute equitably the costs and benefits of a more competitive marketplace" while still ensuring the region of "an adequate, efficient, economical and reliable power system," in the words of the Northwest Power Act.

This draft plan meets the requirements of the Northwest Power Act, which specifies what components the plan is to have. The Act requires the plan to include a number of elements, including, but not limited to, an energy conservation program, a recommendation for research and development; a methodology for determining quantifiable environmental costs and benefits; a twenty year demand forecast; a forecast of power resources that the Bonneville Power Administration will need to meet its obligations, an analysis of reserve and reserve reliability requirements; and a surcharge methodology. The plan also includes the Council's Fish and Wildlife Program, developed pursuant to other procedural requirements under the Act.

Because of exceptional circumstances in the industry and in light of the ongoing comprehensive review of the region's energy system, the Council has adopted an extended public comment period for this draft plan. Close of comment for written comments if 5:00 P.M., Friday, March 14, 1997. The Council may hold consultations through March 28, 1997.

**FOR FURTHER INFORMATION CONTACT:** If you would like a copy of the Draft Fourth Power Plan, please contact the Council's Central Office and ask for Document Number 96-5. The Council's address is 851 S.W. 6th Avenue, Suite 1100, Portland, Oregon 97204. The Council's telephone numbers are: (503) 222-5161 and (toll free) (800) 222-3355. The Council's FAX number is (503) 795-3370.

If you are submitting comments on the draft plan, please note prominently that you are commenting on Council Document Number 96-5. Comments may be submitted by mail, by facsimile