

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 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 amendments 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 amendments and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendments.

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 amendments.

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 (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, by the above date. Because of the continuing disruptions in delivery of mail to United States Government offices, it is requested that petitions for leave to intervene and requests for hearing be transmitted to the Secretary of the Commission either by means of facsimile transmission to 301-415-1101 or by e-mail to [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov). A copy of the petition for leave to intervene and request for hearing should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and because of continuing disruptions in delivery of mail to United States Government offices, it is requested that copies be transmitted either by means of facsimile transmission to 301-415-3725 or by e-mail to [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov). A copy of the request for hearing and petition for leave to intervene should also be sent to Ms. Lisa F. Vaughn, Legal Department (PB05E), Duke Energy Corporation, 422 South Church Street, Charlotte, North Carolina 28201-1006, 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 October 7, 2001, as supplemented by letter dated August 7, 2002, which is available for public inspection at the Commission's PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 20th day of August 2002.

For the Nuclear Regulatory Commission.

**Chandu P. Patel,**

*Project Manager, Section 1, Project Directorate II, Division of Licensing Project Management.*

[FR Doc. 02-21522 Filed 8-22-02; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-338 and 50-339]

### Virginia Electric and Power Company; Notice of Withdrawal of Application for Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Virginia Electric and Power Company (the licensee) to withdraw its June 22, 2000, application, as supplemented January 19, 2001, and July 26, 2001, for proposed amendments to Facility Operating License Nos. NPF-4 and NPF-7 for the North Anna Power Station, Unit Nos. 1 and 2, located in Louisa County, Virginia.

The proposed amendments would have revised the Technical Specifications to permit the elimination of the assumed increase in the rod control cluster assembly drop time resulting from a concurrent trip and seismic event.

The Commission had previously issued a Notice of Consideration of Issuance of Amendments published in the **Federal Register** on August 9, 2000 (65 FR 48761). However, by letter dated July 17, 2002, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendments dated June 22, 2000, supplemental letters dated January 19, 2001, and July 26, 2001, and the licensee's letter dated July 17, 2002, which withdrew the application for license amendments. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams/html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR reference staff by telephone at 1-800-397-4209 or 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 19th day of August 2002.

For the Nuclear Regulatory Commission.

**Stephen R. Monarque,**

*Project Manager, Section 1, Project Directorate II, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 02-21523 Filed 8-22-02; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards; Meeting Notice

In accordance with the purposes of sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards (ACRS) will hold a meeting on September 12-14, 2002, in Conference Room T-2B3, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Monday, November 26, 2001 (66 FR 59034).

#### Thursday, September 12, 2002

*8:30 a.m.—8:35 a.m.: Opening Statement by the Acting ACRS Chairman* (Closed)—The ACRS Chairman will make opening remarks

regarding the Naval Reactors Virginia Class Nuclear Propulsion Plant Submarine Design. [This session will be held in the NRC auditorium]

*8:35 a.m.—11:45 a.m.: DOE/DOD Naval Reactors Virginia Class Nuclear Propulsion Plant Submarine Design* (Closed)—The Committee will hear presentations by and hold discussions with representatives of the Department of Energy (DOE)/Department of Defense (DOD) Naval Reactors Organization and the NRC staff regarding the Virginia Class Nuclear Propulsion Plant Submarine Design. [This session will be held in the NRC auditorium]

[**Note:** The above two sessions will be closed to discuss classified information applicable to this matter.]

*1 p.m.—1:05 p.m.: Opening Remarks by the ACRS Chairman* (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

*1:05 p.m.—2:30 p.m.: Human Reliability Analysis Research Plan* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the Human Reliability Analysis Research Plan and related matters.

*2:45 p.m.—4:15 p.m.: Proposed Resolution of Generic Safety Issue-185, "Control of Recriticality Following Small-Break LOCAs in PWRs"* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the proposed recommendations by the Office of Nuclear Regulatory Research for resolving Generic Safety Issue-185.

*4:30 p.m.—5:00 p.m.: Subcommittee Report Regarding D. C. Cook Switchyard Fire* (Open)—Report by the Chairman of the ACRS Subcommittee on Plant Operations regarding the switchyard fire event that occurred at the D. C. Cook Nuclear Power Plant on June 12, 2002.

*5 p.m.—5:30 p.m.: Subcommittee Report Regarding the Reactor Oversight Process* (Open)—Report by the Chairman of the ACRS Subcommittee on Plant Operations regarding matters discussed at the September 9, 2002 Subcommittee meeting.

*5:30 p.m.—7:00 p.m.: Proposed ACRS Reports* (Open/Closed)—The Committee will discuss proposed ACRS reports on matters considered during this meeting. [Discussion of the report on Virginia Class Nuclear Propulsion Plant Submarine Design, which will be closed to the public, will be held in Room T-8E8.]

#### Friday, September 13, 2002

*8:30 a.m.—8:35 a.m.: Opening Remarks by the ACRS Chairman* (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

*8:35 a.m.—10:45 a.m.: Proposed 10 CFR 50.69, Draft Regulatory Guide DG-1121, and NEI Document NEI 00-04* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and Nuclear Energy Institute (NEI) regarding proposed 10 CFR 50.69, "Risk-Informed Categorization and Treatment of Structures, Systems, and Components for Nuclear Power Reactors," draft Regulatory Guide DG-1121, "Guidelines for Categorizing Structures, Systems, and Components in Nuclear Power Plants According to Their Safety Significance," and NEI 00-04, "10 CFR 50.69 SSC Categorization Guidelines."

*11 a.m.—12:30 p.m.: Draft Regulatory Guide DG-1120 and Standard Review Plan Section Associated with NRC Code Reviews* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding draft Regulatory Guide DG-1120, "Transient and Accident Analysis Methods," and draft final Standard Review Plan Section 15.0.2, "Review of Transient and Accident Analysis Methods."

*1:30 p.m.—2 p.m.: Subcommittee Report on Fire Protection* (Open)—Report by the Chairman of the ACRS Subcommittee on Fire Protection regarding matters discussed during the September 11, 2002 Subcommittee meeting.

*2 p.m.—3 p.m.: Future ACRS Activities/Report of the Planning and Procedures Subcommittee* (Open)—The Committee will discuss the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the full Committee during future meetings. Also, it will hear a report of the Planning and Procedures Subcommittee on matters related to the conduct of ACRS business, and organizational and personnel matters relating to the ACRS.

*3 p.m.—3:15 p.m.: Reconciliation of ACRS Comments and Recommendations* (Open)—The Committee will discuss the responses from the NRC Executive Director for Operations (EDO) to comments and recommendations included in recent ACRS reports and letters. The EDO responses are expected to be made available to the Committee prior to the meeting.