

invalid, unreasonable, or violates due process. Resolution of this issue may depend, in part, on how section 842.804(c) should be interpreted, i.e., as jurisdictional, see DeVitto, 64 M.S.P.R. at 357, as a rule affecting the Board's analysis of the appellants' burden of proof on the merits, or as a timeliness requirement couched in jurisdictional and/or merits language.

**DATES:** All briefs in response to this notice shall be filed with the Clerk of the Board on or before July 11, 1997.

**ADDRESSES:** All briefs shall include the case name and docket number noted above (*Fitzgerald et al.* versus *Department of Defense*, MSPB Docket No. PH-0842-94-0200-B-1) and be entitled "Amicus Brief." Briefs should be filed with the Office of the Clerk, Merit Systems Protection Board, 1120 Vermont Avenue, NW., Washington, DC 20419.

**FOR FURTHER INFORMATION CONTACT:** Shannon McCarthy, Deputy Clerk of the Board, or Matthew Shannon, Counsel to the Clerk, (202) 653-7200.

Dated: June 10, 1997.

**Robert E. Taylor,**  
Clerk of the Board.

[FR Doc. 97-15652 Filed 6-13-97; 8:45 am]

BILLING CODE 7400-01-M

## NATIONAL COUNCIL ON DISABILITY

### Sunshine Act Meeting

**TYPE:** Quarterly Meeting.

**AGENCY:** National Council on Disability.

**SUMMARY:** This notice sets forth the schedule and proposed agenda of the forthcoming quarterly meeting of the National Council on Disability. Notice of this meeting is required under Section 522b(e)(1) of the Government in the Sunshine Act, (P.L. 94-409).

**DATES:** August 4-6, 1997, 8:30 a.m. to 5:00 p.m.

**LOCATION:** The Ritz Carlton Atlanta, 181 Peachtree Street, NE, Atlanta, GA 30303; 404-659-0400.

**FOR INFORMATION CONTACT:** Mark S. Quigley, Public Affairs Specialist, National Council on Disability, 1331 F Street NW, Suite 1050, Washington, D.C. 20004-1107; 202-272-2004 (Voice), 202-272-2074 (TTY), 202-272-2022 (Fax).

**AGENCY MISSION:** The National Council on Disability is an independent federal agency composed of 15 members appointed by the President of the United States and confirmed by the U.S. Senate. Its overall purpose is to promote policies, programs, practices, and procedures that guarantee equal

opportunity for all people with disabilities, regardless of the nature of severity of the disability; and to empower people with disabilities to achieve economic self-sufficiency, independent living, and inclusion and integration into all aspects of society.

**ACCOMMODATIONS:** Those needing interpreters or other accommodations should notify the National Council on Disability prior to this meeting.

**ENVIRONMENTAL ILLNESS:** People with environmental illness must reduce their exposure to volatile chemical substances in order to attend this meeting. In order to reduce such exposure, we ask that you not wear perfumes or scents at the meeting. We also ask that you smoke only in designated areas and the privacy of your room. Smoking is prohibited in the meeting room and surrounding area.

**OPEN MEETING:** This quarterly meeting of the National Council on Disability will be open to the public.

**AGENDA:** The proposed agenda includes:

Reports from the Chairperson and the Executive Director

Committee Meetings and Committee Reports

Strategic Planning—Closed Work Session for Members and Staff

Youth Leadership Development Conference

Seventh Anniversary of the Americans with Disabilities Act (ADA)

History of ADA

Return-to-work Initiative

Disability Data Collection

Round-table Discussion on Outreach to Minorities with Disabilities

Unfinished Business

New Business

Announcements

Adjournment

Records will be kept of all National Council on Disability proceedings and will be available after the meeting for public inspection at the National Council on Disability.

Signed in Washington, D.C., on June 12, 1997.

**Ethel D. Briggs,**

Executive Director.

[FR Doc. 97-15823 Filed 6-12-97; 11:45 am]

BILLING CODE 6820-MA-M

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-344]

### Portland General Electric Company; Eugene Water and Electric Board; Pacific Power and Light Company; Notice of Issuance of Amendment to Possession-Only License

The U.S. Nuclear Regulatory Commission (Commission) has issued Amendment No. 198 to Possession-Only License No. NPF-1 issued to Portland General Electric Company (the licensee), which revised the Possession-Only License for the Trojan Nuclear Plant located in Columbia County, Oregon, along the west bank of the Columbia River, near the town of Rainier, Oregon. The amendment is effective as of the date of issuance.

The amendment modified the Trojan Nuclear Plant Possession-Only License to allow the processing of spent fuel debris in the Trojan Fuel Building.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for a Hearing in connection with this action was published in the **Federal Register** on February 7, 1997 (62 FR 5860). Licensee subsequent submittals dated March 31, 1997 and April 9, 1997 provided background information for clarification of several technical issues and were not outside the scope of the February 7, 1997 notice. No request for a hearing or petition for leave to intervene was filed following this notice. The Commission has prepared an Environmental Assessment related to the action and has determined not to prepare an environmental impact statement. Based upon the environmental assessment, the Commission has concluded that the issuance of the amendment will not have a significant effect on the quality of the human environment.

For further details with respect to the action see (1) the application for amendment dated October 23, 1996, and supplemented by submittals dated December 12, 1996, March 31, 1997, and April 9, 1997, (2) Amendment No. 198 to License No. NPF-1, (3) the Commission's related Safety Evaluation, and (4) the Commission's Environmental Assessment. All of these

items 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 Branford Price Millar Library, Portland State University, 934 S.W. Harrison Street, P.O. Box 1151, Portland, Oregon 97207.

Dated at Rockville, Maryland, this 9th day of June 1997.

For the Nuclear Regulatory Commission.

**Michael T. Masnik,**

*Senior Project Manager, Non-Power Reactors and Decommissioning Project Directorate, Division of Reactor Program Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 97-15695 Filed 6-13-97; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-327 and 50-328]

### Tennessee Valley Authority; Sequoyah Nuclear Plant, Units 1 And 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering issuance of amendments to Facility Operating License No. DPR-77 and DPR-79, issued to the Tennessee Valley Authority (TVA, the licensee), for operation of the Sequoyah Nuclear Plant, Units 1 and 2 (SQN), located in Hamilton County, Tennessee.

#### Environmental Assessment

##### Identification of the Proposed Action

The proposed amendments would revise the SQN Technical Specifications (TS) relating to storage of reactor fuel containing a higher enrichment of Uranium-235 (5.0 weight-percent (w/o) vs. 4.5 w/o) in the new fuel pit storage racks. The Commission has already authorized use of the more highly-enriched fuel in the reactor core and storage in the spent fuel pool in previous license amendments.

The proposed amendments are in accordance with TVA's application dated March 13, 1997.

##### Need for the Proposed Action

The proposed changes to the Facility Operating Licenses are needed so that the licensee can use more highly enriched fuel, and thereby provide the flexibility of extending the fuel irradiation/burnup to permit longer fuel cycles (i.e., longer continuous periods of operation). Use of the proposed more highly enriched fuels would require the

use of fewer fuel assemblies over the remaining life of the plant.

##### Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed revisions to the TS. The proposed revision would permit use of fuel enriched with Uranium-235 (U-235) up to 5.0 nominal w/o. The safety considerations associated with reactor operation using higher fuel enrichment and burnup rates have been evaluated by the NRC staff (the staff). Based on its review, the staff concludes that the proposed changes are acceptable and would not adversely affect plant safety. The proposed changes have no adverse effect on the probability of any accident. The increased burnup may slightly change the mix of fission products that might be released in the event of a serious accident but such small changes would not significantly affect the environmental consequences of serious accidents. No changes are being made in the types or amounts of any radiological effluents that may be released offsite during normal plant operations. There is also no significant increase in the allowable individual or cumulative occupational radiation exposure. Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed changes to the TS involve components in the plant which are located within the restricted area as defined in 10 CFR Part 20. They do not affect nonradiological plant effluents and have no other environmental impacts. Accordingly, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

The environmental impacts of transportation resulting from the use of more highly enriched fuel and extended burnup rates have been discussed in the generic staff assessment entitled "NRC Assessment of the Environmental Effects of Transportation Resulting from Extended Fuel Enrichment and Irradiation," dated July 7, 1988, and published in the **Federal Register** (53 FR 30355). As indicated therein, the environmental cost contribution of the proposed increase in fuel enrichment and irradiation limits are either unchanged or may in fact be reduced from those summarized in Table S-4 as set forth in 10 CFR 51.52(c).

Therefore, the staff concludes that there are no significant radiological or nonradiological environmental impacts

associated with the proposed amendment. The staff finds that the action will not result in a significant increase in any adverse environmental impact previously evaluated in the SQN Final Environmental Statement (FES) dated February 13, 1974, as modified by NRC's testimony to the Atomic Safety and Licensing Board, supplements to the FES, environmental impact appraisals, or decisions of the Atomic Safety and Licensing Board.

##### Alternatives to the Proposed Action

Since the Commission has concluded there is no measurable environmental impact 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 and would result in reduced operational flexibility. The environmental impacts of the proposed action and the alternative action are similar.

##### Alternative Use of Resources

The action would involve no use of resources not previously considered in the FES for SQN.

##### Agencies and Persons Consulted

In accordance with its stated policy, on June 10, 1997 the staff consulted with the Tennessee State official, Eddy Nanney of the Tennessee Division of Radiological Health, regarding the environmental impact of the proposed action. The State official posed the question of whether or not TVA had revisited its emergency planning procedures because of a perceived higher source term in the core. The staff has already reviewed the use of 5.0 w/o fuel enrichment and higher fuel burnup prior to issuing the Sequoyah license amendments authorizing use of 5.0 w/o enriched fuel in the reactor core. These amendments were issued on August 1, 1990, and the supporting NRC Environmental Assessment was published in the **Federal Register** on July 31, 1990 (55 FR 31112). The Environmental Assessment stated the following:

The increased burnup may slightly change the mix of fission products that might be released in the event of a serious accident but such small changes would not significantly affect the environmental consequences of serious accidents. The effect of increasing the fuel enrichment to 5.0 percent and burnups to 60,000 MWD/MTU would be to only increase the calculated thyroid dose for the postulated fuel handling accident by about 20% and would not exceed acceptable