

NUCLEAR REGULATORY COMMISSION

Atomic Safety and Licensing Board; Yankee Atomic Electric Company (Yankee Nuclear Power Station) License Termination Plan; Change in Filing Schedules and Date of Prehearing Conference

[Docket No. 50-029-LA-R, ASLBP No. 99-754-01-LA-R]

November 30, 1998.

Before Administrative Judges: Charles Bechhoefer, Chairman, Dr. Thomas S. Elleman, Thomas D. Murphy.

Notice is hereby given that, at the request of the Citizens Awareness Network, Inc. (based on recent physical injuries to its designated representative), and without objection from any party or other participant, the prehearing conference heretofore scheduled to commence on Wednesday, December 16, 1998, at the Grand Jury Room (top floor), Franklin County Courthouse, 425 Main Street, Greenfield, MA 01301, is hereby rescheduled to commence at 9:30 a.m., Tuesday, January 26, 1999 and, to the extent necessary, to continue on Wednesday, January 27, 1999 and Thursday, January 28, 1999, beginning at 9:00 a.m. each day, at the same location.

Because of the change in schedule, the schedule for the filing of contentions and responses thereto is also changed. Contentions are to be in our hands, and in those of parties and other participants, by close of business Tuesday, January 5, 1999 (replacing the current filing date of November 30, 1998). Responses to those contentions are to be in our hands (and those of other participants) by close of business Wednesday, January 20, 1998.

The purpose of the conference will be to determine whether either of the petitioners found by the Commission in CLI-98-21 to have standing—i.e., the New England Coalition on Nuclear Pollution, Inc. (NECNP) and the Citizens Awareness Network, Inc. (CAN)—have submitted admissible contentions conforming to the criteria set forth in 10 CFR 2.714(b) and (d). If so, they will become parties to the proceeding. The conference will also consider petitions, if any, from interested States or governmental bodies, as discussed by the Commission in CLI-98-21. Finally, to the extent necessary, the conference will consider discovery and future schedules for various aspects of the proceeding.

In accordance with 10 CFR 2.715(a), the Board will hear oral limited

appearance statements at this prehearing conference. Any person not a party to the proceeding or a petitioner for intervention will be permitted to make such a statement, either orally or in writing, setting forth his or her position on issues of concern. These statements do not constitute testimony or evidence but may help the Board and/or parties in their deliberations on the extent of the issues to be considered.

Oral limited appearance statements may be given from 7:00 p.m. to 9:30 p.m. on Tuesday, January 26, 1999 (or such lesser time as is necessary to accommodate speakers who are present), at the same location as the site of the prehearing conference. (To the extent that the Board is apprised of a need to accommodate further speakers, it will attempt to do so at the beginning or end of any later session of the conference that may be necessary.) The number of persons making oral statements and the time allotted for each statement may be limited depending on the number of persons present at the designated time. (Normally, each oral statement may extend for up to five (5) minutes.) Written statements may be submitted at any time. Written statements, and requests for oral statements, should be submitted to the Office of the Secretary, Rulemakings and Adjudications Staff, U.S. Nuclear Regulatory Commission, Washington DC 20555. A copy of such statement or request should also be served on the Chairman of this Licensing Board. (Persons desiring to make oral statements who have filed a written request will be given priority over those who have not filed such a request.)

Documents relating to this application are on file at the Local Public Document Room, located at the Greenfield Community College, 1 College Drive, Greenfield, MA 01301, as well as at the Commission's Public Document Room, the Gelman Building, 2120 L St., NW, Washington DC 20037.

It is so ordered.

Rockville, Maryland, November 30, 1998.

For the Atomic Safety and Licensing Board.

Charles Bechhoefer,

Chairman, Administrative Judge.

[FR Doc. 98-32395 Filed 12-4-98; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Natural Resources Defense Council; Petition

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Receipt of Petition for U.S. Nuclear Regulatory Commission Action.

Notice is hereby given that by petition dated October 15, 1998, the Natural Resources Defense Council (NRDC) has requested that the U.S. Nuclear Regulatory Commission (NRC) exert authority to ensure that the United States Army Corps of Engineers' (the "Corps") handling of radioactive materials in connection with the Formerly Utilized Sites Remedial Action Program (FUSRAP) is effected in accord with properly issued license and all other applicable requirements. As NRDC notes in its petition, FUSRAP began in 1974 as a program of the Department of Energy (DOE), and that DOE had identified a total of 46 sites for cleanup under FUSRAP. By 1997, cleanup of 25 of these sites had been completed. There are currently 21 sites still in need of remediation. In October 1997, Congress transferred funding for FUSRAP from DOE to the Corps. NRDC believes that the Corps should obtain an NRC license to conduct activities under FUSRAP. At this time, the NRC has not required the Corps to obtain a license.

The request has been referred to the Director of the Office of Nuclear Material Safety and Safeguards. A copy of the petition is being sent to DOE and the Corps, and DOE and the Corps are being given the opportunity to comment. Appropriate action will be taken on this petition within a reasonable time.

FOR FURTHER INFORMATION CONTACT: John Lusher, Uranium Recovery Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T7-J9, Washington, DC 20555. Telephone 301/415-7694. A copy of the petition is available for inspection at the Commission's Public Document Room at 2121 L Street, NW, Washington, DC 20555.

Dated at Rockville, Maryland, this 30th day of November 1998.

For the Nuclear Regulatory Commission.

Carl J. Paperiello,

Director, Office of Nuclear Material Safety and Safeguards.

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