

can be used to administratively offset any delinquent debts reported to the Treasury by other government agencies. In addition, the TIN will be used to collect and report to the Department of the Treasury any delinquent indebtedness arising out of the licensee's or applicant's relationship with the NRC.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. OMB clearance requests are available at the NRC worldwide web site (<http://www.nrc.gov>) under the FedWorld collection link on the home page tool bar. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer by December 15, 1997. Norma Gonzales, Office of Information and Regulatory Affairs (3150-), NEOB-10202, Office of Management and Budget, Washington, DC 20503. Comments can also be submitted by telephone at (202) 395-3084. The NRC Clearance Officer is Brenda Jo. Shelton, 301-415-7233.

Dated at Rockville, Maryland, this 6th day of November 1997.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 97-29888 Filed 11-12-97; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-302]

Florida Power Corporation; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering issuance of an amendment to Facility Operating License No. DPR 72, issued to the Florida Power Corporation, (FPC or the licensee), for operation of the Crystal River Nuclear Generating Unit 3 (CR3) located in Citrus County, Florida.

The proposed amendment involves modifications to the electrical controls of the Reactor Building (RB) Recirculation System Fan/Cooler, AHF-1C. FPC has determined that the modification involves an Unreviewed Safety Question, in that modification

will install additional components that could increase the probability of occurrence of a malfunction of equipment important to safety previously evaluated in the Final Safety Analysis Report (FSAR). Therefore, this action requires NRC approval. The proposed modification to the fan logic will enable utilization of AHF-1C, in place of either AHF-1A or AHF-1B (the normally running RB Recirculation System fans), by providing engineered safeguards (ES) auto-start permissive interlocks from its MCC-3AB transfer switch. This modification will automatically prevent inadvertent loading of two RB Recirculation System fans on a single emergency diesel generator when the ES-MCC-3AB source is transferred. The AHF-1C Engineered Safeguards "A" train auto start signal will be enabled only when AHF-1C is ES-selected as the "A" train fan with ES-MCC-3AB supplied from the "A" train source. Conversely, the AHF-1C ES "B" train auto-start signal will be enabled only when AHF-1C is ES-selected as the "B" train fan with ES-MCC-3AB supplied from the "B" train source.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does not involve a significant increase in the probability or consequences of an accident previously evaluated.

This license amendment involves the addition of electrical circuits to preclude the loading of two Reactor Building Recirculation System fans onto the same Emergency Diesel Generator when AHF-1C is in service. This equipment will enable use of Reactor Building Recirculation System fan/cooler unit AHF-1C in place of either AHF-1A or AHF-1B by providing ES auto-start permissive interlocks from the source transfer switch for Motor Control Center ES-MCC-3AB. The AHF-1C ES-select control

circuitry and ES-MCC-3AB do not initiate any accidents previously evaluated. Accident mitigation strategies assume that one train of the Reactor Building Recirculation System is available. This license amendment does not restrict the availability of one train. One Reactor Building Recirculation System fan/cooler unit will always be in operation even if AHF-1C is not available because of a malfunction in this control circuitry.

A failure to open or close a manual Nuclear Services Closed Cycle Cooling (SW) System valve at a Reactor Building Recirculation System cooling coil is a remote possibility. Adequate procedural controls are in place to ensure that proper steps are taken when a fan/cooler unit is being placed in service or removed from service. These procedures are not required during an accident, but are part of the normal operation of CR-3. However, should a failure occur, the other aligned Reactor Building Recirculation fan/cooler unit is available. In addition, both trains of the Reactor Building Spray System will be available to perform the post accident containment heat removal function.

Failure to properly ES-select a fan/cooler unit could result in a failure of the ES start function. However, an alignment error in the ES-selection of AHF-1C is annunciated and printed out by the events recorder to minimize the effect of this type of failure. Also procedural controls are in place to align the ES-selection for the fan/cooler unit being placed in service. The other train of the Reactor Building Recirculation System would be available, as well as, both trains of the Reactor Building Spray System. Therefore, this license amendment does not involve a significant increase in the probability of an accident previously evaluated.

Because of CR-3 single failure design bases considerations, a failure of one-half of the Reactor Building Recirculation System during accident mitigation would mean that both trains of the Reactor Building Spray System are available for mitigating any accident previously evaluated. Accident analyses for CR-3 assume only one train of the Reactor Building Recirculation System. Either train of the Reactor Building Spray System has the capability to maintain the accident dose consequences well below the requirements of 10 CFR 100 (25 rem whole body, 300 rem thyroid) and General Design Criteria 19 (5 rem whole body, or its equivalent to any part of the body). Installation of the ES auto-start permissive interlocks from the transfer switch for Motor Control Center ES-MCC-3AB will not alter any assumptions made in evaluating the radiological consequences of any accident described in the FSAR nor will it affect any fission product barriers since the post-accident containment heat removal functions will still meet design requirements. Therefore installation of ES auto-start permissive interlocks from Motor Control Center ES-MCC-3AB transfer switch does not involve a significant increase in the consequences of an accident previously evaluated.

2. Does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The accident mitigation strategies for CR-3 assume two different types of post-accident

containment heat removal functions—Reactor Building Recirculation System and Reactor Building Spray System. This license amendment will allow the use of Reactor Building Recirculation System fan/cooler unit AHF-1C, which is presently administratively out of service, to control the Reactor Building temperature during normal operations and to mitigate any postulated accidents. The use of AHF-1C in place of either AHF-1A or AHF-1B does not alter the success path for post-accident mitigation. The addition of the ES auto-start permissive interlocks from the ES-MCC-3AB transfer switch will not introduce failure modes and effects that create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does not involve a significant reduction in the margin of safety.

This license amendment will allow the use of Reactor Building Recirculation System fan/cooler unit AHF-1C that is presently administratively out of service. AHF-1C is identical in design function to the other two fan/cooler units that are presently in service. During normal operation, two operating Reactor Building Recirculation System fan/cooler units maintain the Reactor Building temperature below the Improved Technical Specification limit of 130°F. Installation of this modification will allow the use of AHF-1C in place of either AHF-1A or AHF-1B, and maintain the licensing and design bases that assume two trains are operable for accident mitigation. The use of AHF-1C in place of the other fan/cooler units will preserve the margin of safety, pre-accident and post-accident, because the assumptions used in FSAR analyses remain valid. Peak Reactor Building pressures and temperatures will not be exceeded and the margin provided by this fission product barrier will not be reduced. Therefore, this license amendment does not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period, such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the

amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By December 15, 1997, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available 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.

If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and

how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the 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 a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. 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 20555-0001, Attention: Rulemakings and Adjudications Staff may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to R. Alexander Glenn, General Counsel, Florida Power Corporation, MAC-A5A, P.O. Box 14042, St. Petersburg, Florida 33733-4042, 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 October 4, 1997, 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.

Dated at Rockville, Maryland, this 6th day of November 1997.

For the Nuclear Regulatory Commission.

L. Raghavan,

Sr. Project Manager, Project Directorate II-3, Division of Reactor Projects—I/II Office of Nuclear Reactor Regulation.

[FR Doc. 97-29889 Filed 11-12-97; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 030-31373; License No. 12-16559-01; EA 97-207]

In the Matter of Conam Inspection, Inc. Itasca, IL; Order Imposing Civil Monetary Penalty

I

Conam Inspection, Inc. (Conam or Licensee) is the holder of Byproduct Materials License No. 12-16559-01 issued by the Nuclear Regulatory Commission (NRC or Commission) on January 2, 1990. The license authorizes the Licensee to possess and use certain byproduct materials in accordance with the conditions specified therein at the Licensee's facilities in Columbus, Ohio; Gary, Indiana; Reading, Pennsylvania; Gallipolis, Ohio; and at temporary job sites anywhere in the United States where the NRC maintains jurisdiction for regulating the use of licensed material.

II

An inspection and investigation of the Licensee's activities were conducted between March 28, 1996 and November 12, 1996. The results of the inspection and investigation indicated that the Licensee had not conducted its activities in full compliance with NRC requirements. A written Notice of Violation and Proposed Imposition of Civil Penalty (Notice) was served upon the Licensee by letter dated June 9, 1997. The Notice states the nature of the violations, the provisions of the NRC's requirements that the Licensee had violated, and the amount of the civil penalty proposed for three of the violations in the aggregate (Violations I.A, I.B, and I.C).

The Licensee responded to the Notice in a letter dated July 7, 1997. In its response, the Licensee denied Violations I.B and I.C, and requested remission or full mitigation of the civil penalty.

III

After consideration of the Licensee's response and arguments for mitigation contained therein, the NRC staff has determined, as set forth in the Appendix to this Order, that the Licensee did not provide an adequate basis for withdrawing Violations I.B and I.C, or mitigating the severity level of Violations I.A, I.B, and I.C in the aggregate, or mitigating the civil penalty associated with Violations I.A, I.B, and I.C. Therefore, a civil penalty in the amount of \$16,000 should be imposed.

IV

In view of the foregoing and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205, *it is hereby ordered that:*

The Licensee pay a civil penalty in the amount of \$16,000 within 30 days of the date of this Order, by check, draft, money order, or electronic transfer, payable to the Treasurer of the United States and mailed to James Lieberman, Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738.

V

The Licensee may request a hearing within 30 days of the date of this Order. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission Washington, D.C. 20555, and include a statement of good cause for the extension. A request for a hearing should be clearly marked as a "Request for an Enforcement Hearing" and shall be addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission Washington, D.C. 20555, with a copy to the Commission's Document Control Desk, Washington, D.C. 20555. Copies also shall be sent to the Assistant General Counsel for Hearings and Enforcement at the same address and to the Regional Administrator, NRC Region III, 801 Warrenville Road, Lisle, IL 60532.

If a hearing is requested, the Commission will issue an Order designating the time and place of the hearing. If the Licensee fails to request a hearing within 30 days of the date of this Order (or if written approval of an extension of time in which to request a hearing has not been granted), the provisions of this Order shall be effective without further proceedings. If payment has not been made by that time, the matter may be referred to the Attorney General for collection.

In the event the Licensee requests a hearing as provided above, the issues to be considered at such hearing shall be:

(a) Whether the Licensee was in violation of the Commission's requirements as set forth in Violations I.B and I.C of the Notice referenced in Section II above, and

(b) Whether, on the basis of such violations and the additional violations set forth in the Notice of Violation that the Licensee admitted, this Order should be sustained.

For the Nuclear Regulatory Commission.