

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 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.

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: 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 Patrick D. Milano: 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 20555-0001, and to Ernest L. Blake, Jr., Esquire, Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037, 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).

If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated March 31, 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 Law/Government Publications Section, State Library of Pennsylvania (Regional Depository), Walnut Street and Commonwealth Avenue, Box 1601, Harrisburg, Pennsylvania 17105.

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

For the Nuclear Regulatory Commission.

**Patrick D. Milano,**

*Acting Director, Project Directorate I-3,  
Division of Reactor Projects—I/II, Office of  
Nuclear Reactor Regulation.*

[FR Doc. 97-12595 Filed 5-13-97; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-272 and 50-311]

**Public Service Electric & Gas Company, Philadelphia Electric Company, Delmarva Power and Light Company, Atlantic City Electric Company, Salem Nuclear Generating Station, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License Nos. DPR-70 and DPR-75, issued to Public Service Electric & Gas Company (PSE&G, the licensee), for operation of the Salem Nuclear Generating Station, Units 1 and 2 (Salem Units 1 and 2).

The facility consists of two pressurized water reactors located at the licensee's site in Salem County, New Jersey.

### Environmental Assessment

#### Identification of Proposed Action

The proposed action would change Technical Specification Table 3.3-5, "Engineered Safety Features Response Time," to extend the Containment Fan Cooler Unit (CFCU) response time from 45 to 60 seconds.

The proposed action is in accordance with the licensee's application for amendment dated October 25, 1996, as supplemented by letters dated December 11, 1996, January 28, March 27, and April 24, 1997.

#### The Need for the Proposed Action

The proposed action is needed to make the Technical Specifications (TSs) consistent with the as-built plant. The as-built plant has a longer response time for the CFCUs than that identified in the TSs because (1) a 1976 plant modification added time delays to

valves that isolate non-essential service water loads in response to an accident signal, and (2) the licensee failed to consider the impact of CFCU service water outlet valve sequencing delays on overall post-accident system performance. The 1976 modification was implemented to limit the potential for water hammer of the service water system during the isolation of the non-essential loads.

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

The radiological environmental impact of the proposed action has already been evaluated and approved by the staff. In support of Amendment No. 190 for Unit 1 and Amendment No. 173 for Unit 2, issued February 6, 1997, the staff performed its own analysis of the offsite doses resulting from a Loss of Coolant Accident. The staff's analysis was performed using the CFCU response time in the proposed action and the staff concluded that the offsite doses are within the applicable dose acceptance criteria of 10 CFR Part 100. 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 action involves features located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect nonradiological plant effluent and has no other environmental impact. Accordingly, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

#### *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. The principal alternative to the action would be to deny the request. Such action would not change any 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 related to the operation of Salem Nuclear Generating Station Units 1 and 2," dated April 1973.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on April 14, 1997, the staff consulted

with the New Jersey State official, Richard Pinney, of the Department of Environmental 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 the proposed action, see the licensee's letters dated October 25, 1996, December 11, 1996, January 28, March 27, and April 24, 1997, and Amendment Nos. 190 and 173, dated February 6, 1997, 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 Salem Free Public Library, 112 W. Broadway, Salem, New Jersey 08079.

Dated at Rockville, Maryland, this 7th day of May, 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. 97-12592 Filed 5-13-97; 8:45 am]

BILLING CODE 7590-01-U

## **NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 50-272 and 50-311]

### **Public Service Electric and Gas Company; 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 (the Commission) is considering issuance of an amendment to Facility Operating License Nos. DPR-70 and DPR-75 issued to Public Service Electric & Gas Company (the licensee) for operation of Salem Nuclear Generating Station, Units 1 and 2, located in Salem County, New Jersey.

The proposed amendments would revise Technical Specification (TS) 3.5.2 to eliminate the flow path from the residual heat removal (RHR) system to the reactor coolant system (RCS) hot legs that is specified in Limiting Condition for Operation (LCO) 3.5.2.c.2.

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. The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed change involves removing the RHR hot leg injection flow path (RH26 valve) during the hot leg recirculation phase of accident mitigation. There are no physical plant modifications being made as a result of the proposed changes and no new accident initiators are created by the proposed changes. This change only involves a system used for ECCS [emergency core cooling system] accident mitigation and is consistent with the flow requirement assumptions made in the safety analysis for hot leg recirculation. Therefore, the proposed changes do not involve a significant increase in the probability of an accident previously evaluated.

Removal of the RHR hot leg injection flow path does not impact the ability of the ECCS to mitigate the consequences of an accident but clarifies the flow paths in the ECCS that are required to meet the accident analysis. Operation of one Intermediate Head Safety Injection (IHSI) pump during hot leg recirculation continues to provide adequate core cooling flow such that the hot leg flow directly from the RHR system is not required. Therefore, the proposed change does not involve a significant increase in the consequences of an accident previously evaluated.

2. The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed change to LCO 3.5.2.c.2 does not involve any physical changes to the plant components, systems, or structures. This change does not affect the ability of the Emergency Core Cooling System to meet the flow required in the accident analysis to remove core decay heat without creating superheated steam during hot leg recirculation. There are no new failure modes introduced as a result of the proposed change.