

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

For the Nuclear Regulatory Commission.

**Douglas V. Pickett,**

Senior Project Manager, Project Directorate III-3, Division of Reactor Projects III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 97-27876 Filed 10-20-97; 8:45 am]

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**NUCLEAR REGULATORY COMMISSION**

[Docket No. IA 97-070, ASLBP No. 98-734-01-EA]

**Magdy Elamir, M.D.; Establishment of Atomic Safety and Licensing Board**

Pursuant to delegation by the Commission dated December 29, 1972, published in the **Federal Register**, 37 F.R. 28710 (1972), and Sections 2.105, 2.700, 2.702, 2.714, 2.714a, 2.717, 2.721, and 2.772(j) of the Commission's Regulations, all as amended, an Atomic Safety and Licensing Board is being established to preside over the following proceeding.

**MAGDY ELAMIR, M.D.**

Order Superseding Order Prohibiting Involvement in NRC-Licensed Activities (Effective Immediately)

IA 97-070

In accordance with 10 C.F.R. § 202, this Board is established as a result of the petitioner, Dr. Magdy Elamir, President of Newark Medical Associates, P.A., requesting a hearing on a September 15, 1997, NRC Order. The Order prohibits Dr. Elamir from engaging in NRC-licensed activities for five years, requires him to inform the NRC of any NRC licensed entity or entities where Dr. Elamir is involved and prohibits such involvements, and requires him to provide a copy of the Order to all such NRC-licensed entities.

The Board is comprised of the following administrative judges:

Charles Bechhoefer, Chairman, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555

Dr. Peter S. Lam, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555

Dr. Jerry R. Kline, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555

All correspondence, documents and other materials in this proceeding shall be filed with the Judges in accordance with 10 C.F.R. § 2.701.

Issued at Rockville, Maryland, this 15th day of October 1997.

**B. Paul Cotter, Jr.,**

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 97-27878 Filed 10-20-97; 8:45 am]

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**NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-22]

**Notice of Proposed Issuance of a License Amendment and an Order Authorizing Disposition of Component Parts Termination of Facility License and Opportunity for Hearing; Waltz Mill Test Reactor**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of a license amendment and an order authorizing the Westinghouse Electric Corporation (the licensee) to dismantle the Waltz Mill Test Reactor facility and dispose of the component parts, and termination of Facility License No. TR-2, in accordance with the licensee's application dated July 31, 1997.

The license amendment would be issued following the Commission's review and approval of the licensee's detailed plan for removal of the reactor vessel internal contents, the reactor vessel, the biological shield, and disposal of radioactive components. The license amendment would authorize implementation of the approved plan. Following completion of the authorized activities and verification by the Commission that acceptable radioactive contamination levels have been achieved, the Commission would issue an order terminating the TR-2 license, and relicensing the remaining facility under a Special Nuclear Materials license existing at other parts of the facility at Waltz Mill. Prior to issuance of the license amendment and order, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

By November 20, 1997, the licensee may file a request for a hearing with respect to issuance of the subject amendment and order, 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 petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules for Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. 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 fifteen (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 fifteen (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, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the action under consideration. 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.

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,