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.

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, 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 Herbert N. Berkow, Director, Project Directorate II–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, 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 amendments 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 amendments dated May 1, 1995, as supplemented by letters dated August 3 and 9, September 22, November 20, and December 21, 1995, 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 Burke County Library, 412 Fourth Street, Waynesboro, Georgia.

Dated at Rockville, Maryland, this 4th day of January 1996.

For the Nuclear Regulatory Commission.

L.A. Wiens,

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

[FR Doc. 96–349 Filed 1–9–96; 8:45 am]

BILLING CODE 7590–01–P

Confirmatory Order Suspending Authority for and Limiting Power Operation and Containment Pressure; (Effective Immediately); and Demand for Information

[Docket No. 50–309; License No. DPR–36 EA–96003]

In the Matter of Maine Yankee Atomic Power Company; Maine Yankee Atomic Power Station

I

Maine Yankee Atomic Power Company (Licensee) is the holder of Facility Operating License No. DPR–36, issued by the Atomic Energy Commission, predecessor to the Nuclear Regulatory Commission (NRC or Commission), pursuant to 10 CFR Part 50 on September 15, 1972. The license authorizes the operation of Maine Yankee Atomic Power Station (facility or Maine Yankee) in accordance with conditions specified therein. The facility is located on the Licensee's site in Lincoln County, Maine. The facility has been shut down for refueling and repairs to its steam generators since February 6, 1995.

II

On December 4, 1995, the NRC received both technical allegations and allegations of wrongdoing by Yankee Atomic Electric Company (YAEC) and the Licensee. In brief, it is alleged that YAEC, acting as agent for the Licensee, knowingly performed inadequate analyses of the emergency core cooling systems (ECCS) and the containment to support two license amendments to increase the rated thermal power at which Maine Yankee may operate. It is further alleged that the Licensee deliberately misrepresented the analyses to the NRC in seeking the license amendments. Specifically, it is alleged that YAEC management knew that the

ECCS for Maine Yankee, if evaluated in accordance with 10 CFR Section 50.46 using the RELAP5YA code, did not meet the licensing requirements for either the 2630 MWt or 2700 MWt power uprates that had previously been granted, and that deliberate misrepresentations were made to the NRC in order to obtain the 2700 MWt power uprate. (Operation at the initially licensed power level of 2440 MWt was not identified as a concern.)

It is also alleged that the Licensee had applied for power uprates on the basis of a fraudulent containment analysis. Specifically, the facility containment was designed for a pressure of 55 psig, but allegedly, YAEC deliberately excluded an energy source (steam generators) from the calculations to conceal the possibility that containment pressure could increase beyond the design pressure during a loss-of-coolant accident (LOCA).

In response to technical issues raised by these allegations, the NRC initiated a special technical review of the safety analysis performed by YAEC relating to the Licensee's license amendment applications for power uprate. An assessment team of NRC employees was dispatched to YAEC Headquarters in Bolton, Massachusetts, on December 11, 1995. The NRC team was accompanied by two employees of the State of Maine, who observed the activities of the team. The team reviewed documents and interviewed YAEC employees for 4 days, concentrating their efforts in the areas of small-break loss-of-coolant accident (SBLOCA) analyses and peak containment pressure determinations. YAEC provided additional documents to the NRC after the inspection team completed its inspection and departed, but prior to the close of business on December 14, 1995. This additional information is related to the SBLOCA analysis supporting the Licensee's 15th operating cycle (Cycle 15).

This Order and Demand address requirements and information related to future reactor operation. Allegations related to violations of NRC requirements, including wrongdoing, will be addressed separately from this Order and Demand.

III

Maine Yankee Atomic Power Company was granted a license to operate Maine Yankee on September 15, 1972, at a power level of 2440 MWt, based in-part on a Combustion Engineering (CE) analysis of ECCS. By application dated August 1, 1977, the Licensee requested a single step increase in the maximum thermal power rating to 2630 MWt, again based on a CE ECCS analysis. On May 10, 1978, the NRC issued Amendment No. 38 to the License, which increased the licensed power level to 2630 MWt, but restricted operation to 2560 MWt until the Advisory Committee on Reactor Safeguards reviewed and recommended approval of the power increase from 2560 to 2630 MWt. On June 20, 1978, the Commission issued Amendment No. 39, which authorized the Licensee to operate its facility at 2630 MWt. On December 28, 1988, the Licensee submitted a request to amend its license to increase the plant's maximum thermal power rating to 2700 MWt. The Commission granted this amendment request on July 10, 1989.

Licensees are required, in accordance with Appendix K to 10 CFR Part 50 and 10 CFR Section 50.46, to perform specific accident analyses, including SBLOCA analysis, for operation at their licensed maximum power level. NUREG–0737, ''Clarification of TMI Action Plan Requirements,'' (NUREG–0737) issued following the accident at Three Mile Island provides guidance for performing SBLOCA analysis. In particular, Item II.K.3.30, ''Revised SBLOCA Methods to Show Compliance With 10 CFR Part 50, Appendix K,'' and Item II.K.3.31, ''Plant-Specific Calculations to Show Compliance with 10 CFR Section 50.46,'' requested licensees submit to the NRC for approval both the revised methods and SBLOCA analysis. In response to Item II.K.3.30, the Licensee submitted licensing topical report YAEC–1300P, ''RELAP5YA: A Computer Program for Light Water Reactor System Thermal-Hydraulic Analysis.''

By letter dated January 30, 1989, the NRC found that RELAP5YA was acceptable, under certain conditions, as a licensing method for use in meeting 10 CFR Part 50 Appendix K and NUREG–0737 Item II.K.3.30 for SBLOCA analysis for Maine Yankee. Specifically, the NRC's Safety Evaluation for RELAP5YA listed twelve conditions, including specifications for future plant specific licensing submittals, justifying options taken and sensitivity studies performed. Of specific interest are conditions 4, 7, 8, 9, and 12, which identified justification for model nodalization used when a two-phase mixture level dropped below the top of the core, justification of all selected options and input data used in plant specific licensing submittals, documentation of plant specific sensitivity studies including, but not limited to, time step and break sizes, justification of steam generator nodalization, and the need to perform a break size study to include the worst SBLOCA case for the plant specific licensing application. This licensee has not provided the justifications or submittals specified by the safety evaluation to support Maine Yankee compliance with II.K.3.31 and 10 CFR Section 50.46. The NRC review team found that the RELAP5YA code as applied for the Maine Yankee Cycle 15 reload included noding changes and time step selection which differed from those reviewed by NRC in its January 30, 1989 SER for RELAP5YA.

NUREG–0737 Item II.K.3.5, ''Automatic Trip of Reactor Coolant Pumps During Loss-of-Coolant Accident,'' also identified issues related to 10 CFR Section 50.46. Generic Letter 83–10, ''Resolution of TMI Action Item II.K.3.5, Automatic Trip of Reactor Coolant Pumps'' requested licensees to justify use of manual action to trip the RCPs for SBLOCA events.

In its reply of June 28, 1985, the licensee concluded that use of a sub-cooled margin of 25°F for manually tripping the RCPs satisfied the generic letter and 10 CFR Section 50.46. By letter dated April 15, 1986, the NRC accepted the licensee's position which was based upon analyses performed with the RELAP5YA code.

The containment surrounding the facility's nuclear reactor is designed to an internal pressure of 55 psig. The containment was tested at 115% (63 psig) of its design pressure for structural acceptance. The original licensing basis analysis to predict the peak containment pressure, following a postulated loss-of-coolant accident, yielded a peak containment pressure of 49.5 psig when an initial containment pressure of 0.8 psig was assumed. Because the containment is designed to 55 psig, approximately 5 psig margin was available at the time of initial licensing. As a result of plant changes (e.g., increase in licensed power, and reactor coolant temperature increase) and calculational assumptions (e.g., containment volume) the calculated peak design-basis accident (DBA) pressure has increased. In the December 18, 1995, meeting, the licensee discussed containment calculations performed. The licensee stated that, when plant changes and calculation assumptions consistent with the as built plant are included and the initial containment pressure is limited to 2.0 psig, the calculated peak DBA pressure is less than 55 psig, the containment design pressure. It is noted that plant Technical Specifications limit the maximum operating pressure in containment to 3.0 psig. Assuming an initial containment pressure is 3.0 psig, the Technical Specification limit, the

calculated peak design pressure would exceed the containment design pressure.

As required by 10 CFR Part 50, Appendix J, ''Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors,'' the Licensee has tested its containment based upon peak DBA pressure, Pa, of 50 psig as specified in plant Technical Specifications. The last containment leakage test conducted at this pressure was in October 1988. This value of Pa (i.e., 50 psig) is not consistent with plant changes and calculational assumptions reflective of the as built plant as discussed above.

IV

As a result of technical concerns discussed above, questions remain as to whether operation of Maine Yankee at a power level of 2700 MWt and 3 psig containment pressure meets NRC requirements for ECCS and containment design. Thus, this Order and Demand for Information address actions necessary to ensure safe operation of the Maine Yankee Nuclear Power Plant pending completion of the NRC staff's evaluation of the allegations, including the allegations of wrongdoing, and information necessary to complete the staff's evaluation.

Based upon a meeting held with the Licensee on December 18, 1995, and the NRC staff's assessment team review, the NRC has determined that computer code RELAP5YA, which was proposed for use by Maine Yankee for Cycle 15 SBLOCA analyses to demonstrate, in part, compliance with the ECCS requirements specified at 10 CFR Section 50.46, has not been applied in a manner conforming to the requirements of 10 CFR Part 50, Appendix K, ''ECCS Evaluation Model,'' nor has it been applied in a manner conforming to the conditions specified in the staff's Safety Evaluation dated January 30, 1989 (SE), as necessary for NRC acceptance of the use of RELAP5YA for SBLOCA analyses for Maine Yankee. Specifically, the Licensee has not demonstrated that the code will reliably calculate the peak cladding temperature for all break sizes in the small-break LOCA spectrum for Maine Yankee, nor has the Licensee submitted the justification for the code options selected, in accordance with Condition 7 of the staff's SE, nor has the Licensee submitted other justifications and sensitivity studies to satisfy Conditions 4, 8, 9, and 12 of the January 30, 1989, SE. Because the Licensee did not satisfy the conditions specified in the NRC's approval, the plant-specific application of RELAP5YA, is not acceptable at Maine Yankee for SBLOCA. Therefore, the SBLOCA portion of the emergency core cooling analyses performed by Maine Yankee for Cycle 15 does not conform with the requirement of 10 CFR Section 50.46. For the same reasons, the staff also concludes, that TMI Action Plan Items II.K.3.30, II.K.3.31, and II.K.3.5 are likewise not satisfied.

Accordingly, the staff considers operation of Maine Yankee at 2700 MWt unacceptable.

The staff does, however, consider operation of Maine Yankee at 2440 MWt, using core operating limit parameters based upon analyses performed for operation at 2700 MWt acceptable because:

1. The operating limits in Revision 1 to the Core Operating Limits Report (COLR) submitted December 1, 1995, are restricted by non-LOCA transient analyses and large-break LOCA analyses which have been performed using NRC-approved methods and assuming power levels up to 2700 MWt. The power level of 2440 MWt is within this range.

2. The relatively low small-break LOCA peak cladding temperature (PCT), explicitly calculated with NRC-approved SBLOCA methods in previous cycles at power levels greater than 2440 MWt, met the requirements of 10 CFR Section 50.46 with substantial margin (e.g., Cycle 4 calculated PCT of 1348° F is substantially less than the 2200° F required limit at a power level of 2630 MWt). The power reduction to 2440 MWt provides additional margin to account for SBLOCA modeling uncertainties such as those identified in NUREG–0737.

3. Review of the analysis performed for other CE and Westinghouse plants related to NUREG–0737 Item II.K.3.5 have demonstrated that manual tripping of the RCPs meets the requirements of 10 CFR Section 50.46. Based on the similarity of the initial Maine Yankee plant response to a SBLOCA to other CE and Westinghouse plants, the staff concludes that the manual tripping of the RCPs is acceptable for Maine Yankee.

Therefore, since operating limits have been developed for power levels up to 2700 MWt based upon limiting events that have been analyzed using approved methods, and a power reduction margin is being imposed to account for SBLOCA modeling uncertainties, the staff finds that Maine Yankee operation at 2440 MWt does not pose an undue health or safety risk to the public.

The staff has reviewed the results of containment peak accident pressure analysis performed by the Licensee for a licensed thermal power level of 2700 MWt, with initial containment pressure limited to 2 psig. The calculated pressure is 54.8 psig, and is within the containment design pressure of 55 psig. The 54.8 psig value was generated using sensitivity analysis in conjunction with the original licensing basis results. The sensitivity studies were performed by YAEC using a CE mass and energy analysis and the CONTEMPT computer program. All known, relevant changes to the facility (e.g., spray system changes, power uprates, and containment maximum temperature increase) were considered, in addition to certain effects not encompassed in the original analyses (e.g., reactor coolant system (RCS) thermal expansion, use of lower bound containment volume assumption, and increased containment operating pressure of 2 psig).

The staff further notes that there is substantial margin beyond containment design pressure. Specifically, containment was successfully tested to a pressure of 63 psig upon completion of construction and a finite element analysis performed by Sandia Laboratories for the staff calculated a lower bound on the ultimate strength of the Maine Yankee containment of 96 psig.

The Licensee recently performed calculations of the leakage expected at the maximum containment internal pressure (Pa) for a DBA of 54.8 psig. Extrapolating from previous Appendix J testing to this revised Pa, the Licensee confirmed that the revised leakage was within the required acceptance criteria for Type A tests as specified in 10 CFR Part 50 Appendix J.

The staff concludes that operation with initial containment pressure limited to 2.0 psig and power limited to 2440 MWt does not pose an undue health or safety risk to the public.

V

On Monday, December 18, 1995, a transcribed public meeting was held at NRC Headquarters, Rockville, MD, to discuss with the Licensee the findings of the review and evaluation team and to seek any additional information the Licensee or its agent, YAEC, could provide. In concluding the meeting, the NRC advised the Licensee that the NRC had concerns regarding the adequacy of proprietary computer code RELAP5YA, applied by the Licensee for Cycle 15 SBLOCA analysis, and that this analysis is not adequate for demonstrating compliance with 10 CFR Section 50.46, ''Acceptance Criteria for Emergency Core Cooling Systems for Light Water Nuclear Power Reactors,'' and NUREG–0737, ''Clarification of TMI Action Plan Requirements,'' Items II.K.3.30 and II.K.3.31. This determination led the

staff to conclude that operation at 2700 MWt was not supported, and that the Licensee should evaluate operation at the 2440 MWt level established in the original license issued on September 15, 1972. The staff indicated that operation at a lower power level could be found acceptable if operation is based upon methods previously found acceptable by the staff, and not dependent on RELAP5YA for SBLOCA analysis. Further, the NRC advised the Licensee that the NRC would identify terms and conditions under which the Licensee could propose resumption of power operation of its facility.

On Tuesday, December 19, 1995, the Licensee informed the NRC staff that they intended to use RELAP5YA to analyze transients not associated with core operating limits. In a December 20, 1995, telephone call the NRC advised the Licensee that, based on this broader use of RELAP5YA, the NRC would require additional time to determine its further actions. In addition, the Licensee committed to not restart the facility until NRC had completed its review of new information regarding the use of RELAP5YA and containment pressure limits. A letter summarizing events of the week of December 18, 1995, was sent to the Licensee on December 21, 1995.

By letter dated December 22, 1995, the Licensee committed to: (1) limit thermal power output of the plant at or below 2440 MWt until a SBLOCA analysis specific to the Maine Yankee plant has been submitted to the NRC and written approval from the NRC staff for operation at a higher power has been received, (2) develop and document the justification for the use of Cycle 15 operating limits using methods approved for Maine Yankee without reliance on the RELAP5YA computer code prior to achieving initial criticality for Cycle 15 operation, (3) limit the maximum internal containment operating pressure to 2 psig prior to Cycle 15 initial criticality, and (4) conduct a thorough review in order to identify any other applications where RELAP5YA would be relied on for Cycle 15 operation.

VI

I find that implementation of the Licensee's commitments to limit power to 2440 MWt and initial containment pressure to 2 psig as set forth in the Licensee's letter of December 22, 1995, is acceptable and necessary, and that with implementation of these commitments, the public health and safety are reasonably assured. In view of the foregoing, I have determined that public health and safety require that such commitments be confirmed by this Order and Demand. The Licensee has agreed to this action. Pursuant to 10 CFR 2.202, I have also determined, based on the Licensee's commitment and on the significance of the concerns regarding the adequacy of the Licensee's small-break LOCA and containment analyses supporting operations described above, that the public health and safety require that this Order be immediately effective.

VII

Accordingly, pursuant to sections 103, 161b, 161i, 161o, 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR Part 50, It is hereby ordered, effective immediately, that:

1. Authority to operate Maine Yankee at 2700 MWt maximum power is suspended and Maine Yankee shall limit power to 2440 MWt, until the NRC has reviewed and approved the SBLOCA analysis described in Section IX, item 5, below.

2. Authority to operate Maine Yankee at maximum internal containment pressure at 3 psig is suspended and Maine Yankee shall limit containment pressure to 2 psig, until the NRC has reviewed and approved the DBA analysis of containment pressure response required by Section IX, item 6, below.

The Director, Office of Nuclear Reactor Regulation, may relax or rescind, in writing, any provisions of this Confirmatory Order upon a showing by the Licensee of good cause.

VIII

Any person adversely affected by this Confirmatory Order, other than the Licensee, may request a hearing within 20 days of its issuance. 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 Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and include a statement of good cause for the extension. Any request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Chief, Docketing and Service Section, Washington, DC 20555. Copies of the hearing request shall also be sent to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Hearings and Enforcement at the same address, to the Regional Administrator, NRC Region I, 475 Allendale Road, King of Prussia, PA 19406–1415, and to the Licensee. If such a person requests a hearing, that person shall set forth with particularity the manner in which his/her interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).

If the hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained.

Pursuant to 10 CFR 2.202(c)(2)(i), any person other than the Licensee adversely affected by this Order, may, in addition to demanding a hearing, at the time the answer is filed or sooner, move the presiding officer to set aside the immediate effectiveness of the Order on the ground that the Order, including the need for immediate effectiveness, is not based on adequate evidence but on mere suspicion, unfounded allegations, or error.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section VII above shall be final 20 days from the date of this Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section VII shall be final when the extension expires if a hearing request has not been received. An answer or a request for hearing shall not stay the immediate effectiveness of this order.

IX

Additionally, further information is needed to determine whether the Commission can continue to have reasonable assurance that the Licensee is conducting its activities in accordance with the Commission's requirements.

Accordingly, pursuant to sections 161c, 161o, 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.204 and 10 CFR 50.54(f), in order for the Commission to determine whether your license should be modified, suspended or revoked, or other enforcement action taken to ensure compliance with NRC regulatory requirements, you are required to submit to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, the following information, in writing and under oath or affirmation, in the form and according to the schedule indicated below:

1. A description of evaluations that have been completed that provide justification for the use of Cycle 15 operating limits, as established in the Cycle 15 Core Operating Limits Report, using methods approved for Maine Yankee and without reliance on the RELAP5YA computer code for SBLOCA analysis and assuming a reactor thermal rating of 2440 MWt. Details related to analyses performed, significant assumptions, and conclusions drawn shall be provided;

2. A description of all other applications where RELAP5YA is relied on for Cycle 15 operation identifying the details of the application, and conclusions drawn with respect to any facility modifications or procedure changes. For each application, document the determination that operability, as defined in Maine Yankee Technical Specifications, of affected structures, systems and components is maintained. For plant procedures required by Maine Yankee Technical Specifications that rely on RELAP5YA analysis for operator action, document the determination as to why the affected operator action continues to be appropriate or, if necessary, evaluate the affected procedures in accordance with 10 CFR Section 50.59 and provide a summary of that evaluation. If any procedures are changed, confirm that appropriate training has been provided;

3. A description of measures taken to limit reactor operation to a maximum thermal power of 2440 MWt (90.37% of 2700 MWt);

4. A description of measures taken to limit containment internal operating pressure to a maximum of 2 psig;

5. A SBLOCA analysis that is specific to Maine Yankee for operation at power levels up to 2700 MWt. The analysis must meet the requirements of 10 CFR Section 50.46, ''Acceptance criteria for emergency core cooling systems for light water nuclear power reactors,'' and NUREG–0737, ''Clarification of TMI Action Plan Requirements,'' Items II.K.3.30 and 31, ''SBLOCA Methods'' and ''Plant-specific Analysis,'' respectively, and NUREG–0737, Item II.K.3.5, ''Automatic Trip of Reactor Coolant Pumps During LOCA;''

6. An integrated containment analysis, accounting for relevant changes to the facility (e.g., spray system changes, power uprates, and containment maximum temperature and pressure changes), during a DBA that demonstrates the maximum calculated DBA containment pressure meets the design basis pressure for Maine Yankee (55 psig). Assumptions used for these analyses that are different from those specified in NUREG–0800, the NRC Standard Review Plan, Section 6.2.1.1.A, shall be described.

Information required by items 1, 2, 3, and 4, above, shall be documented and submitted to the NRC prior to criticality. Detailed files and supporting computer analyses shall be available on site or at the corporate office.

A schedule for producing the information required by items 5 and 6 above, shall be provided to the NRC within 30 days of the date of the Demand for Information.

Copies of the response regarding items 1, 2, 3, and 4, and the schedule for producing the information required by items 5 and 6, shall also be sent to the Assistant General Counsel for Hearings and Enforcement at the same address, and to the Regional Administrator, NRC Region I, 475 Allendale Road, King of Prussia, PA 19406–1415.

After reviewing your response, the NRC will determine whether further action is necessary to ensure compliance with regulatory requirements.

Dated at Rockville, Maryland, this 3rd day of January 1996.

For the Nuclear Regulatory Commission.

William T. Russell,

Director, Office of Nuclear Reactor Regulation.

[FR Doc. 96–348 Filed 1–9–96; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

Request For Public Comment

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Extension:

Rule 236, SEC File No. 270–118, OMB Control No. 3235–0095

Reg. B, SEC File No. 270–102, OMB Control No. 3235–0093

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is publishing the following summaries of collections for public comment.

Rule 236, a rule promulgated pursuant to the Securities Act of 1933 (''Securities Act''), that requires issuers wishing to rely upon an exemption from registration from the Securities Act for the issuance of fractional shares, scrip certificates or order forms, in connection with a stock dividend, stock split, reverse stock split, conversion, merger or similar transaction, to furnish specified information to the Commission in writing at least ten days prior to the offering. The information is needed to provide notice that an issuer is relying on the exemption. An estimated ten submissions are made pursuant to Rule 236 annually, resulting in an estimated annual total burden of 15 hours.

Regulation B provides exemptions from the Securities Act relating to fractional undivided interests in oil or gas rights. Persons offering securities under this exemption, as conditions to the exemption, are still required to file basic prescribed documents with the Commission containing certain material information and to provide prospective investors with this information with respect to such securities. A report on Form 1–G must be filed with the Commission on or before the 15th day after the expiration of each effective offering sheet pursuant to Regulation B, or the termination of sales, whichever comes first. Not later than three calendar months after the termination of the offering, the offeror must file with the Commission and send to purchasers of interests a report on Form 3–G. An estimated 5 submissions are made pursuant to Regulation B annually, resulting in an estimated total annual reporting burden of 205 hours.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Direct your written comments to Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549.

Dated: January 2, 1996.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–362 Filed 1–9–96; 8:45 am]

BILLING CODE 8010–01–M