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BILLING CODE 6820-36-P

## NUCLEAR REGULATORY COMMISSION

[Docket No.: 27-47]

### Consideration of Application for Renewal of a License To Dispose of Low-Level Radioactive Waste Containing Special Nuclear Material by Chem-Nuclear Systems, Inc., and Opportunity for a Hearing

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of consideration of an application for renewal of a license to dispose of low-level radioactive waste containing special nuclear material by Chem-Nuclear Systems, Inc., and opportunity for a hearing.

The Nuclear Regulatory Commission (NRC) is considering the renewal of License No. 12-13536-01. This license is issued to Chem-Nuclear Systems, Inc. (CNSI) for the disposal of wastes containing special nuclear material (SNM) in the low-level radioactive waste (LLW) disposal facility, located near Barnwell, South Carolina. NRC licenses this facility under 10 CFR Part 70. The license renewal application was submitted on April 10, 1996.

The LLW disposal facility located near Barnwell, South Carolina, is licensed by the State of South Carolina for disposal of source and byproduct material. The NRC license allows the disposal of SNM, and acknowledges that the State's 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 the review and assessment of the license with the State of South Carolina Department of Health and Environmental Control. To avoid a duplicate effort, NRC has identified several 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 approach 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 such action is necessary. Finally, the NRC license does not abrogate or diminish the authority of the State governed by 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 the source and byproduct material, for disposal of that material at the LLW disposal facility at Barnwell, South Carolina.

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 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(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 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 requester 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, Chem-Nuclear Systems, Inc., 140 Stoneridge Drive, Columbia, South Carolina 29210, Attention: Mr. William B. House, 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 amendment request is available for inspection at the NRC's Public Document Room, 2120 L Street NW., Washington, DC 20555.

**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, D.C. 20555. Telephone: (301) 415-6613. Fax: (301) 415-5398.

Dated at Rockville, Maryland, this 28th day of May, 1996.

For the Nuclear Regulatory Commission,  
Robert A. Nelson,  
*Acting Chief, Low-Level Waste and Decommissioning Projects Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

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### Advisory Committee on Reactor Safeguards; Meeting Notice

To carry out the responsibilities set forth in Sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards will hold a meeting on June 12-14, 1996, in Conference Room T-2B3, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the Federal Register on Monday, November 27, 1995 (60 FR 58393).

Wednesday, June 12, 1996

*1:00 P.M.-1:15 P.M.: Opening Remarks by the ACRS Chairman* (Open)—The ACRS Chairman will make opening remarks regarding conduct of the meeting and comment briefly regarding items of current interest. During this session, the Committee will discuss priorities for preparation of ACRS reports.