Regulatory Guide DG–3008 provides guidance on an acceptable nuclear criticality safety training program. The information in the applications, reports and records is used by NRC to make licensing and other regulatory determinations concerning the use of special nuclear material. The revised estimate of burden reflects the addition of requirements for documentation for termination or transfer of licensed activities.

A copy of the final 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 should be directed to the OMB reviewer by June 29, 1998. Erik Godwin, Office of Information and Regulatory Affairs (3150–0009), NEOB–10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395–3084.

The NRC Clearance Officer is Brenda Jo. Shelton, 301–415–7233.

Dated at Rockville, Maryland, this 20th day of May 1998.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 98–14101 Filed 5–27–98; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–341]

Detroit Edison Company; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF–43, issued to Detroit Edison Company (the licensee), for operation of the Fermi 2 Plant located in Newport, Michigan.

The proposed amendment would modify the scram discharge volume (SDV) vent and drain valve action requirements to be consistent with those contained in NUREG–1433, Revision 1, ''Standard Technical Specifications General Electric Plants, BWR/4.'' Technical Specification (TS) Limiting Condition for Operation 3.1.3.1, Action d., currently specifies that ''With one scram discharge volume vent valve and/or one scram discharge volume drain valve inoperable and open, restore the inoperable valve(s) to OPERABLE status within 24 hours or be in at least HOT SHUTDOWN within the next 12 hours.'' TS 3.1.3.1, Action e., currently specifies that ''With any scram discharge volume vent valve(s) and/or any scram discharge volume drain valve(s) otherwise inoperable, restore the inoperable valve(s) to OPERABLE status within 8 hours or be in at least HOT SHUTDOWN within the next 12 hours.'' The licensee proposes to revise TS 3.1.3.1, Action d. making it applicable to valves inoperable for any reason, and to increase the time allowed for restoring a SDV vent or drain line with one valve inoperable from the current 24 hours to 7 days. This proposed change would also allow separate entry into the action for each affected drain and vent line. TS 3.1.3.1, Action e. would be revised to allow continued operation with both valves in one or more SDV vent or drain lines inoperable, provided the lines are isolated within 8 hours, and each valve is restored to operable status within 7 days of its respective inoperability. A footnote would be added to TS 3.1.3.1, Action e. that would allow the SDV line to be unisolated under administrative control for the purpose of venting and draining the SDV. As with the proposed change to Action d., the proposed change to Action e., would allow separate entry into the action for each SDV vent or drain line.

Detroit Edison is requesting that this license amendment request be processed in an exigent manner in accordance with 10 CFR 50.91(a)(6) because delay in granting this amendment could lead to a plant shutdown. The plant is currently operating at 96% power with the SDV vent and drain valves open for normal operation. One of the SDV isolation valves, although currently operable in accordance with TS, has recently shown signs of stoke time performance degradation. The licensee has observed an increase in the stoke time over several weeks for C1100F0010, one of the SDV vent valves, during testing of the valve in accordance with Surveillance Requirement 4.1.3.1.4.a.1 and the Inservice Testing Program. Increased frequency testing (approximately every 7 days) has been initiated in order to establish a trend in the rate of degradation. However, the licensee has indicated that no clear trend can be established. Fermi 2 management has determined that it is prudent to repair the actuator for the valve before degradation causes the valve to exceed its testing performance criteria limits. In order to perform this repair, the vent line will be isolated, which will place the plant in the TS 3.1.3.1, Action e., 8 hour allowed outage time. The licensee believes that the actuator repair cannot be accomplished within the 8-hour limit.

The licensee was unable to make a more timely application because it only recently concluded that the valve might fail testing at any time and that rework in the near future would be prudent. The licensee evaluated the time required to rework the valve and estimated that the work would take 11 hours unless unforeseen problems are encountered. Because the time required for the work exceeds the time allowed by the action statement, the licensee decided to request an amendment to change the action statement using the improved standard technical specifications as a guide. The licensee submitted the amendment request within a few days of the time it decided to make the request.

The staff has determined that the licensee used its best efforts to make a timely application for the proposed changes and that exigent circumstances do exist and were not the result of any intentional delay on the part of the licensee.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

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 change does not involve a significant increase in the probability or

consequences of an accident previously evaluated.

The proposed change will:

(a) allow operation with one valve in each SDV vent or drain line to be inoperable for any reason for a period of 7 days. The SDV vent and drain valves are not considered to be an initiator for any previously analyzed accident. Therefore, this change does not involve a significant increase in the probability of any accident previously evaluated. Redundant OPERABLE isolation valves are installed in the vent and drain lines so that isolation capability is maintained for the short period the inoperable valve may not be capable of performing its function. The ability of the SDV vent and drain valves to limit the amount of water discharged during scram so that adequate core cooling and offsite doses remain within 10 CFR 100 limits is maintained. Therefore, this change does not involve a significant increase in the consequences of an accident previously evaluated.

(b) allow continued operation with one or more SDV vent or drain lines with both valves inoperable provided the line(s) are isolated within 8 hours, and each valve is restored to OPERABLE status within 7 days of its respective inoperability. It also allows the line(s) to be unisolated under administrative controls to vent or drain the affected SDV. The SDV vent and drain valves are not considered to be an initiator for any previously analyzed accident and, therefore, these changes do not involve a significant increase in the probability of any previously evaluated accident. With the vent or drain lines isolated, the accident containment isolation function is maintained. The administrative control provision allows the lines to be unisolated to preclude an unnecessary reactor trip on high SDV level and to ensure sufficient volume is available to accept the reactor coolant discharged during a scram. The administrative controls also provide for prompt action to isolate the line(s), if necessary, should a scram occur while the valve is open. Because the intended function is maintained, these changes do not involve a significant increase in the consequences of an accident previously evaluated.

2. The change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed changes do not involve any physical modifications to the plant systems, structures, or components. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

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

The proposed changes:

(a) allow operation with one valve in each SDV vent or drain line to be inoperable for any reason for a period of 7 days. The automatic scram on high SDV level (TS 3.3.1, Table 3.3.1–1, Functional Unit 8) ensures the SDV does not fill beyond the capacity needed to assure a complete scram. The primary containment isolation function can be maintained by the redundant valve in each of these lines. Also, allowing the SDV to have an inoperable valve in the drain or vent line and not meet single failure considerations is acceptable because it is limited to 7 days. This length of time has been found to be acceptable because of the redundancy and low probability of a scram occurring while the valve(s) are inoperable. Therefore, the proposed change does not involve a significant reduction in the margin of safety.

(b) allow continued operation with SDV vent or drain lines with both valves inoperable if the affected line(s) is isolated within 8 hours, and each valve is restored to OPERABLE status within 7 days of its respective inoperability. With the line(s) isolated the primary containment isolation function is maintained. The provision that permits the line(s) to be unisolated under administrative control ensures that an unnecessary reactor scram on SDV high level will not occur. The provision also ensures the line(s) that are unisolated under administrative controls can be promptly isolated. These provisions ensure that sufficient SDV volume is maintained to assure a complete reactor scram and that primary containment integrity is maintained. Therefore, 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 by close of business within 14 days after the date of publication of this notice will be considered in making any final determination. The licensee requested issuance of the amendment by May 26, 1998. Issuance of the amendment on this date would not have allowed any time for public comments on the amendment request. However, the NRC staff has determined that it would be appropriate to allow more time for public review of and comment on the amendment request.

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 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 June 29, 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 Monroe County Library System, Ellis Reference and Information Center, 3700 South Custer Road, Monroe, Michigan 48161.

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: 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 John Flynn, Esq., Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan 48226, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated May 20, 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 Monroe County Library System, Ellis Reference and Information Center, 3700 South Custer Road, Monroe, Michigan 48161.

Dated at Rockville, Maryland, this 22nd day of May 1998.

For the Nuclear Regulatory Commission.

Andrew J. Kugler,

Project Manager, Project Directorate III–1, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 98–14146 Filed 5–27–98; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50–341]

Detroit Edison Company; FERMI 2 Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from certain requirements of its regulations to Facility Operating License No. NPF–43, issued to Detroit Edison Company (the licensee), for operation of the Fermi 2 plant, located in Monroe County, Michigan.

Environmental Assessment

Identification of the Proposed Action

The proposed action would exempt the licensee, in certain cases, from the requirements of 10 CFR 70.24(a), which, in part, requires a monitoring system in each area in which special nuclear material is handled, used, or stored, that will energize clear audible alarms if accidental criticality occurs.

The proposed action is in accordance with the licensee's application for exemption dated April 27, 1998.

The Need for the Proposed Action

The purpose of 10 CFR 70.24 is to ensure that if a criticality were to occur during the handling of special nuclear material, personnel would be alerted to that fact and would take appropriate action. At a commercial nuclear power plant, the inadvertent criticality with which 10 CFR 70.24 is concerned could occur during fuel handling operations. The special nuclear material that could be assembled into a critical mass at a commercial nuclear power plant is in the form of nuclear fuel; the quantity of other forms of special nuclear material that is stored onsite in any given location (e.g., calibration sources or in-