not meet the criteria for an abnormal occurrence.

Dated at Rockville, Maryland, this 11th day of April, 1997.

For the Nuclear Regulatory Commission.

Annette Vietti-Cook,

Acting Secretary of the Commission.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–387 and 50–388]

Pennsylvania Power & Light Company; Notice of Consideration of Issuance of Amendments 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. NPF–14 and NPF–22, issued to Pennsylvania Power & Light Company (PP&L) (the licensee) for operation of the Susquehanna Steam Electric Station Units 1 and 2, located in Luzerne County, Pennsylvania.

The proposed amendment would clarify the scope of the surveillance requirements for response time testing of instrumentation in the reactor protection system, isolation actuation system, and emergency core cooling system in the Technical Specifications (TSs) for each unit (Sections 4.3.1.3, 4.3.2.3, and 4.3.3.3).

PP&L's request for a license amendment for each unit under exigent circumstances resulted from its recent discovery that the wording of the TS surveillance was not reconciled with the initiative to eliminate selected response time testing from the TSs. Accordingly, the licensee determined that this condition was a TS noncompliance and that prompt action to correct this situation was necessary because failure to satisfy TS surveillance requirements for response time requires that the various instruments and systems be declared inoperable, resulting in the TS required entry into cold shutdown for Unit 1 (shutdown from 100% power) and the prevention of fuel movement and the imposition of additional restrictions for Unit 2 currently in a refueling outage. The staff finds that it would be more prudent to permit the licensee to rely upon the existing response time testing for Unit 1 in lieu of testing at power, and forcing an unnecessary plant challenge by shutting down this plant, and also in lieu of restricting refueling and other activities at Unit 2. Further the staff finds the above sufficient justification for the licensee's exigent request for the license amendments.

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.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine 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.

This proposal does not involve a significant increase in the probability or consequences of an accident previously evaluated. The proposed change only reconciles the scope of response time testing described in the surveillance requirements with the elimination of selected response time testing, performed in accordance with the NRC-approved methodology delineated in the BWROG [Boiling Water Reactor Owners Group] Licensing Topical Report (LTR) NEDO–32291, 'System Analyses for Elimination of Selected Response Time Testing Requirements,' dated January 1994. Implementation of the LTR (i.e., elimination of response time testing for selected instrumentation in the Reactor Protection System, Isolation Actuation System and Emergency Core Cooling System) does not increase the probability or consequences of an accident or malfunction of equipment important to safety as previously evaluated in the FSAR.

All SSES component model numbers were analyzed for the failure mode of a sluggish response. As documented in the LTR, each component's sluggish response can be detected by other Technical Specification required tests (functional tests, calibrations and logic system functional tests). This supports the contention that the use of such ''qualitative'' testing does not affect the capability of the associated systems to perform their intended function within their required response time.

Based upon the analysis presented above, PP&L concludes that the proposed action does not involve a significant increase in the probability or 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.

This proposal does not create the probability of a new or different type of accident from any accident previously evaluated. The proposed change only reconciles the scope of response time testing described in the surveillance requirements with the elimination of selected response time testing, performed in accordance with the NRC-approved methodology delineated in the LTR.

Implementation of the LTR methodology for eliminating selected response time testing also does not create the probability of a new or different type of accident from any accident previously evaluated. A review of the failure modes of the affected plant equipment indicates that sluggish response of the instruments and relays can be detected by other Technical Specification surveillances. A review of SSES response time testing history revealed one response time test failure. This failure would have been detectable by the logic system functional test for this channel. Redundancy and diversity of the affected channels provide additional assurance that all affected functions will operate within the acceptance limits assumed in the plant safety analyses.

PP&L's adherence to the conditions listed in the NRC SER [Safety Evaluation Report] for the LTR provides additional assurance that sluggish response of instruments and relays will be detected by the other required Technical Specification tests. A review of various safety analyses performed as part of PP&L's 10 CFR 50.59 safety evaluation revealed that the five-second delay did not adversely affect the assumptions in the respective analyses.

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

3. The proposed change does not involve a significant reduction in the margin of safety.

The change does not involve a significant reduction in the margin of safety. The proposed change only reconciles the scope of response time testing described in the surveillance requirements with the elimination of selected response time testing, performed in accordance with the NRC-approved methodology delineated in the LTR.

Implementation of the LTR methodology for eliminating selected response time testing also does not involve a significant reduction in the margin of safety. The current response times are based on the maximum allowable values assumed in the plant safety analyses. The analyses conservatively establish the margin of safety. As described above, the elimination of selected response time testing does not affect the capability of the associated systems to perform their intended function within the allowed response time used as the basis for the plant safety analyses. Plant and system response to an initiating

event will remain in compliance within the assumptions of the safety analyses, and therefore the margin of safety is not affected. This is based upon the sluggish response of an instrument or relay being detected by the other required Technical Specification tests, component reliability, and redundancy and diversity of the affected functions. A review of the five-second delay of each function confirms that margin exists in the design basis for the technician to detect a sluggish response within five seconds. PP&L's adherence to the conditions listed in the NRC SER for the LTR provides additional assurance that sluggish response of instruments and relays will be detected by the other required Technical Specification tests. As described above, a review of various safety analyses performed as part of PP&L's 10 CFR 50.59 safety evaluation revealed that the five-second delay did not adversely affect the assumptions in the respective analyses.

Thus, PP&L concludes that the proposed change 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 14 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 14-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 14-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 May 19, 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 Osterhout Free Library, Reference Department, 71 South Franklin Street, Wilkes-Barre, PA 18701. 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 the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, 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: 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 John F. Stolz, Director, Project Directorate I–2: 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 Jay Silberg, 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).

For further details with respect to this action, see the application for amendment dated April 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 Osterhout Free Library, Reference Department, 71 South Franklin street, Wilkes-Barre, PA 18701.

Dated at Rockville, Maryland, this 11th day of April 1997.

For the Nuclear Regulatory Commission.

Chester Poslusny,

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

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PENSION BENEFIT GUARANTY CORPORATION

Agency Information Collection Activities: Proposed Collection; Comment Request; Firms with Significant Pension Plan Underfunding

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice.

SUMMARY: The Pension Benefit Guaranty Corporation intends to request that the Office of Management and Budget (''OMB'') extend the approval for a collection of information under the Paperwork Reduction Act. The information collection relates to the opportunity the PBGC gives companies maintaining single-employer pension plans with significant underfunding to correct data that the PBGC has on their plans' underfunding. The effect of this notice is to solicit public comment on this collection of information prior to the PBGC's request for an extension of approval.

DATES: Comments should be submitted to the PBGC by June 16, 1997.

ADDRESSES: All written comments should be addressed to: The Office of the General Counsel, Pension Benefit Guaranty Corporation, Suite 340, 1200 K Street, NW., Washington, DC 20005. The comments will be available for public inspection at the PBGC Communications and Public Affairs Department, Suite 240, 1200 K Street, NW., Washington, DC 20005, between the hours of 9 a.m. and 4 p.m. Copies of the materials may be obtained free of charge by writing to the PBGC Communications and Public Affairs Department at the above address.

FOR FURTHER INFORMATION CONTACT: James L. Beller, Attorney, Office of the General Counsel, Suite 340, 1200 K Street, NW., Washington, DC 20005, 202–326–4024 (202–326–4179 for TTY and TDD). (These are not toll-free numbers.)

SUPPLEMENTARY INFORMATION: The PBGC administers the pension plan termination insurance programs under Title IV of the Employee Retirement Income Security Act of 1974 (''ERISA'') (29 U.S.C. 1001 *et seq.*). To address concerns about the potential vulnerability of the single-employer insurance program to large claims, the PBGC needs current information on the funded status of plans with large amounts of underfunding. Information otherwise available to the PBGC is either not current enough (Form 5500 filings), not complete enough (PBGC Form 1 filings), or not public (filings under ERISA section 4010).

Since 1990, the PBGC has collected information on the companies whose underfunded plans present the largest potential claims against the PBGC by taking data from public corporate annual reports and the PBGC premium filings and adjusting that information to a standard interest rate and mortality table. Because the annual report data often includes foreign and other non-PBGC covered plans and the premium filings are not complete enough for this purpose, companies (and the PBGC) were concerned about the accuracy and completeness of the data. After the first public use of this data, companies suggested that the PBGC give them a chance to review the data.

As a result, the PBGC now annually contacts companies with the largest underfunding and requests that they verify (or correct) and, if they wish, supplement PBGC information on the amount of accumulated and vested benefits, the amount of plan assets, and the interest and mortality assumptions they used to value benefits in their covered plans. Respondents also may choose to recalculate accumulated, vested, and guaranteed benefits, and administrative expense loading charges, as well as to provide information on additional contributions made to the plans. The PBGC provides two simple response forms (which are not required to be used). In response to requests from companies, the PBGC also provides sample enrolled actuary certifications. These certifications are required for companies that elect to recalculate benefits or administrative expenses.

The PBGC uses the responses to improve the accuracy, timeliness, and completeness of information obtained from other sources. The data is used in various agency efforts, including estimating the potential exposure of the single-employer termination insurance program, legislative and other policy analyses, selecting plans for monitoring, responding to congressional requests for information on companies whose plans are significantly underfunded, and identifying for the public those companies with large levels of underfunding (including the amount of underfunding by company) or poor funding ratios.

The PBGC expects to contact about 400 companies annually (more if the interest rate is low; fewer if the interest rate is high) whose underfunding for vested benefits is greater than $25 million. Based on prior experience, the PBGC assumes that 90% of those contacted (360 responses) will choose to respond (even though this collection of information is voluntary). The PBGC estimates that the total annual hour