

should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final

determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to M. Stanford Blanton, Esq., Balch and Bingham, Post Office Box 306, 1710 Sixth Avenue North, Birmingham, Alabama, attorney for the licensee.

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

For further details with respect to this action, see the application for amendments dated September 17, 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 Houston-Love Memorial Library, 212 W. Burdeshaw Street, Post Office Box 1369, Dothan, Alabama.

Dated at Rockville, Maryland, this 19th day of September 1997.

For the Nuclear Regulatory Commission.

**Jacob I. Zimmerman,**

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

[FR Doc. 97-25316 Filed 9-23-97; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 70-3085]

### Draft Environmental Impact Statement on Proposed Decommissioning of the Babcock & Wilcox Shallow Land Disposal Area in Parks Township, PA

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Draft Environmental Impact Statement—Decommissioning of the Babcock & Wilcox Shallow Land Disposal Area in Parks Township, Pennsylvania; withdrawal of notice of availability.

**SUMMARY:** The U.S. Nuclear Regulatory Commission is withdrawing a Draft Environmental Impact Statement (DEIS) (NUREG-1613) regarding the proposed decommissioning of the Babcock & Wilcox (B&W) Shallow Land Disposal Area (SLDA) in Parks Township, Pennsylvania. A notice of availability for the DEIS was published on September 4, 1997 (62 FR 46780). The NRC is taking this withdrawal action in order to develop additional information regarding the alternatives described in the DEIS.

**EFFECTIVE DATE:** September 24, 1997.

**FOR FURTHER INFORMATION CONTACT:** Dr. Phyllis Sobel, Low-Level Waste and Decommissioning Projects Branch, Mail Stop T7F-27, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001. Telephone 301-415-6714.

**SUPPLEMENTARY INFORMATION:** On September 4, 1997 (62 FR 46780), the NRC published a notice of availability for a Draft Environmental Impact Statement (DEIS) for the proposed decommissioning of the Babcock & Wilcox (B&W) Shallow Land Disposal Area (SLDA) in Parks Township, Pennsylvania. The DEIS described and evaluated the potential environmental impacts of B&W's proposed approach to decommission the radiologically contaminated waste which would involve the stabilization of waste in place at the site. The DEIS also contained information regarding alternatives to B&W's proposal, including an NRC staff recommended alternative that would involve a modified stabilization in place option.

The NRC is withdrawing the DEIS in order to develop additional information regarding the alternatives presented. The NRC will provide further consideration to the merits of the various alternatives in light of any

additional information that is developed. As a result of this withdrawal action, the NRC is postponing the public meeting announced in the notice published on September 4. In addition, the opportunity for a hearing that was published as part of the notice is withdrawn pending further NRC action on the matter.

Dated at Rockville, Md., this 18th day of September 1997.

For the Nuclear Regulatory Commission,  
**John W.N. Hickey,**  
*Chief, Low-Level Waste and Decommissioning  
Projects Branch, Division of Waste  
Management, Office of Nuclear Material  
Safety and Safeguards.*

[FR Doc. 97-25317 Filed 9-23-97; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Sunshine Act Meeting

**AGENCY HOLDING THE MEETING:** Nuclear Regulatory Commission.

**DATE:** Weeks of September 22, 29, October 6, and 13, 1997.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

### MATTERS TO BE CONSIDERED:

#### Week of September 22

There are no meetings scheduled for the week of September 22.

#### Week of September 29—Tentative

There are no meetings scheduled for the week of September 29.

#### Week of October 6—Tentative

There are no meetings scheduled for the week of October 6.

#### Week of October 13—Tentative

*Tuesday, October 14*

10:00 a.m.

Briefing on EEO Program (Public Meeting) (Contact: Irene Little, 301-415-7380)

1:00 p.m.

Briefing on Severe Accident Master Integration Plan (Public Meeting)

*Wednesday, October 15*

10:00 a.m.

Briefing on PRA Implementation Plan (Public Meeting) (Contact: Gary Holahan, 301-415-2884)

11:30 a.m.

Affirmation Session (Public Meeting) (if needed)

\*The schedule for commission meetings is subject to change on short

notice. To verify the status of meetings call (recording) (301) 415-1292. Contact person for more information: Bill Hill (301) 415-1661.

\* \* \* \* \*

The NRC Commission Schedule can be found on the Internet at: <http://www.nrc.gov/SECY/smj/schedule.htm>.

\* \* \* \* \*

This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to it, please contact the Office of the Secretary, Attn: Operations Branch, Washington, D.C. 20555 (301-415-1661).

In addition, distribution of this meeting notice over the internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [wmh@nrc.gov](mailto:wmh@nrc.gov) or [dkw@nrc.gov](mailto:dkw@nrc.gov).

\* \* \* \* \*

Dated: September 19, 1997.

**William M. Hill, Jr.,**

*SECY Tracking Officer, Office of the Secretary.*

[FR Doc. 97-25444 Filed 9-22-97; 8:45 am]

BILLING CODE 7590-01-M

## NUCLEAR REGULATORY COMMISSION

### Biweekly Notice

#### Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations

##### I. Background

Pursuant to Public Law 97-415, the U.S. Nuclear Regulatory Commission (the Commission or NRC staff) is publishing this regular biweekly notice. Public Law 97-415 revised section 189 of the Atomic Energy Act of 1954, as amended (the Act), to require the Commission to publish notice of any amendments issued, or proposed to be issued, under a new provision of section 189 of the Act. This provision grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from August 29, 1997, through September 12, 1997. The last biweekly notice was published on September 10, 1997 (62 FR 47696).

#### Notice Of Consideration of Issuance of Amendments To Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The Commission has made a proposed determination that the following amendment requests 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. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received before action is taken. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules and Directives Branch, Division of 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