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: 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 William H. Bateman, Director, Project Directorate IV–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 Nancy C. Loftin, Esq., Corporate Secretary and Counsel, Arizona Public Service Company, P.O. Box 53999, Mail Station 9068, Phoenix, Arizona 85072–3999, 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 June 17, 1996, 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 Phoenix Public Library, 1221 N. Central Avenue, Phoenix, Arizona 85004.

Dated at Rockville, Maryland, this 6th day of September 1996.

For the Nuclear Regulatory Commission.

James W. Clifford,

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

[FR Doc. 96–23195 Filed 9–10–96; 8:45 am]

BILLING CODE 7590–01–P

[Docket No. 40–8902]

Atlantic Richfield Company

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 amend NRC Source Material License SUA–1470 to allow the licensee, Atlantic Richfield Company, to dispose of mill waste contaminated by polychlorinated biphenyls (PCBs) at its Bluewater uranium mill and tailings site in Cibola County, New Mexico. An Environmental Assessment was performed by the NRC staff 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. Kenneth R. Hooks, Uranium Recovery Branch, Mail Stop TWFN 7–J9, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone 301/415–7777

SUPPLEMENTARY INFORMATION:

Background

Atlantic Richfield Company (ARCO) is reclaiming its Bluewater Mill site under a reclamation plan approved by the U.S. Nuclear Regulatory Commission on August 10, 1990. The plan covers the Main Tailings Pile (about 250 acres), the Carbonate Tailings Pile (about 50 acres), the Acid Tailings Pile (about 25 acres) and seven synthetically lined evaporation ponds. The tailings piles contain roughly 25 million tons of tailings. Modifications to the reclamation plan were approved January 30, 1992; May 27, 1994; July 20, 1994; July 20, 1995; July 8, 1996; and July 18, 1996. The groundwater Corrective Action Plan for the Bluewater Mill site was approved by the NRC on August 18, 1989 and groundwater Alternate Concentration Limits were approved by the NRC on February 22, 1996.

Summary of the Environmental Assessment

Identification of the Proposed Action

By letter dated May 25, 1995, ARCO requested NRC approval of the disposal of mill waste containing PCBs at the Bluewater Mill site. ARCO characterized the waste as being composed primarily of spillage of ore residues from the mill ore crushing and milling circuit, and PCBs from electrical transformers in or adjacent to the mill. The waste is in 145 drums (less than 1200 cubic feet or 100 tons), and would be disposed of in a special disposal cell, backfilled with soil cement, with a clay cap and liner each a minimum of 3 feet thick and designed for 1000 year containment, within Disposal Area No. 1. Disposal Area No. 1 has an additional 1 foot of compacted engineered fill as a bottom liner and 2 feet as a top cover. There are no free liquids in the drums. The Ra-226 content of the waste material varies up to about 200 pCi/gram, with an average of about 10 pCi/gram. Based on samples taken during cleanup of the waste, the PCB concentration within the drums is estimated by ARCO to be greater than 50 ppm but less than 500 ppm.

Need for the Proposed Action

There are presently no commercial waste disposal sites in the United States licensed to accept radioactive waste contaminated with PCBs. The only current alternatives to permanent onsite disposal are relocation to a separate disposal area (which would have to be licensed by the NRC and permitted by the EPA), or temporary storage onsite or in another location (again requiring licensing and permitting) until a permanent disposal site is available.

Environmental Impacts of the Proposed Action

The ARCO Bluewater Mill site is licensed by the NRC under Materials License SUA–1470 to possess byproduct material in the form of uranium waste tailings as well as other radioactive wastes generated by past milling operations. Except for the PCBs, the waste could have been disposed of in the tailings piles as was done with other mill debris and windblown cleanup material, or with other drummed waste which was disposed of in a similar cell in Disposal Area No. 1 (ARCO Letter to NRC, February 3, 1995; NRC letter to ARCO, July 8, 1996). The PCB-contaminated waste is in drums, and would make a negligible contribution to the radon releases or groundwater contamination from the tailings impoundments even in the event of failure of the drums.

Disposal of PCB-contaminated material at the Bluewater site was evaluated by EPA Region 6. ARCO submitted documentation concerning its disposal plans to the EPA in letters dated October 9, 1995; January 26, 1996; and July 8, 1996. The EPA published a copy of its proposed approval to permit land dispose of PCBs at ARCO's Bluewater Mill site for a 45-day public comment period on April 30, 1996 in the Albuquerque (New Mexico) Journal newspaper. By letter dated June 24, 1996, the EPA notified ARCO that no comments were received during the public comments period and the EPA was issuing final approval of the disposal. DOE notified ARCO that it would accept the site, subject to certain conditions including EPA approval, in a letter dated February 23, 1996.

Alternatives to the Proposed Action

Based on its review of the request, the NRC staff has concluded that from the radiological standpoint there are no significant environmental impacts associated with the proposed action. The principal alternative to the proposed action would be to deny the requested action. The NRC staff has determined that the environmental impacts of the proposed action are less than the alternative actions. Therefore, there is no need to further evaluate alternatives to the proposed action.

Agencies and Persons Consulted

In preparing this Environmental Assessment, the NRC staff held discussions with personnel of EPA Region 6 and the New Mexico Environment Department, which has discharge permits pertaining to the Bluewater site. The staff also attended meetings between ARCO and EPA Region 6 on November 1, 1995 and December 7, 1995.

Finding of No Significant Impact

The NRC staff has prepared an Environmental Assessment for the proposed amendment of NRC Source Material License SUA–1470. On the basis of this assessment, the NRC staff has concluded that the environmental impacts that may result from the proposed action would not be significant, and therefore, preparation of an Environmental Impact Statement is not warranted.

The Environmental Assessment and other documents related to this proposed action are available for public inspection and copying at the NRC Public Document Room, in the Gelman Building, 2120 L Street NW., Washington, DC 20555.

Dated at Rockville, Maryland, this day of September 1996.

For the Nuclear Regulatory Commission.

Daniel M. Gillen,

Acting Chief, Uranium Recovery Branch, Division of Waste Management, Office of Nuclear Material, Safety and Safeguards

[FR Doc. 96–23193 Filed 9–10–96; 8:45 am]

BILLING CODE 7590–01–P

[Docket Nos. 50–295 and 50–304]

Commonwealth Edison Company; 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. DPR–39 and DPR–48 issued to Commonwealth Edison Company (ComEd, the licensee) for operation of the Zion Nuclear Power Station, Units 1 and 2, located in Lake County, Illinois.

The proposed amendments would modify Technical Specification Section 4.3.1.B.4.A.10.a which provides the acceptance criteria for steam generator tube repairs by adding a footnote which references the cleanliness and nondestructive examination requirements as described in CEN–629–P, Revision 00, ''Repair of Westinghouse Series 44 and 51 Steam Generator Tubes Using Leak Tight Sleeves.''

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 amendments requested involve 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.