

and hold discussions with representatives of the NRC staff and the Nuclear Energy Institute (NEI) regarding several fire-protection related issues, including the NEI petition for rulemaking to amend portions of 10 CFR 50.48, "Fire Protection", status of the staff's Fire Protection Action Plan, adequacy of fire barrier penetration seals, and the fire event at the Narora nuclear plant in India.

A portion of this session may be closed to discuss information provided in confidence by a foreign source.

2:30 p.m.-3:15 p.m.: Report of the Planning and Procedures Subcommittee (Open/Closed)—The Committee will hear a report of the Planning and Procedures Subcommittee on matters related to the conduct of ACRS business and internal organizational and personnel matters relating to the ACRS staff members.

A portion of this session may be closed to discuss matters that relate solely to internal personnel rules and practices of this Advisory Committee, and matters the release of which would constitute a clearly unwarranted invasion of personal privacy.

3:15 p.m.-3:30 p.m.: Reconciliation of ACRS Comments and Recommendations (Open)—The Committee will discuss responses expected from the NRC Executive Director for Operations to ACRS comments and recommendations included in recent ACRS reports.

3:45 p.m.-4:30 p.m.: Future ACRS Activities (Open)—The Committee will select topics for consideration during future ACRS meetings.

4:30 p.m.-6:30 p.m.: Preparation of ACRS Reports (Open)—The Committee will continue its discussion of proposed ACRS reports on matters considered during this meeting.

Saturday, June 10, 1995

8:30 a.m.-11:30 a.m.: Preparation of ACRS Reports (Open)—The Committee will continue its discussion of proposed ACRS reports on matters considered during this meeting.

11:30 a.m.-12:30 p.m.: Strategic Planning (Open)—The Committee will discuss items that are of importance to the NRC which should receive additional emphasis in its future deliberations.

12:30 p.m.-12:45 p.m.: New Research Needs (Open)—The Committee will discuss new research needs, if any, identified during this meeting.

12:45 p.m.-1:00 p.m.: Miscellaneous (Open)—The Committee will discuss miscellaneous matters related to the conduct of Committee activities.

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 5, 1994 (59 FR 50780). In accordance with these procedures, oral or written statements may be presented by members of the public, electronic recordings will be permitted only during the open portions of the meeting, and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify the ACRS Executive Director, Dr. John T. Larkins, at least five days before the meeting if possible, so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during this meeting may be limited to selected portions of the meeting as determined by the Chairman. Information regarding the time to be set aside for this purpose may be obtained by contacting the ACRS Executive Director prior to the meeting. In view of the possibility that the schedule for ACRS Meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with the ACRS Executive Director if such rescheduling would result in major inconvenience.

In accordance with Subsection 10(d) Public Law 92-463, I have determined that it is necessary to close portions of this meeting noted above to discuss information that involves the internal personnel rules and practices of this Advisory Committee per 5 U.S.C. 552b(c)(2); to discuss information the release of which would constitute a clearly unwarranted invasion of personal privacy per 5 U.S.C. 552(c)(6); and to discuss information provided in confidence by a foreign source per 5 U.S.C. 552b(c)(4).

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting the ACRS Executive Director, Dr. John T. Larkins (telephone 301-415-7361), between 7:30 a.m. and 4:15 p.m. edt.

Dated: May 18, 1995.

John C. Hoyle,

Acting Advisory Committee Management Officer.

[FR Doc. 95-12467 Filed 5-19-95; 8:45 am]

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[Docket No. 50-313]

Arkansas Nuclear One, Unit 1; 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. 50-313, issued to Entergy Operations Inc. (the licensee), for operation of Arkansas Nuclear One, Unit 1 (ANO-1) located in Pope County Arkansas.

The proposed amendment would modify the operability requirements related to the reactor building (containment) emergency cooling system. Following failure of one of four reactor building cooling fans, the licensee reconfigured the reactor building cooling air and water flows to ensure that the system could cool the reactor building after a design basis loss of coolant accident. The licensee requested an exigent Technical Specification (TS) change to include the reconfigured reactor building cooling system in the TS as an authorized configuration. NRC granted enforcement discretion on May 12, 1995 to allow the facility to continue operation while this exigent TS is processed.

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:

Criterion 1: Involves a significant increase in the probability or consequences of an accident previously evaluated.

The Reactor Building Emergency Cooling system is not an initiator of any accident described in the ANO-1 Safety Analysis Report. The engineering evaluation discussed

above verifies that the green train of the Reactor Building Emergency Cooling system remains operable and capable of performing its design function under all postulated accident conditions. Therefore, the probability or consequences of any previously evaluated accident is not increased.

Criterion 2: Create the possibility of a new or different kind of accident from any accident previously evaluated.

The subject request does not create the possibility of a new or different kind of accident from any previously evaluated since the green train of the Reactor Building Emergency Cooling system remains operable and because the reactor building coolers and their associated surveillances are not related to the creation of accidents.

Criterion 3: Involve a significant reduction in a margin of safety.

The subject request does not involve a significant reduction in a margin of safety since both trains of the Reactor Building Emergency Cooling system remain operable. The current configuration represents a reduction in available flow; however, this is not considered significant since required heat removal capability is still maintained.

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 15 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 15-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 15-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 Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission,

Washington, DC 20555, 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 June 21, 1995, 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. Interest 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 Tomlinson Library, Arkansas Tech University, Russellville, Arkansas 72801. 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, 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 [APPROPRIATE PD]: 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 Nicholas S. Reynolds, Esquire, Winston and Strawn, 1400 L Street, N.W., Washington, D.C. 20005-3502, 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 15, 1995, 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 Tomlinson Library, Arkansas Tech University, Russellville, Arkansas 72801.

Dated at Rockville, Maryland, this 16th day of May 1995.

For the Nuclear Regulatory Commission.

George Kalman,

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

[FR Doc. 95-12470 Filed 5-19-95; 8:45 am]

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[Docket No.: 70-00033]

Notice of Receipt of Amendment Request for Decommissioning the Texas Instruments, Inc., Site in Attleboro, Massachusetts and Opportunity for a Hearing

SUMMARY: This is a notice to inform the public that the U.S. Nuclear Regulatory Commission is considering issuance of an amendment to Special Nuclear Material License No. SNM-23, issued to Texas Instruments, Inc. for possession of special nuclear material and decommissioning of the licensee's site in Attleboro, Massachusetts. Successful implementation of the amendment would lead to completion of decommissioning, termination of the license, and release of the Attleboro site for unrestricted use.

DATES: The NRC hereby provides notice of an opportunity for a hearing on the license amendment under the provisions of 10 CFR Part 2, Subpart L, "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings." 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(c). A request for a hearing must be filed within thirty (30) days of the date of publication of this **Federal Register** notice.

ADDRESSES: Written comments on the amendment request should be sent to USNRC, Region I, Attn: Mark Roberts, Senior Health Physicist, 475 Allendale Road, King of Prussia, Pennsylvania 19406 and should refer to Control No. 121534. Hand deliver comments to 475 Allendale Road, King of Prussia, PA 19406 between 7:45 a.m. and 4:15 p.m. on Federal workdays.

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 requestor in the proceeding;
- (2) How that interest may be affected by the results of the proceeding, including the reasons why the requestor should be permitted a hearing, with particular reference to the factors set out in § 2.1205(g);

(3) The requestor'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(c).

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

(1) The applicant, Texas Instruments, Inc., 34 Forest Street, Attleboro, Massachusetts 02703, Attention: Michael Elliott; and

(2) The NRC staff, by delivery to the Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852 or by mail addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

FOR FURTHER INFORMATION CONTACT: Mark Roberts, Division of Radiation Safety and Safeguards, Region I, 475 Allendale Road, King of Prussia, PA 19406, Telephone: (610) 337-5094.

SUPPLEMENTARY INFORMATION: The licensee (Texas Instruments, Inc.) requested an amendment, by letter dated December 19, 1994, to approve the Supplement to the 1992 Remediation Plan (the Supplement) submitted with the letter. Texas Instruments, Inc. has been remediating portions of the Attleboro facility since it terminated active operations with licensed material in 1981. The NRC staff has reviewed and approved various remediation activities throughout that time, most recently the 1992 Remediation Plan for the Building 12 Burial Area on August 26, 1992. The request before the NRC at this time is to approve the Supplement which, if properly implemented and completed, will lead to release of the Attleboro site for unrestricted use and termination of the license.

The staff of the NRC's Region I Division of Radiation Safety and Safeguards has reviewed the adequacy of the amendment request and has asked the licensee to provide additional information and commitments. However, the staff expects the commitments to be forthcoming and that satisfactory information will be supplied. Therefore, the NRC staff anticipates approval of the Supplement based on receipt and review of the additional information.

NRC is inviting public comment on the amendment request prior to acting on the request. NRC considers public involvement more meaningful at this stage prior to authorizing final decommissioning activities at the site than if it were offered immediately prior