

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 transfer approval or amendments 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 with respect to the proposed amendments, 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 such 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: 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 Gail H. Marcus, Director, Project Directorate III-3: 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 20555-0001, and to Leah Manning Stetzner, Vice President, General Counsel and Corporate Secretary, 500 South 27th Street, Decatur, Illinois 62525, 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 dated October 17, 1996, as modified and supplemented by letter dated December 13, 1996, regarding the transfer of license and amendment, which 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 Vespasian Warner Public Library, 310

N. Quincy Street, Clinton, IL 61727. The submittal dated October 17, 1996, originally identified the proposed transferee as Illinova Power Marketing, Inc., an unregulated power marketing subsidiary of Illinova Corporation, the parent of IP. The submittal dated December 13, 1996, modified the original application such that the proposed transferee is now IP. This notice supersedes that published in the Federal Register on November 6, 1996 (61 FR 57486).

Dated at Rockville, Maryland, this 23rd day of January 1997.

For the Nuclear Regulatory Commission.
Elinor G. Adensam,
Deputy Director, Division of Reactor Projects III/IV, Office of Nuclear Reactor Regulation.
[FR Doc. 97-2161 Filed 1-28-97; 8:45 am]
BILLING CODE 7590-01-P

[Docket Nos. 50-282 and 50-306]

**Northern States Power Co.;
Consideration of Issuance of
Amendments to Facility Operating
Licenses, Proposed No Significant
Hazards Consideration Determination,
and Opportunity for a Hearing**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. DPR-42 and DPR-60 issued to Northern States Power Company (the licensee) for operation of the Prairie Island Nuclear Generating Plant, Units 1 and 2, located in Goodhue County, Minnesota.

The proposed amendments would revise the Technical Specifications governing the cooling water system. The changes are proposed to improve plant operation based on operational experience with the vertical motor-driven cooling water pump. The changes are also proposed to incorporate information gathered by the licensee during its self-assessment Service Water System Operational Performance Inspection (SWSOPI) completed in late 1995.

Before issuance of the proposed license amendments, 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 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 amendments 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 amendment[s] will not involve a significant increase in the probability or consequences of an accident previously evaluated.

Probability

The Cooling Water System is provided in the plant to mitigate accidents and it is not a Design Basis Accident initiator, thus these proposed changes do not increase the probability of an accident.

Consequences

Entry into LCO [Limiting Condition for Operation] 3.3.D.2.a

This License Amendment proposes to allow the plant to remain in Specification 3.3.D.2.a when 121 Cooling Water Pump is available for operation. Consequences of an accident would only be impacted if there was no cooling water supply to cool plant equipment. Remaining in Specification 3.3.D.2.a does not involve an increase in the consequences of an accident because, even though the plant operators may not align 121 Cooling Water Pump in accordance with Specification 3.3.D.1.a under this proposed amendment, the pump is still available to automatically start, it is powered by a safeguards Bus (normally Bus 25) and if there is an SI [safety injection] signal it will automatically align to Train A if the SI signal is generated Unit 1 or Train B if the SI signal is generated by Unit 2. Since one active component has already been declared inoperable (the diesel driven Cooling Water Pump which has been removed from service) the remaining diesel driven Cooling Water Pump and 121 Cooling Water Pump will provide Cooling Water sufficient to meet the design basis of [the] plant. The primary safety benefit of upgrading 121 Cooling Water Pump was providing it with a safeguards power source. This proposed amendment does not change this safety enhancement. Thus this change does not involve an increase in the consequences of an accident.

Isolation Valve Actuation Circuit Testing

Changing the actuation circuitry testing frequency from quarterly to each refueling outage does not significantly increase the consequences of an accident. Plant and industry experience has shown that testing SI circuitry each refueling outage provides adequate assurance that the SI actuation circuitry will function as designed. Thus testing the Cooling Water isolation actuation circuitry each refueling outage also provides assurance that these circuits will perform as designed.

Design Features Amendment

Conformance of Sections 5.1 and 5.4 to the Improved Standard Technical Specifications

is administrative in nature. The current Technical Specifications descriptions will be maintained under site administrative controls (Updated Safety Analysis Report), thus the consequences of an accident are not affected.

Conclusion

In total, these changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. The proposed amendment[s] will not create the possibility of a new or different kind of accident from any accident previously analyzed.

The Cooling Water System is provided in the plant to mitigate accidents and it is not a Design Basis Accident initiator, thus these proposed changes do not increase the possibility of a new or different kind of accident.

In total, the possibility of a new or different kind of accident previously evaluated would not be created by these amendments to the Cooling Water Technical Specifications.

3. The proposed amendment[s] will not involve a significant reduction in the margin of safety.

The proposed changes do not involve a significant reduction in a margin of safety because the current Technical Specifications requirements for safe operation of the Prairie Island plant are maintained or increased.

Entry Into LCO 3.3.D.2.a

This License Amendment proposes flexibility to remain in Specification 3.3.D.2.a when 121 Cooling Water Pump is available for operation. This change does not involve a significant reduction in the margin of safety because 121 Cooling Water Pump is still available to perform safety functions when Specification 3.3.D.2.a is entered under the provisions of this amendment which means the pump is still available to automatically start, it is powered by a safeguards Bus (normally Bus 25), and if there is an SI signal it will automatically align to Train A if the SI signal is generated by Unit 1 or Train B if the SI signal is generated by Unit 2. Since one active component has already been declared inoperable (the diesel driven Cooling Water Pump which has been removed from service) the remaining diesel driven Cooling Water Pump and 121 Cooling Water Pump will provide cooling water sufficient to meet the plant design basis. The primary safety benefit of upgrading 121 Cooling Water Pump was providing it with a safeguards power source. This proposed amendment does not change this safety enhancement. Thus this change does not involve a significant reduction in the plant margin of safety.

Isolation Valve Actuation Circuit Testing

Changing the actuation circuitry testing frequency from quarterly to each refueling outage does not significantly reduce the margin of plant safety. Plant and industry experience has shown that testing SI circuitry each refueling outage provides adequate assurance that the SI actuation circuitry will function as designed. Thus testing the Cooling Water isolation actuation circuitry each refueling outage also provides assurance that these circuits will perform as designed.

Design Features Amendment

Relocation of plant descriptions from Technical Specifications is administrative in nature and, therefore, does not significantly reduce the plant margins of safety.

Conclusion

Therefore, a significant reduction in the margin of safety would not be involved with these Cooling Water amendments.

Based on the evaluation described above, and pursuant to 10 CFR part 50, § 50.91, Northern States Power Company has determined that operating the Prairie Island Nuclear Generating Plant in accordance with the proposed license amendment request[s] does not involve any significant hazards considerations as defined by Nuclear Regulatory Commission regulations in 10 CFR part 50, § 50.92.

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 requests involve 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 amendments 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 amendments before the expiration of the 30-day notice period, provided that its final determination is that the amendments involve 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 Review 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 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 February 28, 1997, the licensee may file a request for a hearing with respect to issuance of the amendments to the subject facility operating licenses 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 the Minneapolis Public Library, Technology and Science Department, 300 Nicollet Mall, Minneapolis, Minnesota 55401. 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 amendments 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 requests involve no significant hazards consideration, the Commission may issue the amendments and make them immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendments.

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

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: 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 John N. Hannon: 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 20555-0001, and to Jay Silberg, Esq., Shaw, Pittman, Potts, and Trowbridge, 2300 N Street, NW, Washington, DC 20037, 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 November 6, 1996, 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 Minneapolis Public Library, Technology and Science Department, 300 Nicollet Mall, Minneapolis, Minnesota 55401.

Dated at Rockville, MD., this 23rd day of January 1997.

For the Nuclear Regulatory Commission.
Beth A. Wetzel,
*Project Manager, Project Directorate III-1,
Division of Reactor Projects—III/IV, Office of
Nuclear Reactor Regulation.*
[FR Doc. 97-2164 Filed 1-28-97; 8:45 am]
BILLING CODE 7590-01-P

Advisory Committee on Reactor Safeguards; Revised

The 438th meeting of the Advisory Committee on Reactor Safeguards scheduled to be held on February 5-8,