

enforcement of the price regulation, and to deliberate and make final rulings in certain petitions for exemption from operation of the price regulation.

DATES: The meeting is scheduled for September 25, 1997, 9:00 a.m. to 4:00 p.m.

ADDRESSES: The meeting will be held at the Cat 'n Fiddle Restaurant, 118 Manchester Street, in Concord, NH.

FOR FURTHER INFORMATION CONTACT: Daniel Smith, Executive Director, Northeast Dairy Compact Commission, 43 State Street, PO Box 1058, Montpelier, VT 05601. Telephone (802) 229-1941.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the Compact Commission will hold its regular monthly meeting. The Commission will consider certain technical amendments to the bylaws and matters relating to administration, as well as guidelines for enforcement of the compact over-order price regulation. The Commission will also deliberate and make final rulings in certain administrative petitions for exemption from operation of the price regulation. See 62 FR 35065 (June 30, 1997).

(Authority: (a) Article V, Section 11 of the Northeast Interstate Dairy Compact, and all other applicable Articles and Sections, as approved by Section 147, of the Federal Agriculture Improvement and Reform Act (FAIR ACT), Pub. L. 104-127, and as thereby set forth in S.J. Res. 28(1)(b) of the 104th Congress (codified at 7 U.S.C. 7256); Finding of Compelling Public Interest by United States Department of Agriculture Secretary Dan Glickman, August 8, 1996 and March 20, 1997. (b) Bylaws of the Northeast Dairy Compact Commission, adopted November 21, 1996.

Daniel Smith,

Executive Director.

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Meeting Notice

In accordance with the purposes of Sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards will hold a meeting on October 2-3, 1997, in Conference Room T-2B3, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Thursday, January 23, 1997 (62 FR 3539).

Thursday, October 2, 1997

8:30 A.M.-8:45 A.M.: Opening Remarks by the ACRS Chairman

(Open)—The ACRS Chairman will make opening remarks regarding conduct of the meeting and comment briefly regarding items of current interest. During this session, the Committee will discuss priorities for preparation of ACRS reports.

8:45 A.M.-10:45 A.M.: Human Performance and Reliability Implementation Plan

(Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the proposed Human Performance and Reliability Implementation plan.

11:00 A.M.-12:00 Noon: Proposed Resolution of a Differing Professional Opinion Concerning Steam Generator Integrity

(Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the proposed resolution of a Differing Professional Opinion associated with the steam generator tube integrity.

1:00 P.M.-3:00 P.M.: Proposed Changes Related to 10 CFR 50.59 and Proposed Revision 1 to Generic Letter 91-18

(Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and Nuclear Energy Institute regarding proposed changes related to 10 CFR 50.59 (Changes, tests and experiments) and the proposed Revision 1 to Generic Letter 91-18, "Information to Licensees Regarding NRC Inspection Manual Sections on Resolution of Degraded and Nonconforming Conditions."

3:45 P.M.-7:00 P.M.: Preparation of ACRS Reports

(Open)—The Committee will discuss proposed ACRS reports on matters considered during this meeting.

Friday, October 3, 1997

8:30 A.M.-8:35 A.M.: Opening Remarks by the ACRS Chairman

(Open)—The ACRS Chairman will make opening remarks regarding conduct of the meeting.

8:35 A.M.-10:00 A.M.: Meeting With the Director of the NRC Office for Analysis and Evaluation of Operational Data (AEOD)

(Open)—The Committee will hear presentations by and hold discussions with the AEOD Director on items of

mutual interest, including Accident Sequence Precursor Program, and other AEOD Programs.

10:15 A.M.-10:30 A.M.: Subcommittee Report

(Open)—The Committee will hear a report by the Chairman of the Thermal-Hydraulic Phenomena Subcommittee regarding the items discussed during the September 29-30, 1997 Subcommittee meeting.

10:30 A.M.-10:45 A.M.: Reconciliation of ACRS Comments and Recommendations

(Open)—The Committee will discuss responses from the NRC Executive Director for Operations to comments and recommendations included in recent ACRS reports. The EDO responses are expected to be provided to the ACRS prior to the meeting.

10:45 A.M.-11:15 A.M.: Future ACRS Activities

(Open)—The Committee will discuss the recommendations of the Planning and Procedures Sub-committee regarding items proposed for consideration by the full Committee during future meetings.

11:15 A.M.-11:45 A.M.: Report of the Planning and Procedures Subcommittee

(Open/Closed)—The Committee will hear a report of the Planning and Procedures Subcommittee on matters related to the conduct of ACRS business, qualifications of candidates nominated for appointment to the ACRS, and organizational and personnel matters relating to the ACRS.

Note: A portion of this session may be closed to discuss organizational and personnel matters that relate solely to the internal personnel rules and practices of this Advisory Committee, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.

12:45 P.M.-1:45 P.M.: Planning To Review the Safety Research Program

(Open)—The Committee will discuss plans and areas of assignments for individual ACRS members related to the review of the NRC Safety Research Program.

1:45 P.M.-7:00 P.M.: Preparation of ACRS Reports

(Open)—The Committee will complete its discussion of proposed ACRS reports on matters considered during this meeting.

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on September 4, 1997 (62 FR 46782). In accordance with these procedures, oral

or written statements may be presented by members of the public and representatives of the nuclear industry, electronic recordings will be permitted only during the open portions of the meeting, and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify Mr. Sam Duraiswamy, Chief, Nuclear Reactors Branch, at least five days before the meeting, if possible, so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during this meeting may be limited to selected portions of the meeting as determined by the Chairman. Information regarding the time to be set aside for this purpose may be obtained by contacting the Chief of the Nuclear Reactors Branch prior to the meeting. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with the Chief of the Nuclear Reactors Branch if such rescheduling would result in major inconvenience.

In accordance with Subsection 10(d) Pub.L. 92-463, I have determined that it is necessary to close portions of this meeting noted above to discuss matters that relate solely to the internal personnel rules and practices of this Advisory Committee per 5 U.S.C. 552b(c)(2), and to discuss information the release of which would constitute a clearly unwarranted invasion of personal privacy per 5 U.S.C. 552b(c)(6).

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor, can be obtained by contacting Mr. Sam Duraiswamy, Chief, Nuclear Reactors Branch (telephone 301/415-7364), between 7:30 A.M. and 4:15 P.M. EDT.

ACRS meeting notices, meeting transcripts, and letter reports are now available on FedWorld from the "NRC MAIN MENU." The Direct Dial Access number to FedWorld is (800) 303-9672 or ftp.fedworld. These documents and the meeting agenda are also available for downloading or reviewing on the internet at <http://www.nrc.gov/ACRSACNW>.

Dated: September 12, 1997.

John C. Hoyle,

Acting Advisory Committee Management Officer.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-245, 50-336, and 50-423 and Docket No. 50-213]

Northeast Utilities, Millstone Nuclear Power Station, Units 1, 2, and 3 and Haddam Neck Plant; Issuance of Partial Director's Decision Under 10 CFR 2.206

Notice is hereby given that the Director, Office of Nuclear Reactor Regulation, has issued a Partial Director's Decision with regard to a Petition dated November 25, 1996, as amended on December 23, 1996, filed by Ms. Deborah Katz and Mr. Paul Gunter on behalf of the Citizens Awareness Network (CAN) and the Nuclear Information and Resource Service (NIRS), hereafter referred to as "Petitioners." The Petition pertains to the Millstone Nuclear Power Station, Units 1, 2, and 3, and the Haddam Neck Plant.

The Petitioners requested that the NRC: (1) Immediately suspend or revoke Northeast Utilities' (NU's or Licensee's) licenses to operate its nuclear facilities in Connecticut; (2) investigate possible Licensee material misrepresentations to the NRC; (3) continue the shutdown of the Licensee's facilities until the Department of Justice completes its investigation and the results are reviewed by the NRC; (4) continue the shutdown until the NRC evaluates and approves the Licensee's remedial actions; (5) continue listing the Licensee's facilities on the NRC's "Watch List" should any facility resume operation; (6) bar any predecommissioning or decommissioning activity at any of the Licensee's nuclear facilities in Connecticut until the Licensee and the NRC take certain identified steps to assure that such activities can be safely conducted; (7) initiate an investigation into how the NRC allowed the asserted illegal situation at the Licensee's nuclear facilities in Connecticut to exist and continue for more than a decade; and (8) immediately investigate of the need for enforcement action for alleged violation of 10 CFR Part 50, appendix B, with respect to nitrogen calculations.

The bases for the assertions are Licensee and NRC inspection findings and Licensee documents referred to in the Petition and a VHS videotape, Exhibit A, which accompanied the Petition. The videotape records an August 29, 1996, Citizens Regulatory Commission televised interview of a former Millstone Station employee expressing his views on Licensee management. Areas identified in the

Petition include inadequate surveillance testing, operation outside the design basis, inadequate radiological controls, failed corrective action processes, and degraded material condition. The Petition asserts that this information demonstrates that there are inadequate quality assurance programs at the Licensee's nuclear facilities in Connecticut, that the Licensee has made material false statements regarding its Millstone units, and that safe decommissioning of the Haddam Neck facility is not possible because of the deficiencies in the design and licensing bases of the facility.

The Director of the Office of Nuclear Reactor Regulation has partially granted the Petition. The reasons for this partial grant are explained in the "Partial Director's Decision Pursuant to 10 CFR 2.206" (DD-97-21), the complete text of which follows this notice and is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, at the local public document rooms located at the Learning Resources Center, Three Rivers Community-Technical College, New London Turnpike, Norwich, Connecticut, and at the temporary local public document room located at the Waterford Library, ATTN: Vince Juliano, 49 Rope Ferry Road, Waterford, Connecticut, for Millstone Units 1, 2, and 3; and at the Russell Library, 123 Broad Street, Middletown, Connecticut, for the Haddam Neck Plant.

A copy of the Partial Director's Decision will be filed with the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206(c) of the Commission's regulations. As provided for by this regulation, the Decision will constitute the final action of the Commission (for Requests 1, 2, 5, 6, and 8) 25 days after the date of issuance unless the Commission, on its own motion, institutes a review of the Decision in that time.

Dated at Rockville, MD, this 12th day of September.

For the Nuclear Regulatory Commission.
Frank J. Miraglia, Jr.,
Deputy Director, Office of Nuclear Reactor Regulation.

Partial Director's Decision Pursuant to 10 CFR 2.206

[DD-97-21]

I. Introduction

On November 25, 1996, as amended on December 23, 1996, Ms. Deborah Katz and Mr. Paul Gunter filed a Petition on behalf of the Citizens