

FOR FURTHER INFORMATION CONTACT:
Becky Baker, Secretary of the Board,
Telephone (703) 518-6304.

Becky Baker,

Secretary of the Board.

[FR Doc. 98-4606 Filed 2-18-98; 5:04 pm]

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NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: U.S. Nuclear Regulatory
Commission (NRC).

ACTION: Notice of pending NRC action to
submit an information collection
request to OMB and solicitation of
public comment.

SUMMARY: The NRC is preparing a
submittal to OMB for review of
continued approval of information
collections under the provisions of the
Paperwork Reduction Act of 1995 (44
U.S.C. Chapter 35).

Information pertaining to the
requirement to be submitted:

1. *The title of the information
collection:* 10 CFR 4,
"Nondiscrimination in Federally
Assisted Commission Programs."
2. *Current OMB approval number:*
3150-0053.
3. *How often the collection is
required:* Occasionally.
4. *Who is required or asked to report:*
Recipients of Federal financial
assistance provided by the Nuclear
Regulatory Commission.
5. *The number of annual respondents:*
30.
6. *The number of hours needed
annually to complete the requirement or
request:* 8 hours annually (.27 hours per
recordkeeper).

7. *Abstract:* Recipients of NRC
financial assistance provide data to
demonstrate assurance to NRC that they
are in compliance with
nondiscrimination regulations and
policies.

Submit, by April 24, 1998, comments
that address the following questions:

1. Is the proposed collection of
information necessary for the NRC to
properly perform its functions? Does the
information have practical utility?
2. Is the burden estimate accurate?
3. Is there a way to enhance the
quality, utility, and clarity of the
information to be collected?
4. How can the burden of the
information collection be minimized,
including the use of automated
collection techniques or other forms of
information technology?

A copy of the draft 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 about the
information collection requirements
may be directed to the NRC Clearance
Officer, Brenda Jo. Shelton, U.S. Nuclear
Regulatory Commission, T-6 F33,
Washington, DC, 20555-0001, or by
telephone at 301-415-7233, or by
Internet electronic mail at
BIS1@NRC.GOV.

Dated at Rockville, Maryland, this 12th day
of February, 1998.

For the U.S. Nuclear Regulatory
Commission.

Brenda Jo. Shelton,

*NRC Clearance Officer, Office of the Chief
Information Officer.*

[FR Doc. 98-4487 Filed 2-20-98; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

**Southern Nuclear Operating Company,
Inc., et al.**

[Docket Nos. 50-348 and 50-364]

Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed no Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory
Commission (the Commission) is
considering issuance of amendments to
Facility Operating License Nos. NPF-2
and NPF-8, issued to the Southern
Nuclear Operating Company (SNC), Inc.,
et al. (the licensee) for operation of the
Joseph M. Farley Nuclear Plant, Units 1
and 2, located in Houston County,
Alabama.

The proposed amendments would
revise the Technical Specifications
(TSs) by relocating the reactor coolant
system (RCS) pressure and temperature
limits from the TSs to the proposed
Pressure Temperature Limits Report in
accordance with the guidance provided
by Generic Letter 96-03, "Relocation of
the Pressure Temperature Limit Curves
and Low Temperature Overpressure
Protection System Limits." TS 3.4.10.3
would be revised to require that two
residual heat removal system suction
relief valves be operable or that the RCS

be vented at RCS indicated cold leg
temperatures less than or equal to 325
°F. In addition, a new TS would be
added to limit the operation of more
than one reactor coolant pump below
110 °F.

The July 23, 1997, application was
previously noticed in the **Federal
Register** on September 10, 1997 (62 FR
47699). In addition, the December 18,
1997, supplement provided additional
information that revised the original
licensee's evaluation of the no
significant hazards consideration and,
therefore, was noticed in the **Federal
Register** on January 14, 1998 (63 FR
2281). The February 12, 1998,
supplement provided additional
information that revised the licensee's
evaluation of the no significant hazards
consideration. Therefore, renotification
of the Commission's proposed
determination of no significant hazards
consideration is necessary.

Before issuance of the proposed
license amendments, 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
amendments 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 changes do not
involve a significant increase in the
probability or consequences of an
accident previously evaluated.

The proposed removal of the Reactor
Coolant System (RCS) pressure
temperature (P-T) limits from the
Technical Specifications (TSs) and
relocation to the proposed Pressure
Temperature Limits Report (PTLR) in
accordance with the guidance provided
by Generic Letter (GL) 96-03 is
administrative in that the requirements
for the P-T limits are unchanged. The
P-T limits proposed for inclusion in the
PTLR are based on the fluence
associated with 2775 MW thermal
power and operation through 21.9
effective full power years (EFPY) for
Unit 1 and 33.8 EFPY for Unit 2. GL 96-

03 requires that the P-T limits be generated in accordance with the requirements of 10 CFR [part] 50, Appendices G and H, and be documented in an NRC-approved methodology incorporated by reference in the TSs. Accordingly, the proposed curves have been generated using the NRC-approved methods described in WCAP-14040-NP-A, Revision 2, as modified at the direction of the NRC Staff, and meet the requirements of 10 CFR [part] 50, Appendices G and H. TS 3.4.10.1 will continue to require that the RCS pressure and temperature be limited in accordance with the limits specified in the PTLR. The NRC approval document will be specified in TS 6.9.1.15, and NRC approval will be required in the form of a TS Amendment prior to changing the methodology. Use of P-T limit curves generated using the NRC-approved methods will provide additional protection for the integrity of the reactor vessel, thereby assuring that the reactor vessel is capable of providing its function as a radiological barrier.

TS 3.4.10.3 for Farley Nuclear Plant (FNP) Unit 1 and Unit 2 provides the operability requirements for RCS low temperature overpressure protection (LTOP). Specifically, TS 3.4.10.3 will be revised to require that two residual heat removal (RHR) system suction relief valves (RHRRVs) be operable or that the RCS be vented at RCS indicated cold leg temperatures less than or equal to 325°F. The higher temperature requirement for LTOP will provide additional assurance that overpressure protection will be available at low temperatures. Consistent with GL 96-03, the Farley Unit 1 and Unit 2 requirements for LTOP will be retained in TS 3.4.10.3 and will be evaluated in accordance with the proposed methodology.

Based on the above evaluation, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

As stated above, the proposed changes to remove the RCS P-T limits from the TSs and relocate them to the proposed PTLR are administrative in nature. Consistent with the guidance provided by GL 96-03, the proposed P-T limits contained in the proposed PTLR meet the requirements of 10 CFR [part] 50, Appendices G and H, and were generated using the NRC-approved methods described in WCAP-14040-NP-A, Revision 2, as modified at the

direction of the NRC Staff. The proposed changes do not result in a physical change to the plant or add any new or different operating requirements on plant systems, structures, or components with the exception of limiting the number of operating RCPs at RCS temperatures below 110°F, increasing the temperature requirement at which the RHR relief valves are required to be operational, and establishing a higher minimum boltup temperature. Limiting the number of operating RCPs below 110°F results in a reduction in the [D]P between the reactor vessel beltline and the RHRRVs, thereby providing additional margin to limits of Appendix G. Provisions are made to allow the start of a second RCP at temperatures below 110°F in order to secure the pump that was originally operating without interrupting RCS flow. The LTOP enable temperature will be increased and will exceed the minimum LTOP enable temperature determined as described in WCAP-14040-NP-A, Rev. 2, thereby providing additional assurance that the LTOP system will be available to protect the RCS in the event of an overpressure transient at RCS temperatures at or below 325°F.

As stated in the above response, implementation of the proposed changes do not result in a significant increase in the probability of a new or different accident (i.e., loss of reactor vessel integrity). The RCS P-T limits will continue to meet the requirements of 10 CFR [part] 50, Appendices G and H, and will be generated in accordance with the NRC approved methodology described in WCAP-14040-NP-A, Revision 2, as modified at the direction of the NRC Staff. Therefore, the proposed changes do not result in a significant increase in the possibility of a new or different accident from any previously evaluated.

3. The proposed changes do not involve a significant reduction in a margin of safety.

The margin of safety is not affected by the removal of the RCS P-T limits from the TSs and relocating them to the proposed PTLR. The RCS P-T limits will continue to meet the requirements of 10 CFR [part] 50, Appendices G and H. To provide additional assurance that the P-T limits continue to meet the requirements of Appendices G and H, TS 6.9.1.15 will require the use of the NRC-approved methodology to generate P-T limits. The RCS LTOP requirements will be retained in TS 3.4.10.3 due to use of the RHRRVs for LTOP, consistent with the guidance provided by GL 96-03, and will be verified to provide adequate protection of the reactor

coolant system against the limits of Appendix G. The LTOP enable temperature will be increased to 325°F and will exceed the LTOP enable temperature determined in accordance with the NRC-approved methodology, thus protecting the RCS in the event of a low temperature overpressure transient over a broader range of temperatures than required by WCAP-14040-NP-A, Rev. 2. Administrative procedures will preclude operation of the RCS at temperatures below the minimum boltup temperature for the reactor vessel head, thus precluding the possibility of tensioning the reactor vessel head at RCS temperatures below the minimum boltup temperature. Operation of the plant in accordance with the RCS P-T limits specified in the PTLR and continued operation of the LTOP system in accordance with TS 3.4.10.3 will continue to meet the requirements of 10 CFR [part] 50, Appendices G and H, and will, therefore, assure that a margin of safety is not significantly decreased as the result of the proposed changes.

Based on the preceding analysis, SNC has determined that removal of the RCS P-T limits from the TS and relocation to the proposed PTLR will not significantly increase the probability or consequences of an accident previously evaluated, create the possibility of a new or different kind of accident from any accident previously evaluated, or involve a significant reduction in a margin of safety. SNC therefore concludes that the proposed changes meet the requirements of 10 CFR 50.92(c) and does not involve a significant hazards consideration.

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 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 and Directives Branch, Division of Administrative 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 6D59, 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 March 25, 1998, 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 Houston-Love Memorial Library, 212 W. Burdeshaw Street, Post Office Box 1369, Dothan, Alabama. 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. 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 M. Stanford Blanton, Esq., Balch and Bingham, Post Office Box 306, 1710 Sixth Avenue North, Birmingham, Alabama 35201, 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 amendments dated February 12, 1998, 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 Houston-Love Memorial Library, 212 W. Burdeshaw Street, Post Office Box 1369, Dothan, Alabama.

Dated at Rockville, Maryland, this 18th day of February 1998.

For the Nuclear Regulatory Commission.
Jacob I. Zimmerman,
*Project Manager, Project Directorate II-2,
 Division of Reactor Projects—I/II, Office of
 Nuclear Reactor Regulation.*
 [FR Doc. 98-4486 Filed 2-20-98; 8:45 am]
 BILLING CODE 7590-01-P

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 1; Notice of Corrections

In the **Federal Register** issue dated January 28, 1998, beginning at page 4327 (63 FR 4327), two amendment requests were listed, both with application dates of December 23, 1997. For both of these listed requests:

- (1) The attorney for the licensees should be Jay E. Silberg, Esquire, Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037
- (2) The NRC Acting Project Director should be Richard P. Savio.

Dated at Rockville, Maryland, this 18th day of February 1998.

For the Nuclear Regulatory Commission.
Allen G. Hansen,
*Project Manager, Project Directorate III-3,
 Division of Reactor Projects III/IV, Office of
 Nuclear Reactor Regulation.*
 [FR Doc. 98-4488 Filed 2-20-98; 8:45 am]
 BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8943]

Crow Butte Resources, Inc.

AGENCY: Nuclear Regulatory Commission.

ACTION: Final finding of no significant impact; notice of opportunity for hearing.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) proposes to renew NRC Source Material License SUA-1534 to authorize the licensee, Crow Butte Resources, Inc. (CBR), for continued commercial operation of its in-situ leach (ISL) uranium mine and processing facility, located in Dawes County, Nebraska. This license currently authorizes CBR to receive, acquire, possess, and transfer uranium at the Crow Butte Uranium Project, which is located approximately eight kilometers (five miles) southeast of the town of Crawford, Nebraska. An Environmental

Assessment was performed by the NRC staff in support of its review of CBR's license renewal request, in accordance with the requirements of 10 CFR Part 51. The conclusion of the Environmental Assessment is a Finding of No Significant Impact (FONSI) for the proposed licensing action.

FOR FURTHER INFORMATION CONTACT: Mr. James R. Park, Uranium Recovery Branch, Mail Stop TWFN 7-J8, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone 301/415-6699.

SUPPLEMENTARY INFORMATION:

Background

At the Crow Butte facility, the ISL mining method involves: (1) The injection of native groundwater, with added sodium carbonate/bicarbonate and oxygen or hydrogen peroxide, into a uranium-bearing orebody through injection wells; (2) the chemical mobilization of the uranium through oxidation and then complexation with the carbonate species; and (3) the extraction of the uranium-bearing solution from the subsurface through a pattern of pumping wells. The uranium is separated from the leach solution by conventional ion exchange methods in the processing facility. The resulting uranium-poor solution is recharged with carbonate and oxygen and returned to the mining zone for additional uranium recovery. This cycle continues until the ore zone is depleted or recovery of the uranium is no longer economically feasible.

The recovered uranium solution is processed further by using ammonia or hydrogen peroxide to precipitate the uranium into a slurry. The resulting slurry is thickened by gravity settling, and then washed and de-watered in a filter press to about 50 percent solids. The filter press solids (cake) are then dried in a natural gas vacuum dryer, to produce uranium oxide, which is commonly known as "yellowcake." The dried yellowcake is packaged in 208-liter (55-gallon) steel drums for storage and eventual shipment to a fuel processing facility.

CBR conducts uranium recovery operations within designated areas ("mine units") of the Crow Butte site; these mine units range between 4 to 16 hectares (10 and 40 acres) in size. A number of well patterns are installed in each mine unit, with each pattern typically including four injection wells laid out in a roughly rectangular shape and one centrally-located pumping (production) well. Currently, CBR is

conducting uranium recovery operations in three mine units and groundwater restoration in two other mine units in which uranium recovery has been concluded. CBR has completed construction of a sixth mine unit but has yet to initiate operations in it.

Summary of the Environmental Assessment

The NRC staff performed an appraisal of the environmental impacts associated with the continued operation of the Crow Butte ISL facility, in accordance with 10 CFR part 51, Licensing and Regulatory Policy Procedures for Environmental Protection. In conducting its appraisal, the NRC staff considered the following information: (1) CBR's license renewal application, as amended; (2) previous environmental evaluations of the Crow Butte facility; (3) CBR's license amendment requests submitted subsequent to its renewal application, and NRC staff approvals of such requests; (4) data contained in required semiannual environmental monitoring reports; (5) results of NRC staff site visits and inspections of the Crow Butte facility; and (6) consultations with the U.S. Fish and Wildlife Service, the State of Nebraska Department of Environmental Quality, and the State Historic Preservation Officer for the State of Nebraska. The results of the staff's appraisal are documented in an Environmental Assessment. The safety aspects for the continued operation of the facility are discussed in a Safety Evaluation Report.

The license renewal would authorize CBR to continue operating the Crow Butte ISL facility, such that the plant throughput does not exceed a flow rate of 18,930 liters (5000 gallons) per minute, exclusive of the flow involved in restoring the depleted mine units. Annual yellowcake production will not be authorized to exceed 907,185 kilograms (2 million pounds).

All conditions in the renewal license and commitments presented in the licensee's license renewal application are subject to NRC inspection. Violation of the license may result in enforcement action.

Conclusions

The NRC staff has re-examined actual and potential environmental impacts associated with continued operation of the Crow Butte facility, and has determined that renewal of Source Material License SUA-1534 will (1) Be consistent with requirements of 10 CFR part 40, (2) not be inimical to the public health and safety, and (3) not have long-term detrimental impacts on the environment. The following statements