

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-356]

### University of Illinois at Urbana-Champaign (University of Illinois at Urbana-Champaign Low Power Reactor Assembly)

#### Exemption

##### I

The University of Illinois at Urbana-Champaign (the licensee or University) is the holder of Facility Operating License Nos. R-115 and R-117, which authorize operation of the University of Illinois Advanced TRIGA Research Reactor (TRIGA) and the University of Illinois Low Power Reactor Assembly (LOPRA). The licenses provide, among other things, that the licensee is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC or the Commission) now or hereafter in effect. The reactors are located in the Nuclear Reactor Laboratory on the campus of the University of Illinois at Urbana-Champaign in Urbana, Champaign County, Illinois.

##### II

By application dated February 10, 1995, as supplemented on April 24, 1995, and October 2, 1996, the licensee requested from the NRC authorization to decommission the LOPRA. The letter of February 10, 1995, contained a request that authorization be given for terminating Facility Operating License No. R-117. By license amendment dated January 21, 1997 (Amendment No. 6), the Commission approved the decommissioning plan for the LOPRA. By letter dated April 15, 1997, the licensee informed the NRC that the University had completed decommissioning the LOPRA in accordance with Amendment No. 6 to the Facility Operating License. As discussed in the University's decommissioning plan and letter of April 15, 1997, the LOPRA and the TRIGA (Docket No. 50-151) (which remains in operation), are both located at the same site, the Nuclear Reactor Laboratory, which continues to be a restricted environment. The LOPRA was located in the bulk shielding tank of the TRIGA reactor.

As part of the license termination process, the licensee has requested a specific exemption in accordance with Title 10 of the Code of Federal Regulations, Section 50.12 (10 CFR 50.12), to part of the requirements of 10 CFR 50.82(b)(6)(ii). This part of the regulations requires, as a condition of

license termination, that a terminal radiation survey and associated documentation demonstrate that the facility and site are suitable for release. The Nuclear Reactor Laboratory and TRIGA will remain subject to the TRIGA license after the LOPRA license is terminated. All components and fuel from the LOPRA were transferred to the TRIGA license. Some components containing byproduct material were subsequently transferred to a University of Illinois byproduct materials license (License IL-01271-01) issued by the State of Illinois to allow the components to be stored at a facility away from the Nuclear Reactor Laboratory. The components and fuel will be maintained for the capability to construct and operate a subcritical assembly in the TRIGA bulk shielding tank, which is currently authorized under the TRIGA license. No facility or site is to be released as part of this license termination. Therefore, a terminal radiation survey of the facility and site are not necessary for terminating the LOPRA license. The Nuclear Reactor Laboratory and former LOPRA components will be considered for release in the future when the University requests termination of the TRIGA license.

##### III

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 50 when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security and (2) when special circumstances are present. Special circumstances are present, according to 10 CFR 50.12(a)(2)(ii), whenever "application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule."

The underlying purpose of 10 CFR 50.82(b)(6) is to describe the requirements that must be met for license termination, one of which is that the results of the terminal radiation survey and other documentation show that the facility and site meet the requirements for release. These survey results and documentation form part of the basis for terminating the license, because license termination usually results in the release of the facility and site for unrestricted use. In this case, the reactor components and fuel (the facility) were transferred to the TRIGA license (some components were

subsequently transferred to a University of Illinois byproduct materials license), and the site will not be released because of the continued operation of the TRIGA reactor. Therefore, application of the rule that the terminal radiation survey and other documentation must show that the facility and site are suitable for release is not necessary in order to terminate the license.

##### IV

For the foregoing reasons, the NRC staff has concluded that not requiring a terminal radiation survey and associated documentation that demonstrate that the facility and site are suitable for release as a condition of license termination will not present an undue risk to public health and safety and is consistent with the common defense and security. The NRC staff has determined that there are special circumstances present, as specified in 10 CFR 50.12(a)(2), in that application of part of 10 CFR 50.82(b)(6)(ii) is not necessary in order to achieve the underlying purpose of this regulation.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), the exemption is authorized by law, will not endanger life or property or common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby grants an exemption from the requirements of 10 CFR 50.82(b)(6)(ii) that a terminal radiation survey and associated documentation demonstrates that the facility and site are suitable for release are needed as a condition of Facility Operating License No. R-117 termination.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (62 FR 38130).

For further details with respect to this action, see (1) the application for terminating Facility Operating License No. R-117, dated February 10, 1995, as supplemented; (2) the Commission's safety evaluation related to the termination of the license; (3) the environmental assessment and finding of no significant impact; and (4) the Commission's Order terminating Facility Operating License No. R-117. Each of these items is available for public inspection at the Commission's Public Document Room, 2120 L Street, NW., Washington, DC 20037.

Copies of items 2, 3, and 4 may be obtained upon receipt of a request addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Director,

Division of Reactor Program  
Management.

This exemption is effective upon  
issuance.

Dated at Rockville, Maryland, this 16th day  
of July 1997.

For the Nuclear Regulatory Commission.

**Samuel J. Collins,**

*Director, Office of Nuclear Reactor  
Regulation.*

[FR Doc. 97-19339 Filed 7-22-97; 8:45 am]

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**NUCLEAR REGULATORY  
COMMISSION**

[Docket No. 50-390]

**Watts Bar Nuclear Plant, Unit 1; Notice  
of Public meeting on TVA'S Proposal  
to Insert Lead Test Assemblies  
Containing Tritium Producing  
Burnable Absorber Rods into Watts  
Bar Unit 1 During Cycle 2**

The U.S. Nuclear Regulatory  
Commission (NRC) will hold a public  
meeting regarding the Tennessee Valley  
Authority (TVA) proposal to insert lead  
test assemblies (LTA) containing tritium  
producing burnable absorber rods  
(TPBAR) in the Watts Bar Unit 1 reactor  
core during fuel cycle 2. The purpose of  
the change is to provide irradiation  
services to support U.S. Department of  
Energy (DOE) investigations into the  
feasibility of using commercial light  
water reactors to maintain the DOE  
inventory of tritium. This meeting is to  
provide an opportunity for public  
comment on the technical issues  
regarding the TVA proposal and to  
ensure that the public is aware of the  
NRC staff's review activities and has the  
opportunity to provide comments on  
them. The meeting will be held from  
7:00 p.m. until 9:00 p.m. on August 7,  
1997, in the Quality Inn located in  
Sweetwater, Tennessee. The meeting  
will be transcribed and will be open to  
the public.

The structure of the meeting shall be  
as follows:

Thursday, August 7, 1997:

7:00 p.m.—NRC Opening Remarks  
7:15 p.m.—DOE Program Description  
7:45 p.m.—TVA Presentation  
8:00 p.m.—NRC Review and Inspection  
8:30 p.m.—Public Comments  
9:00 p.m.—Meeting Adjourns

Members of the public who are  
interested in presenting comments  
relative to TVA's proposal should notify  
the project manager, at the number  
given below, 5 working days prior to the  
meeting. A brief summary of the

information to be presented and the  
time requested should be provided in  
order to make appropriate arrangements.  
Time allotted for presentations by  
members of the public will be  
determined based upon the number of  
requests received and will be  
announced at the beginning of the  
meeting. Time permitting, additional,  
unscheduled presentations will be  
considered. The order for public  
presentations will be on a first-receive,  
first-to-speak basis. Written statements  
will also be accepted and included in  
the record of the meeting. Written  
statements may be presented at the  
meeting or mailed to the U.S. Nuclear  
Regulatory Commission, Mailstop O-  
14B21, Attn: R.E. Martin, Washington,  
DC 20555.

Requests for the opportunity to  
present information can be made by  
contacting R.E. Martin, Project Manager,  
Division of Reactor Projects I/II at (301)  
415-1493. Persons planning to attend  
this meeting are urged to contact the  
project manager 1 or 2 days prior to the  
meeting to be advised of any changes.

For further details with respect to this  
action, see TVA's application for  
amendment of the Watts Bar Unit 1  
operating license dated April 30, 1997,  
the NRC staff's Request for Additional  
Information (RAI) dated May 29, 1997,  
TVA's responses to the RAI dated June  
18, 1997 and the NRC staff's RAI dated  
June 24, 1997. These 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 in the  
Chattanooga-Hamilton County Library,  
1001 Broad Street, Chattanooga, TN  
37402.

Dated at Rockville, Maryland, this 17th day  
of July 1997.

For the Nuclear Regulatory Commission.

**Frederick J. Hebdon,**

*Director, Project Directorate II-3, Division of  
Reactor Projects I/II, Office of Nuclear Reactor  
Regulation.*

[FR Doc. 97-19337 Filed 7-22-97; 8:45 am]

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**NUCLEAR REGULATORY  
COMMISSION**

**Notice of Correction to Biweekly  
Notice Applications and Amendments  
to Operating Licenses Involving No  
Significant Hazards Considerations**

On July 16, 1997, the **Federal Register**  
published the Biweekly Notice of  
Applications and Amendments to  
Facility Operating Licenses Involving

No Significant Hazards Considerations.  
On page 38134, under Detroit Edison  
Company, Fermi-2, Docket No. 50-341,  
the date of the supplemental letter  
should have been July 2, 1997.

Dated at Rockville, Maryland, this 17th day  
of July 1997.

For the Nuclear Regulatory Commission.

**Kevin A. Connaughton,**

*Acting Director, Project Directorate III-1,  
Division of Reactor Projects—III/IV, Office of  
Nuclear Reactor Regulation.*

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**OFFICE OF MANAGEMENT AND  
BUDGET**

**Cumulative Report on Rescissions and  
Deferrals**

July 1, 1997.

This report is submitted in fulfillment  
of the requirement of Section 1014(e) of  
the Congressional Budget and  
Impoundment Control Act of 1974 (Pub.  
L. 93-344). Section 1014(e) requires a  
monthly report listing all budget  
authority for the current fiscal year for  
which, as of the first day of the month,  
a special message had been transmitted  
to Congress.

This report gives the status, as of July  
1, 1997, of ten rescission proposals and  
seven deferrals contained in three  
special messages for FY 1997. These  
messages were transmitted to Congress  
on December 4, 1996, and on February  
10 and March 19, 1997.

**Rescissions (Attachments A and C)**

As of July 1, 1997, ten rescission  
proposals totaling \$407 million had  
been transmitted to the Congress.  
Congress approved six of the  
Administration's rescission proposals,  
totaling \$285 million, in P.L. 105-18.  
Attachment C shows the status of the FY  
1997 rescission proposals.

**Deferrals (Attachments B and D)**

As of July 1, 1997, \$2,220 million in  
budget authority was being deferred  
from obligation. Attachment D shows  
the status of each deferral reported  
during FY 1997.

**Information From Special Messages**

The special messages containing  
information on the rescission proposals  
and deferrals that are covered by this  
cumulative report is printed in the  
editions of the **Federal Register** cited  
below: