

the requested actions were to be required. A copy of this evaluation will be made available in the NRC Public Document Room.

Dated at Rockville, Maryland, this 10th day of February 1997.

For the Nuclear Regulatory Commission.  
Thomas T. Martin,  
*Director, Division of Reactor Program Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 97-3737 Filed 2-13-97; 8:45 am]  
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**Advisory Committee on Reactor Safeguards Joint Meeting of the ACRS Subcommittees on Materials and Metallurgy and on Severe Accidents; Meeting**

The ACRS Subcommittees on Materials and Metallurgy and on Severe Accidents will hold a joint meeting on March 4 and 5, 1997, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

*Tuesday, March 4, 1997—8:30 a.m.*

*until the conclusion of business*

*Wednesday, March 5, 1997—8:30 a.m.*

*until 12:00 Noon*

The Subcommittees will review the regulatory analysis and technical bases for the steam generator tube integrity rule, as well as an associated regulatory guide. The purpose of this meeting is to gather information, analyze relevant issues and facts, and to formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Subcommittees, their consultants, and staff. Persons desiring to make oral statements should notify the cognizant ACRS staff engineer named below five days prior to the meeting, if possible, so that appropriate arrangements can be made.

During the initial portion of the meeting, the Subcommittees, along with any of their consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittees will then hear presentations by and hold discussions with representatives of the NRC staff and other interested persons regarding this review.

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 cognizant ACRS staff engineer, Mr. Noel F. Dudley (telephone 301/415-6888) between 7:30 a.m. and 4:15 p.m. (ET). Persons planning to attend this meeting are urged to contact the above named individual one or two working days prior to the meeting to be advised of any potential changes to the agenda, etc., that may have occurred.

Dated: February 7, 1997.

Sam Duraiswamy,

*Chief, Nuclear Reactors Branch.*

[FR Doc. 97-3738 Filed 2-13-97; 8:45 am]

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**[DD-97-03]**

**Director's Decision Under 10 CFR 2.206**

In the Matter of Davis-Besse Nuclear Power Station and Toledo Coalition for Safe Energy.

Notice is hereby given that the Director, Office of Nuclear Material Safety and Safeguards, has taken action with regard to the Petition of December 5, 1995, by the Toledo Coalition for Safe Energy, Alice Hirt, Charlene Johnston, Dini Schut, and William Hoops (Petitioners), that the Director of the Office of Nuclear Material Safety and Safeguards exercise his authority to immediately issue orders to prevent the loading of spent nuclear fuel into the VECTRA Technologies, Inc. (VECTRA) NUHOMS dry-shielded canisters (DSCs) at the Davis-Besse Nuclear Power Station until an NRC rulemaking and/or license modification hearing is conducted on all safety-related changes which have been made to the DSCs, as described in the Safety Analysis Report. Also, the NRC was requested not to authorize any loading of the DSCs until a written procedure for unloading, in both urgent and non-urgent circumstances, was written, approved, and field-tested.

Petitioners contend that the safety of the DSCs has been compromised because of reduction in the thickness of the DSC welds. In addition, they claim that the NRC administrative process by which permission was granted for VECTRA to deliver the DSCs to the

Davis-Besse station and for the DSCs to be used on site are legally suspect, expressing the belief that agency rulemaking or some other public proceeding is necessary for permission for such a transfer and use to be granted.

The Director of the Office of Nuclear Material Safety and Safeguards has determined that the NRC Certificate of Compliance for VECTRA's standardized NUHOMS should be modified to require a fabrication inspection of the DSC. An agency rulemaking is, therefore, needed and should be conducted to accomplish this modification. However, because the continued storage of spent fuel in the DSCs at Davis-Besse does not pose an unreasonable risk to public health and safety, there is no technical basis to require the DSCs to be unloaded pending completion of this rulemaking. Further, VECTRA has already been cited for a nonconformance with NRC regulations, and there is no basis in the Petition to take other action in this regard. Toledo Edison has developed loading and unloading procedures for handling spent fuels. These procedures have been applied for the dry run testing with NRC's oversight. Therefore, there is no basis in the Petition for requiring halting of the ISFSI operation at Davis-Besse. Accordingly, the Petition from the Toledo Coalition for Safe Energy is granted to the extent that it requests an agency rulemaking and is denied in all other respects. The reasons for this decision are explained in the "Director's Decision under 10 CFR 2.206" (DD-97-03), which is available for public inspection in the Commission's Public Document Room, Gelman Building, 2120 L Street, NW, Washington, DC 20555, and in the Local Public Document Room, William Carlson Library, University of Toledo, 2001 West Bancroft Avenue, Toledo, Ohio 43606.

A copy of this Decision will be filed with the Office of the Secretary for the Commission in accordance with 10 CFR 2.206(c). As provided by this regulation, the Decision will constitute the final action of the Commission 25 days after the date of issuance of the Decision unless the Commission, on its own motion, institutes a review of the Decision within that time.

Dated at Rockville, Maryland, this 5th day of February 1997.

For the Nuclear Regulatory Commission.  
Carl J. Paperiello,  
*Director, Office of Nuclear Material Safety and Safeguards.*

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