

Committee Act (Pub. L. 92-463, as amended). During the period June 1 through September 1, 1997, the Special Emphasis Panel will be holding panel meetings to review and evaluate research proposals. The dates, contact persons, and types of proposals are:

Special Emphasis Panel in Geosciences (1756)

1. *Date:* June 23-24, 1997.

Contact: Dr. Richard Behnke, (703) 306-1519, Section Head, Division of Atmospheric Sciences, Room 775.

Type of Proposal: Space Weather Research Program.

2. *Date:* August 21-22, 1997.

Contacts: Dr. Sunanda Basu, (703) 306-1529, Program Director, Dr. Robert Robinson, (703) 306-1531, Program Director, Division of Atmospheric Sciences, Room 775

Type of Proposal: Coupling, Energetics and Dynamics of Atmospheric Regions (Cedar).

Times: 8:30 a.m. to 5:00 p.m. each day.

Place: National Science Foundation, 4201 Wilson Boulevard, Arlington, VA.

Type of Meeting: Closed.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate proposals submitted to the Directorate as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 USC 552b(c) (4) and (6) of the Government in the Sunshine Act.

Dated: May 29, 1997.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 97-14555 Filed 6-3-97; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-334]

Duquesne Light Company; Notice of Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (Commission) has issued Amendment No. 204 to Facility Operating License No. DPR-66 issued to Duquesne Light Company, et al., (the

licensee) which revised the Technical Specifications for operation of the Beaver Valley Power Station, Unit No. 1, located in Shippingport, Pennsylvania. The amendment is effective as of the date of issuance, to be implemented within 60 days.

The amendment modified Technical Specification (TS) 5.3.1.2.a to increase the maximum allowable U-235 enrichment of new fuel assemblies in the new fuel storage racks to 5.0 weight percent with a tolerance of +0.05 weight percent, and modified TS 5.3.1.2.c to increase the maximum allowable K_{eff} to less than or equal to 0.98 for moderation by aqueous foam.

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 March 25, 1997 (62 FR 14166). 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 (62 FR 27791).

For further details with respect to the action see (1) the application for amendment dated February 27, 1997, (2) Amendment No. 204 to License No. DPR-66, (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 B.F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, PA 15001.

Dated at Rockville, Maryland, this 28th day of May 1997.

For the Nuclear Regulatory Commission.

Donald S. Brinkman,

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

[FR Doc. 97-14532 Filed 6-3-97; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-220]

Niagara Mohawk 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 (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-63 issued to Niagara Mohawk Power Corporation (NMPC) for operation of the Nine Mile Point Nuclear Station Unit No. 1 (NMP1) located in Lycoming, New York.

The proposed amendment would make an administrative change to the NMP1 Technical Specifications (TSs). The administrative change is to add a supervisory position to the list of personnel who may be required to hold a senior reactor operator license.

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:

The operation of Nine Mile Point Unit 1, in accordance with the proposed amendment, will not involve a significant increase in the probability or consequences of an accident previously evaluated.

The addition of the position of GSO [General Supervisor Operations] and the requirement for either the GSO or the

Manager Operations to have an SRO, [Senior Reactor Operator] license is a restructuring of the Operations department. The proposed changes are administrative changes that provide additional Operations management oversight capabilities. The resulting organization meets the requirements of ANSI [American National Standards Institute] N18.1-1971 and SRP [Standard Review Plan] 13.1.1-13.1.3. No physical modification of the plant is involved and no changes to the methods in which plant systems are operated are required.

None of the precursors of previously evaluated accidents are affected, and no new failure modes are introduced. Therefore, this change will not involve a significant increase in the probability or consequences of an accident previously evaluated.

The operation of Nine Mile Point Unit 1, in accordance with the proposed amendment, will not create the possibility of a new or different kind of accident from any accident previously evaluated.

The addition of the position of GSO and the requirement for either the GSO or the Manager Operations to have an SRO license is a restructuring of the Operations department. The proposed changes are administrative changes that provide additional Operations management oversight capabilities. The resulting organization meets the requirements of ANSI N18.1-1971 and SRP 13.1.1-13.1.3. No physical modification of the plant is involved and no changes to the methods in which plant systems are operated are required. As such, the change does not introduce any new failure modes or conditions that may create a new or different accident. Therefore, this change does not in itself create the possibility of a new or different kind of accident from any accident previously evaluated.

The operation of Nine Mile Point Unit 1, in accordance with the proposed amendment, will not involve a significant reduction in a margin of safety.

The addition of the position of GSO and the requirement for either the GSO or the Manager Operations to have an SRO license is a restructuring of the Operations department. The proposed changes are administrative changes that provide additional Operations management oversight capabilities. The resulting organization meets the requirements of ANSI N18.1-1971 and SRP 13.1.1-13.1.3. No physical modification of the plant is involved and no changes to the methods in which plant systems are operated are required. As such, this change does not in itself adversely affect any physical barrier to the release of radiation to plant personnel or to the public. Therefore, the change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, agrees 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 and provide for opportunity for a hearing after 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 July 7, 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 Reference and Documents Department, Penfield Library, State University of New York, Oswego, New York 13126. 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 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, 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 Alexander W. Dromerick, Acting Director: 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 Mark J. Wetterhahn, Esquire, Winston and Strawn, 1400 L Street, NW.,

Washington, DC 20005-3502, 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 May 16, 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 Reference and Documents Department, Penfield Library, State University of New York, Oswego, New York 13126.

Dated at Rockville, Maryland, this 30th day of May 1997.

For the Nuclear Regulatory Commission.

Alexander W. Dromerick,
*Acting Director, Project Directorate I-1,
Division of Reactor Projects—I/II, Office of
Nuclear Reactor Regulation.*

[FR Doc. 97-14534 Filed 6-3-97; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-346]

Toledo Edison Company, Centerior Service Company and the Cleveland Electric Illuminating Company; Davis-Besse Nuclear Power Station, Unit No. 1; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from certain requirements of its regulations to Facility Operating License No. NPF-3, issued to the Toledo Edison Company, Centerior Service Company, and The Cleveland Electric Illuminating Company (the licensees), for operation of the Davis-Besse Nuclear Power Station (DBNPS), located in Ottawa County, Ohio.

Environmental Assessment

Identification of the Proposed Action

The proposed action would exempt the licensees from certain requirements of 10 CFR 73.55, "Requirements for Physical Protection of Licensed Activities in Nuclear Power Reactors Against Radiological Sabotage." The requested exemption would allow the

implementation of a hand geometry biometric system of site access control in conjunction with photograph identification badges and would allow the badges to be taken offsite. The proposed action is in accordance with the licensees' application for exemption dated January 20, 1997, which superseded the previous application dated June 28, 1996, as supplemented by letter dated October 4, 1996. A previous environmental assessment addressing the June 28, 1996, submittal, as supplemented October 4, 1996, was published on August 14, 1996 (61 FR 42273).

The Need for the Proposed Action

Pursuant to 10 CFR 73.55(a), the licensees are required to establish and maintain an onsite physical protection system and security organization.

In 10 CFR 73.55(d), "Access Requirements," it is specified in part that "The licensee shall control all points of personnel and vehicle access into a protected area." In 10 CFR 73.55(d)(5), it is specified in part that "A numbered picture badge identification system shall be used for all individuals who are authorized access to protected areas without escort." It is further specified that an individual not employed by the licensee (for example, contractors) may be authorized access to protected areas without an escort provided the individual "receives a picture badge upon entrance into the protected area which must be returned upon exit from the protected area * * *."

Currently, unescorted access for both employee and contractor personnel into the DBNPS is controlled through the use of picture badges. Positive identification of personnel who are authorized and request access into the protected area is established by security personnel making a visual comparison of the individual requesting access and that individual's picture badge. The picture badges are issued, stored, and retrieved at the entrance/exit location to the protected area. In accordance with 10 CFR 73.55(d)(5), contractor personnel are not allowed to take their picture badges offsite. In addition, in accordance with the plant's physical security plan, the licensees' employees are also not allowed to take their picture badges offsite. The licensees propose to implement an alternative unescorted access control system that would eliminate the need to issue and retrieve picture badges at the entrance/exit location to the protected area. The proposal would also allow contractors who have unescorted access to keep their picture badges in their possession