

CABOT to possess 100 tons of elemental uranium and thorium total at both sites. The contaminated material at the Revere site is in the form of soil located at four discrete locations. The contamination is the result of processing ores which contained uranium and thorium.

On November 19, 1997, the licensee submitted a site decommissioning plan (SDP) to NRC for review that summarized previous decommissioning efforts at the Revere site. The SDP concludes that long-term doses from the contaminated material at current levels meet the requirements of the Radiological Criteria for License Termination rule (62FR39058).

Therefore, the licensee proposes that no additional decommissioning is required.

Prior to the issuance of the amendment, NRC will have made findings required by the Atomic Energy Act of 1954, as amended, and NRC's regulations. These findings will be documented in a Safety Evaluation Report and an Environmental Assessment.

NRC provides notice that this is a proceeding on an application for a license amendment falling within the scope of Subpart L, "Informal Hearing Procedures for Adjudication in Materials Licensing Proceedings," of NRC's rules and practice for domestic licensing proceedings in 10 CFR Part 2. Pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing in accordance with § 2.1205(d). A request for a hearing must be filed within thirty (30) days of the date of publication of this **Federal Register** notice.

The request for a hearing must be filed with the Office of the Secretary either:

1. By delivery to Secretary, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, between 7:45 am and 4:15 pm Federal workdays; or

2. By mail or telegram addressed to Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Attention: Docketing and Services Branch.

In addition to meeting other applicable requirements of 10 CFR Part 2 of the NRC's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

1. The interest of the requester in the proceeding;
2. How that interest may be affected by the results of the proceeding, including the reasons why the requester should be permitted a hearing, with

particular reference to the factors set out in § 2.1205(h);

3. The requester's areas of concern about the licensing activity that is the subject matter of the proceeding; and

4. The circumstances establishing that the request for a hearing is timely in accordance with § 2.1205(d).

In accordance with 10 CFR § 2.1205(f), each request for a hearing must also be served, by delivering it personally or by mail, to:

1. The applicant, Cabot Performance Materials, P.O. Box 1608, Boyertown, Pennsylvania 19512, Attention: Mr. Anthony T. Campitelli, and;

2. NRC staff, by delivery to Secretary, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, between 7:45 am and 4:15 pm Federal workdays, or by mail, addressed to Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Docketing and Services Branch.

For further details with respect to this action, the application for renewal is available for inspection at NRC's Public Document Room, 2120 L Street NW., Washington, DC 20555-0001.

**FOR FURTHER INFORMATION CONTACT:** Timothy E. Harris, Low-Level Waste and Decommissioning Projects Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: (301) 415-6613. Fax.: (301) 415-5398.

Dated at Rockville, Maryland, this 12th day of December 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.*

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## **NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. STN 50-454, STN 50-455, STN 50-456 AND STN 50-457]**

### **Commonwealth 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 Nos. NPF-

37, NPF-66, NPF-72 and NPF-77 issued to Commonwealth Edison Company (the licensee) for operation of Byron Station, Units 1 and 2, located in Ogle County, Illinois and Braidwood Station, Units 1 and 2, located in Will County, Illinois.

The amendment would amend the Technical Specifications (TS) related to "Containment Vessel Structural Integrity," to incorporate the requirements of 10 CFR 50.55a(b)(2)(vi) and 10 CFR 50.55a(b)(2)(ix) and update the existing Containment Vessel Structural Integrity Programs to meet the requirements found in Subsection IWL of the 1992 Edition, 1992 Addenda of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (Code) Section XI. The proposed amendment would also incorporate Regulatory Guide 1.35.1, 1990, "Determination Prestressing Forces for Inspection of Prestressed Concrete Containment."

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.

The Commission has made a proposed determination 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.

The proposed changes revise the surveillance requirements for containment reinforced concrete and unbonded post-tensioning systems inservice examinations as required by 10 CFR 50.55a(b)(2)(vi) and 10 CFR 50.55a(b)(2)(ix). The revised requirements affect the inservice inspection program designed to detect structural degradation of the containment reinforced concrete and unbonded post-tensioning systems program and do not affect the function of the containment reinforced concrete and the unbonded post-tensioning system components. The reinforced concrete and the unbonded post-tensioning system are passive components whose failure modes

could not act as accident initiators or precursors.

The proposed changes do not impact any accident initiators or analyzed events or assumed mitigation of accident or transient events. They do not involve the addition or removal of any equipment, or any design changes to the facility. Therefore, this proposed amendment 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.

The proposed changes do not involve a modification to the physical configuration of the plant (i.e., no new equipment will be installed) or change in the methods governing normal plant operation. The proposed changes will not impose any new or different requirements or introduce a new accident initiator or precursor or malfunction mechanism. The proposed changes provide an NRC-approved ASME Code inspection/testing methodology to assure age-related degradation of the containment structure will not go undetected. The function of the containment reinforced concrete and the unbonded post-tensioning system components are not altered by this change. Additionally, there is no change in the types or increase in the amounts of any effluent that may be released offsite; and there is no increase in individual or cumulative occupational radiation exposure. Therefore, the possibility of a new or different kind of accident from any previously evaluated has not been created.

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

The proposed changes revise the surveillance requirements for containment reinforced concrete and unbonded post-tensioning systems inservice examinations and tests contained in the referenced TS as required by 10 CFR 50.55a(b)(2)(vi) and 10 CFR 50.55a(b)(2)(ix). The proposed changes do not affect the ability of containment to mitigate design basis accidents, and, therefore, do not result in a 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 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. 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 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 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 January 20, 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: for Byron, located at the Byron Public Library District, 109 N. Franklin, P.O. Box 434, Byron, Illinois 61010; for Braidwood, the Wilmington Public Library, 201 S. Kankakee Street, Wilmington, Illinois 60481. 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 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 Michael I. Miller, Esquire; Sidley and Austin, One First National Plaza, Chicago, Illinois 60603, 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, 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 rooms: for Byron, located at the Byron Public Library District, 109 N. Franklin, P.O. Box 434, Byron, Illinois 61010; for Braidwood,

the Wilmington Public Library, 201 S. Kankakee Street, Wilmington, Illinois 60481.

Dated at Rockville, Maryland, this 12th day of December, 1997.

For the Nuclear Regulatory Commission.

**George Dick, Jr.,**

*Project Manager Project Directorate III-2  
Division of Reactor Projects—III/IV Office of  
Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

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The proposed amendment would revise technical specification (TS) 1.0, "Definitions", TS 3/4.6.1, "Primary Containment" and associated Bases; and TS 5.4.2, "Reactor Coolant System Volume" for Byron and Braidwood to support the steam generator replacement for Unit 1 at each site. The replacement steam generators increase the reactor coolant system volume which results in a higher calculated peak containment pressure (Pa) value. The staff's proposed no significant hazards consideration determination for the requested change was published on April 23, 1997 (62 FR 19826).

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.

The Commission has made a proposed determination 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.

Each of the RSGs has a larger RCS primary side volume than the original steam generators (OSGs). As a result of the RCS volume increase, the mass and energy release during the blowdown phase of the large break loss of coolant accident (LBLOCA) is increased. Additionally, the heat transfer rate of the RSGs is greater than the OSGs, and the RSGs will operate at a slightly higher pressure than that for the OSGs. Consequently, the steam enthalpy exiting the break during the reflood period, for the RSGs, will be greater than for the OSGs. This results in an increase in the containment building peak pressure,  $P_a$ .

The proposed revisions to the Technical Specifications involve the corrected value of the current Unit 1 and Unit 2 RCS volume and the incremental change in RCS volume for the RSGs. The proposed revisions also involve the defined value of Unit 1  $P_a$  following installation of the RSGs. Several editorial changes are also being made to improve clarity and consistency of the TS.

RCS volume is not an initiator for any event and an increase in volume does not affect any operating margin or requirements. Therefore, increasing the primary volume does not increase the probability of any event previously analyzed.

The current value of  $P_a$  for Unit 2 is unchanged due to conservatism in the original analysis. The revised value of  $P_a$  for Unit 1 continues to be less than the design basis pressure for the containment structure. The change represents only a revision to the containment test pressure for containment leakage testing. Such testing is only performed with the affected unit in the shutdown condition. Therefore, the proposed change in  $P_a$  for Unit 1 does not involve a significant increase in the probability of an accident previously evaluated.

All accidents in the Updated Final Safety Analysis Report (UFSAR) were evaluated to determine the effect of an increase in primary volume on accident consequences. The events identified that may be impacted by an increase in primary volume are the Waste Gas System Leak or Failure and LBLOCA. For the Waste Gas System Leak or Failure, the activity of the decay tank is controlled to Technical Specification limits which are unaffected by RCS volume. Therefore, an increase in RCS volume would not increase the offsite dose.

The offsite dose calculation for the LBLOCA is unaffected by the proposed