

and foundation of each specification. In addition to NUREG-1433, portions of the existing TSs were also used as the basis for the ITS. Plant-specific issues (unique design features, requirements, and operating practices) were discussed at length with the licensee, and generic matters with the OGS.

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

As stated above, the only plausible consequence of the proposed action is a rod withdrawal error during low power. The effects of such an error were analyzed in "Rod Withdrawal Error-Low Power," Section 15.4.1 of the UFSAR. This analysis indicates that withdrawal of a single rod during refueling is insufficient to cause criticality and thus no radioactive materials would be released. The proposed change to the TSs does not change this conclusion.

Additionally, the proposed revision to the TS was found to provide control of plant operations, specifically control of rod movement during Conditions 3 and 4. Thus, reasonable assurance will be provided that the health and safety of the public will be adequately protected.

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

With regard to potential non-radiological impacts, the proposed amendment involves features located entirely within the restricted areas as defined in 10 CFR Part 20. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, the Commission concludes that there are no significant non-radiological impacts associated with the proposed amendment.

#### *Alternatives to the Proposed Action*

The Commission has concluded there are no significant environmental impacts associated with the proposed amendment. 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 no-action alternative action are similar.

#### *Alternative Use of Resources*

This action does not involve the use of any resources not considered previously in the Final Environmental Statement for the Susquehanna Steam Electric Station, Units 1 and 2, dated June 1981.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on March 27, 1997, the staff consulted with the Pennsylvania State official, Mr. David Ney of the Pennsylvania Department of Environmental Resources, 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 this proposed action, see the licensee's letter dated February 11, 1997. The letter is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW, Washington, DC 20555, and at the local public document room located at the Osterhout Free Library, Reference Department, 71 South Franklin Street, Wilkes-Barre, PA 18701.

Dated at Rockville, Maryland, this 4th day April of 1997.

For the Nuclear Regulatory Commission.

**John F. Stolz,**

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

[FR Doc. 97-9393 Filed 4-10-97; 8:45 am]

BILLING CODE 7590-01-P

#### **NUCLEAR REGULATORY COMMISSION**

##### **Degradation of Control Rod Drive Mechanism Nozzle and Other Vessel Closure Head Penetrations; Issued**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of issuance.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) has issued Generic Letter 97-01 to notify all holders of operating licenses for pressurized water reactors (PWRs), except those who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor

vessel, of the need for information concerning their programs for ensuring the timely inspection of control rod drive mechanism (CRDM) and other vessel closure head penetrations. The information requested is needed by the NRC staff to verify compliance with 10 CFR 50.55a and 10 CFR Part 50, Appendix A, GDC 14, and to determine whether an augmented inspection program, pursuant to 10 CFR 50.55a(g)(6)(ii), is required.

The proposed generic letter is a "rule" for purposes of the Small Business Regulatory Enforcement Fairness Act (5 U.S.C., Chapter 8). The staff has received confirmation from the Office of Management and Budget that the generic letter is a non-major rule.

This generic letter is available in the NRC Public Document Room under accession number 9703260336.

**DATES:** The generic letter was issued on April 1, 1997.

**ADDRESSES:** Not applicable.

**FOR FURTHER INFORMATION CONTACT:** C. E. Carpenter, Jr. at (301) 415-2169.

**SUPPLEMENTARY INFORMATION:** The NRC staff has concluded that vessel closure head penetration (VHP) cracking does not pose an immediate or near term safety concern. In the long term, however, the degradation of CRDM nozzles and other VHPs is an important safety consideration that warrants further evaluation. The vessel closure head provides the vital function of maintaining reactor pressure boundary. Cracking in the VHPs has occurred and is expected to continue to occur as plants age. The NRC staff considers cracking of VHPs to be a safety concern for the long term based on the possibility of (1) Exceeding the American Society of Mechanical Engineers (ASME) Code for margins if the cracks are sufficiently deep and continue to propagate during subsequent operating cycles, and (2) eliminating a layer of defense in depth for plant safety. Therefore, to verify that the margins required by the ASME Code, as specified in 10 CFR 50.55a are met, that the guidance of General Design Criterion 14 of Appendix A to 10 CFR Part 50 is continued to be satisfied, and to ensure that the safety significance of VHP cracking remains low, the NRC staff believes that an integrated, long-term program, which includes periodic inspections and monitoring of VHPs, is necessary. In addition, the NRC staff finds that the requested information is also needed to determine if the imposition of an augmented inspection program, pursuant to 10 CFR 50.55a(g)(6)(ii), is required to maintain public health and safety. The staff is not

establishing a new position for compliance in this generic letter.

Dated at Rockville, Maryland, this 3rd day of April 1997.

For the Nuclear Regulatory Commission.

**Marylee M. Slosson,**

*Deputy Director, Division of Reactor Program Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 97-9392 Filed 4-10-97; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Notice of Removal of the Texas Instruments, Incorporated, Attleboro, Massachusetts Site From the NRC Site Decommissioning Management Plan and Termination of the NRC License for the Facility

**SUMMARY:** This notice is to inform the public that the U.S. Nuclear Regulatory Commission is removing the Texas Instruments, Incorporated, Attleboro, Massachusetts site from the NRC Site Decommissioning Management Plan (SDMP). NRC has determined that remediation of residual radioactive contamination, as a result of past operations with NRC licensed material in buildings and in exterior areas on the site, has successfully been completed and the facility meets the current NRC criteria for release for unrestricted use.

#### FOR FURTHER INFORMATION CONTACT:

Mark Roberts, Division of Radiation Safety and Safeguards, Region I, 475 Allendale Road, King of Prussia, PA 19406, Telephone: (610) 337-5094.

**SUPPLEMENTARY INFORMATION:** The Texas Instruments, Incorporated site in Attleboro, Massachusetts was identified in 1990 by NRC as a site where residual radioactive contamination was present, as a result of past operations. Radioactive contamination was identified by Texas Instruments in a former burial area on the site. In order to ensure that remediation of the burial area was accomplished in a timely manner, NRC added this site to its SDMP. Contamination in three of the site buildings, as well as additional exterior contamination, was subsequently identified. Texas Instruments has remediated residual contamination in all of these areas, performed radiological surveys throughout the entire site and site buildings, where radioactive materials may have been used, and requested, by letter dated October 29, 1996, that NRC remove the Attleboro, Massachusetts site from the SDMP and terminate the license.

NRC staff has periodically inspected the site remediation activities, reviewed final radiological surveys performed by the licensee's contractors, and performed confirmatory measurements at the site. NRC staff has determined that the facility meets the requirements for release for unrestricted use and has removed the site from the SDMP and terminated the NRC license.

For further details with respect to this action, documents are available for inspection at NRC's Region I office located at 475 Allendale Road, King of Prussia, PA 19406. Persons desiring to review documents at the Region I office should call Ms. Cheryl Buracker at (610) 337-5093 several days in advance to assure that the documents will be readily available for review.

Dated at Rockville, Maryland this 7th day of April 1997.

For the Nuclear Regulatory Commission.

**John W.N. Hickey,**

*Chief, Low-Level Waste and Decommissioning Projects Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 97-9394 Filed 4-10-97; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Rel. No. IC-22602; File No. 812-10476]

### EQ Advisors Trust, et al.

April 4, 1997.

**AGENCY:** The Securities and Exchange Commission (the "Commission").

**ACTION:** Notice of application for an exemption pursuant to the Investment Company Act of 1940 (the "1940 Act").

**APPLICANTS:** EQ Advisors Trust ("Trust"), The Equitable Life Assurance Society of the United States ("Equitable"), Equitable Distributors, Inc. ("EDI"), EQ Financial Consultants, Inc. ("Manager") and certain life insurance companies and their separate accounts investing now or in the future in the Trust.

**RELEVANT 1940 ACT SECTIONS:** Order requested pursuant to Section 6(c) of the 1940 Act for exemptions from Sections 9(a), 13(a), 15(a), and 15(b) thereof and Rules 6e-2(b)(15) and 6e-3(T)(b)(15) thereunder.

**SUMMARY OF APPLICATION:** Applicants seek exemptive relief to the extent necessary to permit shares of the Trust and any other investment company that is designed to fund variable insurance products and for which Equitable, EDI, the Manager of any of their affiliates may serve as investment adviser,

manager, administrator, principal underwriter, or depositor (collectively "Insurance Products Funds") to be sold to and held by separate accounts funding variable annuity and variable life insurance contracts issued by affiliated or unaffiliated life insurance companies ("Participating Insurance Companies") or qualified pension and retirement plans outside of the separate account context ("Plans").

**FILING DATE:** The application was filed on December 31, 1996, and amended on April 1, 1997.

#### HEARING AND NOTIFICATION OF HEARING:

An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Secretary of the Commission and serving Applicants with a copy of the request, personally or by mail. Hearing requests must be received by the Commission by 5:30 p.m. on April 29, 1997, and must be accompanied by proof of service on Applicants in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the Secretary of the Commission.

**ADDRESSES:** Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Applicants, c/o Jane A. Kanter, Esq., Katten Muchin & Zavis, 1025 Thomas Jefferson Street, N.W., East Lobby, Suite 700, Washington, D.C. 20007-5201.

**FOR FURTHER INFORMATION CONTACT:** Michael B. Koffler, Staff Attorney, or Kevin M. Kirchoff, Branch Chief, Office of Insurance Products, Division of Investment Management, at (202) 942-0670.

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application; the complete application is available for a fee from the Public Reference Branch of the Commission.

#### Applicants' Representations

1. The Trust is a Delaware business trust which is registered pursuant to the 1940 Act as an open-end, management investment company. The Trust consists of multiple separately managed investment portfolios ("Portfolios") and may in the future issue shares of additional portfolios.

2. The Trust has adopted a plan pursuant to Rule 18f-3 of the 1940 Act in order to offer multiple classes of shares of each of its Portfolios. Two such classes are currently contemplated and have been preliminarily designated