The U.S. Nuclear Regulatory Commission (NRC or Commission) is considering an application for the renewal of Operating License Nos. DPR–19, DPR–25, DPR–29, and DPR–30 for an Additional 20-Year Period.

The most recent version of title 10 of the Code of Federal Regulations, published January 30, 2003 (68 FR 4800). The Commission’s staff (the staff) has determined that the Exelon Generation Company has submitted information in accordance with 10 CFR 54.19, 54.21, 54.22, 54.23, and 51.53(c) that is complete and acceptable for docketing. The current Docket Nos. 50–237, 50–249, 50–254, and 50–265 for Operating License Nos. DPR–19, DPR–25, DPR–29, and DPR–30, respectively will be retained. The docketing of the renewal application does not preclude requesting additional information as the review proceeds, nor does it predict whether the Commission will grant or deny the application.

Before issuance of each requested renewal license, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission’s rules and regulations.

Pursuant to 10 CFR 51.26, and as part of the environmental scoping process, the staff intends to hold public scoping meetings. Detailed information regarding these meetings will be included in a future Federal Register notice. The Commission also intends to hold public meetings to discuss the license renewal process and the schedule for conducting the review. The Commission will provide prior notice of these meetings. As discussed further herein, in the event that a hearing is held, issues that may be litigated will be confined to those pertinent to the foregoing.

Within 30 days from the date of publication of this Federal Register notice, the applicant may file a request for a hearing, 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 with respect to the renewal of the licenses in accordance with the provisions of 10 CFR 2.714.

The most recent version of title 10 of the Code of Federal Regulations, published January 1, 2002,
Inadvertedly omitted the last sentence of 10 CFR 2.714(d) and subparagraphs (d)(1) and (2), regarding petitions to intervene and contentions. Those provisions are extant and still applicable to petitions to intervene. Those provisions are as follows:

1 In all other circumstances, such ruling body or officer shall, in ruling on—

(a) A petition for leave to intervene or a request for hearing, consider the following factors, among other things: (i) the nature of the petitioner’s right under the Act to be made a party to the proceeding; (ii) The nature and extent of the petitioner’s property, financial, or other interest in the proceeding.

(b) The admissibility of a contention, refuse to admit a contention if: (i) The contention and supporting material fail to satisfy the requirements of paragraph (b)(2) of this section; or (ii) The contention, if proven, would be of no consequence in the proceeding because it would not entitle petitioner to relief.

Interests persons should consult a current copy of 10 CFR 2.714, which is available at the Commission’s Public Document Room (PDR), 11555 Rockville Pike (first floor) Rockville, Maryland, and on the Commission’s Web site at http://www.nrc.gov (the Public Electronic Reading Room). If a request for a hearing or a petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board designated by the Commission will rule on the request(s) and/or petition(s), and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order. In the event that no request for a hearing or petition for leave to intervene is filed by the above date, the Commission may, upon completion of its evaluations and upon making the findings required under 10 CFR parts 51 and 54, renew the licenses without further notice.

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, taking into consideration the limited scope of matters that may be considered pursuant to 10 CFR parts 51 and 54. The petition must specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioners’ right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioners’ property, financial, or other interest in the proceeding; and (3) the possible effect of any order that may be entered in the proceeding on the petitioners’ interest. The petition must 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 before the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specific requirements described above.

Not later than 15 days before the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene that must include a list of the contentions that the petitioner seeks to have litigated in the hearing. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petition shall provide a brief explanation of the bases of each contention and a concise statement of the alleged facts or the expert opinion that supports 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. The petition 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 action under consideration. The contention must be one that, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement that 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.

Requests for a hearing and petitions 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 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. A copy of the request 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. A copy of the request for hearing and petition for leave to intervene should also be sent to Mr. John L. Skolds, President and Chief Nuclear Officer, Exelon Generation Company, LLC, 4300 Winfield Road, Warrenville, IL 60555.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental pleadings, and/or requests for a hearing will not be entertained absent a determination by the Commission, the presiding officer, or the 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).

Detailed information about the license renewal process can be found on the Commission’s Web page at http://www.nrc.gov. A copy of the application is available for public inspection at the Commission’s PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, or electronically from the Publicly Available Records (PARS) component of the NRC’s Agencywide Documents Access and Management System (ADAMS) under accession number ML030090359. The ADAMS Public Electronic Reading Room is accessible from the NRC Web site at http://www.nrc.gov. A copy of the application is also available to local residents near the Dresden Nuclear Power Station at the Morris Public Library in Morris, Illinois, and at the Coal City Public Library in Coal City, Illinois. For local residents near the Quad Cities Nuclear Power Station, the license renewal application is available at the River Valley District Library in Port Byron, Illinois.
III. Opportunity To Request a Hearing

The NRC hereby provides notice of an opportunity for a hearing on the license amendment under the provision of 10 CFR part 2, subpart L, “Informal Hearing Procedures for Adjudications of Materials and Operator Licensing Proceedings,” of NRC’s rules and practice for domestic licensing proceedings in 10 CFR part 2. Pursuant to §2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing in accordance with §2.1205(d). A request for a hearing must be filed within 30 days of the publication of this Federal Register notice.

The request for a hearing must be filed with the Office of the Secretary, either:
(1) By delivery to the Rulemaking and Adjudications Staff of the Office of the Secretary of the Commission at the Office of the Secretary of the Commission at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or
(2) By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff. Because of continuing disruptions in the delivery of mail to United States Government offices, it is requested that requests for hearing also be transmitted to the Secretary of the Commission either by means of facsimile transmission to 301–415–1101, or by email to hearingdocket@nrc.gov.

In accordance with 10 CFR 2.1205(f), each request for a hearing must also be served, by delivering it personally or by mail, to:
(1) The applicant, Pathfinder Mining Company, 935 Pendell Boulevard PO Box 730 Mills, Wyoming 82664.
Attention: Tom Hardgrove; and
(2) The NRC staff, by delivery to the General Counsel, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, or by mail addressed to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001. Because of continuing disruptions in the delivery of mail to United States Government offices, it is requested that requests for hearing also be transmitted to the Office of the General Counsel, either by means of facsimile transmission to (301)–415–3725, or by e-mail to OGCMailCenter@nrc.gov.

In addition to meeting other applicable requirements of 10 CFR part 2 of the NRC’s regulations, a request for a hearing filed by a person other than an applicant must describe in detail:
(1) The interest of the requestor;
(2) How that interest may be affected by the results of the proceeding, including the reasons why the requestor should be permitted a hearing, with particular reference to the factors set out in §2.1205(h);
(3) The requestor’s areas of concern about the licensing activity that is the subject matter of the proceeding; and
(4) The circumstances establishing that the request for a hearing is timely in accordance with §2.1205(d).

IV. Other Information

Pathfinder’s request to amend LC 61A(3) and 61B(1) of Source Material License SUA–672, which describes the proposed changes to the license condition, and the reason for the request, is being made available for public inspection at NRC’s Public Electronic Reading Room at http://www.nrc.gov/reading-rm/adams.html (ADAMS Accession Numbers: ML023440222 and ML030410500).

Documents may also be examined and/or copied for a fee, at the NRC’s Public Document Room, located at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. Any questions with respect to this action should be referred to Michael Raddatz, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T8–A33, Washington, DC 20555–0001. Telephone: (301) 415–6334; Fax: (301) 415–5390.


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NUCLEAR REGULATORY COMMISSION

[Docket No. 40–6622]

Notice of Amendment Request for Pathfinder Mining Company To Revise a Site-Reclamation Milestone in License No. SUA–442 for the Shirley Basin Site, Wyoming, and Opportunity To Provide Comments and To Request a Hearing

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) has received, by letter dated December 26, 2002, as supplemented by an e-mail received February 3, 2003, a request from Pathfinder Mining Company to amend License No. SUA–442, which describes the proposed changes to the license condition, and the reason for the request, is being made available for public inspection at NRC’s Public Electronic Reading Room at http://www.nrc.gov/reading-rm/adams.html (ADAMS Accession Numbers: ML023440222 and ML030410500). Documents may also be examined and/or copied for a fee, at the NRC’s Public Document Room, located at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. Any questions with respect to this action should be referred to Michael Raddatz, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T8–A33, Washington, DC 20555–0001. Telephone: (301) 415–6334; Fax: (301) 415–5390.