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 amendment 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 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 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: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. 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 General Counsel, Carolina Power & Light Company, P.O. Box 1551, Raleigh, North Carolina 27602, 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 July 25, 1997, 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 University of North Carolina at Wilmington, William Madison Randall Library, 601 S. College Road, Wilmington, North Carolina 28403–3297.

Dated at Rockville, Maryland, this 6th day of August 1997.

For the Nuclear Regulatory Commission.

David C. Trimble,

Project Manager, Project Directorate II–1, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 97–21245 Filed 8–11–97; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–302]

Florida Power Corporation; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR 72, issued to the Florida Power Corporation, (FPC or the licensee), for operation of the Crystal River Nuclear generating Unit 3 (CR3) located in Citrus County, Florida.

The proposed amendment would revise the CR3 technical specifications (TS) to extend the frequency for certain surveillances related to the emergency diesel generators (EDGs). Specifically, TS Surveillance Requirements (SR) 3.3.8.1, and SR 3.8.1.3, would be revised to extend the channel Functional test surveillance frequency and the EDG operation, respectively, from 31 days to 60 days. The proposed TS amendment would be a one time change and applicable until November 23, 1997.

Currently, CR3 is in a voluntary shutdown and is in Mode 5. As part of its EDG load capacity upgrade program, the licensee originally planned to replace the EDG radiator during its cycle 11R outage in 1998. The licensee has now determined that a potential exists for the EDGs to exceed the design basis ambient temperature and as a result, decided to implement the radiator replacement during the current outage. Initially, the planned duration for these radiator modifications was 25 days assuming a pre-fabricated radiator unit could be used as the replacement radiator. As the final design and extent of condition for the EDGs were determined, the licensee has discovered that the pre-fabricated radiator design could not be used and the radiator replacement involved more extensive fabrication than originally anticipated. The licensee estimates that the revised work scope may require 55 days, including the necessary post-modification test for operability. This schedule is based on a continuous work schedule, and contingency for rework, field challenges, or late delivery of parts. Thus, the time required to do the modification work exceeds the present TS surveillance interval.

The licensee believes that while it is possible to perform these surveillances with one EDG inoperable, such an approach, however, would not be

desirable. These surveillances will require approximately 2 to 8 hours during which time potential exists for a condition where both EDGs could become inoperable at the same time. With both EDGs inoperable, a loss of the operating Decay Heat Removal (DHR) capability would occur during a loss of offsite power (LOOP), resulting in a heatup of the reactor coolant system and reliance on the operable steam generator steaming via the Atmospheric Dump Valves. Thus, simultaneously having one EDG inoperable due to radiator replacement and performing the monthly surveillances on the other EDG would reduce the overall defense-in-depth due to the potential consequences of a LOOP. In addition to a LOOP, the plant configuration requires bypassing the undervoltage (UV) relays while performing these surveillance procedures. The licensee states that based on its previous experience, bypassing of the UV relays may potentially result in a lockout of the power source and cause a loss of DHR capability.

To avoid such reductions in the defense-in-depth associated with performing the surveillance tests, and to complete the necessary modifications during this current outage, the licensee requests NRC approval for a one time change to its TS SR.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment request involves 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 amendment 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 change will not significantly increase the probability or consequences of an accident previously evaluated.

An increase in the surveillance interval from 31 days to 60 days does not significantly decrease the reliability of the EDGs nor degrade their ability to perform their intended safety function when required. Based on data obtained over time the EDGs at CR–3 have an excellent record of availability. This extension of the interval will be applied to only one surveillance interval on each EDG and will not be in effect after November 23, 1997.

CR–3 obtains data from surveillance testing and operational experience and maintains records of the unavailability of the EDGs and the relays. CR–3 monitors a parameter referred to as Unavailability Performance Indicator, defined as the sum of known and estimated unavailable hours divided by hours system required.

As a limited scope effort the records for 1994 through June, 1997 were reviewed. This data indicates very low values of the performance indicator, with the average value for the 14 quarters being 0.005. The yearly goal for this performance indicator was met in the years reviewed. In total these records reflect low unavailability; i.e., high availability.

The EDG that is to remain operable during radiator replacement on the other diesel will be surveilled in accordance with SR 3.3.8.1 and SR 3.8.1.3 just prior to initiation of the EDG outage. This test will ensure its operability.

Based on the high availability of the EDGs at CR–3 and the fact that this is a one-time extension of the interval for each EDG, it is concluded that this requested extension of the surveillance interval will not result in a significant increased probability or consequences of previously evaluated accidents.

2. The proposed changes will not create the possibility of a new or different kind of accident from any accident previously evaluated.

This request for technical specification changes addresses the interval for performance of the surveillances on a one-time basis for each diesel generator. This requested change to the license by itself does not involve a modification to the EDG. The modifications of the EDGs to replace the radiator have been evaluated pursuant to 10 CFR 50.59. The conclusion of that evaluation is that the radiator replacement does not create the possibility of a new or different kind of accident from any accident previously evaluated.

Based on the above FPC concludes that changing the surveillance frequency will not create the possibility of a new or different kind of accident.

3. The proposed change will not involve a significant reduction to the margin of safety.

As discussed above in item number one, the EDGs at CR–3 have a record of high availability. The high availability reflected in those records provides reasonable assurance that the operable EDGs will remain operable during the extended interval between surveillances. By not being required to perform the tests FPC will maintain a higher level of safety than would be possible if the tests were performed. Based on the high availability of the EDGs and the fact that this extension of the surveillance frequency is for one interval only FPC concludes that changing the surveillance interval does not result in a significant reduction to the margin of safety.

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 request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 14 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 14-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 amendment before the expiration of the 14-day notice period, provided that its final determination is that the amendment involves 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. 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 September 11, 1997, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license 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 Coastal Region Library, 8619 W. Crystal Street, Crystal River, Florida 34428. 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 a 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 amendment 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 the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, 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 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: Rulemakings and Adjudications Staff may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. 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 R. Alexander Glenn, General Counsel, Florida Power Corporation, MAC–A5A, P.O. Box 14042, St. Petersburg, Florida 33733–4042, 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 amendment dated August 4, 1997, 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 Coastal Region Library, 8619 W. Crystal Street, Crystal River, Florida 34428.

Dated at Rockville, Maryland, this 6th day of August 1997.

For the Nuclear Regulatory Commission.

L. Raghavan, Sr.,

Project Manager, Project Directorate II–3, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 97–21246 Filed 8–11–97; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: Nuclear Regulatory Commission.

DATE: Weeks of August 11, 18, 25, and September 1, 1997.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

MATTERS TO BE CONSIDERED:

Week of August 11

There are no meetings scheduled for the week of August 11.

Week of August 18—Tentative

Friday, August 22

11:30 a.m.
Affirmation Session (Public Meeting)(if needed)

Week of August 25—Tentative

There are no meetings scheduled for the week of August 25.

Week of September 1—Tentative

Wednesday, September 3

11:30 a.m.
Affirmation Session (Public Meeting)(if needed)