

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 (*Project Director*): 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 the attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for a hearing will not be entertained absent a determination by the Commission, the presiding officer or the 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).

Detroit Edison Company, Docket No. 50-341, Fermi-2, Monroe County, Michigan

Date of application for amendment: October 2, 1995.

Brief description of amendment: The amendment revises the Technical Specifications to allow deferral until the next plant outage of certain portions of logic system functional surveillance testing for the diesel generator 480-volt load sequencer and output breaker reclosure logic circuitry.

Date of issuance: October 13, 1995.

Effective date: October 13, 1995, with full implementation within 45 days.

Amendment No.: 105.

Facility Operating License No. NPF-43: Amendment revises the Technical Specifications.

Public comments requested as to proposed no significant hazards consideration: No.

The Commission's related evaluation of the amendment, finding of emergency circumstances, and final determination of no significant hazards consideration are contained in a Safety Evaluation dated October 13, 1995.

Local Public Document Room location: Monroe County Library System, 3700 South Custer Road, Monroe, Michigan 48161.

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

NRC Project Director: Brian E. Holian, Acting.

Pacific Gas and Electric Company, Docket Nos. 50-275 and 50-323, Diablo Canyon Nuclear Power Plant, Unit Nos. 1 and 2, San Luis Obispo County, California

Date of application for amendments: September 30, 1995.

Brief description of amendments: The amendments increase the setpoint tolerance of the main steam safety valves (MSSVs) from plus or minus 1 percent to plus or minus 3 percent, with the exception that the lowest set MSSVs would have a tolerance of -2 percent/+3 percent.

Date of issuance: October 1, 1995.

Effective date: October 1, 1995.

Amendment Nos.: Unit 1—Amendment No. 108; Unit 2—Amendment No. 107.

Facility Operating License Nos. DPR-80 and DPR-82: The amendments revised the Technical Specifications.

Public comments requested as to proposed no significant hazards consideration: No.

The Commission's related evaluation of the amendment, finding of emergency circumstances, and final determination of no significant hazards consideration are contained in a Safety Evaluation dated October 1, 1995.

Local Public Document Room location: California Polytechnic State University, Robert E. Kennedy Library, Government Documents and Maps Department, San Luis Obispo, California 93407.

Attorney for licensee: Christopher J. Warner, Esq., Pacific Gas and Electric Company, P.O. Box 7442, San Francisco, California 94120.

NRC Project Director: William H. Bateman.

Dated at Rockville, Maryland, this 18th day of October 1995.

For the Nuclear Regulatory Commission.
Elinor G. Adensam,
Deputy Director, Division of Reactor
Projects—III/IV, Office of Nuclear Reactor
Regulation.

[FR Doc. 95-26275 Filed 10-24-95; 8:45 am]

BILLING CODE 7590-01-P

[Docket No. 27-48]

Consideration of an Application for Renewal of a License to Dispose of Low-Level Radioactive Waste Containing Special Nuclear Material by American Ecology Corporation and Opportunity for a Hearing

AGENCY: Nuclear Regulatory Commission.

ACTION: Consideration of an application for renewal of a license to dispose of low-level radioactive waste (LLW) containing special nuclear material (SNM) by American Ecology Corporation and opportunity for a hearing.

SUMMARY: The Nuclear Regulatory Commission is considering the renewal of License No. 16-19204-01. This license is issued to American Ecology Corporation for the disposal of wastes containing SNM in the low-level radioactive waste disposal facility, located on the Hanford Reservation near Richland, WA. The license is currently under timely renewal. NRC licenses this facility under 10 CFR Part 70. The license renewal application was tendered on October 28, 1993. NRC has delayed review of the application pending allocation of sufficient resources to conduct the review.

FOR FURTHER INFORMATION CONTACT: Robert A. Nelson, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Telephone: (301) 415-7298, Fax: (301) 415-5397.

Background

The LLW disposal facility located on the Hanford Reservation in Benton County, Washington, is licensed by the State of Washington for disposal of source and byproduct material. The NRC license allows the disposal of SNM, and acknowledges the State regulated activities constitute the major site activities. As a result, NRC relies extensively on the State's regulatory program to evaluate the facility and licensee's capability to demonstrate reasonable assurance that the disposal of LLW can be accomplished safely. To this end, NRC coordinates review and assessment of the licensee with the State of Washington, Department of Health. To avoid duplicative effort, NRC has identified areas in which it relies primarily on the State regulatory program. Areas distinct to SNM regulation are directly evaluated by NRC. Under the NRC license several State identified license conditions are referenced, this ensures that NRC is aware of significant licensee activities requiring State regulatory action. Additionally, NRC incorporates conditions in the SNM license which provide NRC the latitude to enforce the Agreement State license conditions, if NRC determines that the Agreement State is not enforcing the license conditions. Finally, the NRC license does not abrogate or diminish the authority of the State of Washington, under its Agreement under section 274b

of the Atomic Energy Act of 1954, as amended, with NRC, to regulate, inspect or otherwise exercise control of operations, with respect to source and byproduct material, for disposal of that material at the LLW disposal facility at Richland, Washington.

Prior to the issuance of the proposed renewal, 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.

The NRC hereby provides notice that this is a proceeding on an application for a license renewal falling within the scope of Subpart L, Informal Hearing Procedures for Adjudications 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(c). 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 the Docketing and Service Branch of the Office of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738; or

2. By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Attention: Docketing and Service 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 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, American Ecology Corporation, 120 Franklin Road, Oak

Ridge, TN, 37830, ATTN: Mr. Arthur J. Palmer, III, 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 details with respect to this action, the application for license renewal is available for inspection at the Commission's Public Document Room, 2120 L Street NW., Washington, DC 20555.

Dated at Rockville, Maryland this 19th day of October 1995.

For the U.S. Nuclear Regulatory Commission.

Michael F. Weber,

Chief, Low-Level Waste and Decommissioning Projects Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 95-26418 Filed 10-24-95; 8:45 am]

BILLING CODE 7590-01-P

[Docket No. 50-346]

Toledo Edison Company, et al.; Davis-Besse Nuclear Power Station, Unit No. 1; Amendment to Facility Operating License Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of the Toledo Edison Company, Centerior Service Company, and the Cleveland Electric Illuminating Company (the licensees) to withdraw its August 18, 1995, application for proposed amendment to Facility Operating License No. NPF-3 for the Davis-Besse Nuclear Power Station, Unit No. 1, located in Ottawa County, Ohio.

The proposed amendment would have revised Technical Specification Section 3/4.7.5.1, "Ultimate Heat Sink" to increase the maximum temperature from less than or equal to 85 °F to less than or equal to 90 °F.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the Federal Register on August 24, 1995 (60 FR 44091). However, by letter dated September 12, 1995, the licensee withdrew the proposed change.

For further details with respect to this action, see the request for enforcement discretion dated August 17, 1995, the application for amendment dated August 18, 1995, and the licensee's letter dated September 12, 1995, which withdrew the application for license amendment. The above documents are

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 University of Toledo, William Carlson Library, Government Documents Collection, 2801 West Bancroft Avenue, Toledo, Ohio 43606.

Dated at Rockville, Maryland, this 27th day of September 1995.

For the Nuclear Regulatory Commission.

Linda L. Gundrum,

Project Manager, Project Directorate III-3, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 95-26419 Filed 10-24-95; 8:45 am]

BILLING CODE 7590-01-P

Evaluation of Agreement State Radiation Control Programs

AGENCY: Nuclear Regulatory Commission.

ACTION: Interim implementation of the Integrated Materials Performance Evaluation Program pending final Commission approval of the Statement of Principles and Policy for the Agreement State Program and the Policy Statement on Adequacy and Compatibility of Agreement State Programs.

SUMMARY: The Nuclear Regulatory Commission (NRC) is implementing, on an interim basis, the Integrated Materials Performance Evaluation Program (IMPEP) to be used in the evaluation of Agreement State Programs. To effect this implementation, the NRC will suspend relevant portions of the May 28, 1992 General Statement of Policy "Guidelines for NRC Review of Agreement State Radiation Control Programs, 1992." Management Directive 5.6, Integrated Materials Performance Evaluation Program, will be used as the implementing procedure.

The NRC will implement IMPEP in the evaluation of Agreement State Programs until such time as final implementing procedures for the policy statements: "Statement of Principles and Policy for the Agreement State Program" and "Policy Statement on the Adequacy and Compatibility of Agreement State Programs," and any revisions to these policy statements are approved by the Commission (See 60 FR 39464; August 2, 1995). Conforming revisions to IMPEP in connection with the completion of work on these two policy statements will be done as appropriate. IMPEP will then be implemented on a permanent basis and the 1992 policy statement on "Guidelines for NRC review of