

For the Nuclear Regulatory Commission.  
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**[Docket No. 40-8838]**

**Jefferson Proving Ground, Madison, IN; Consideration of an Amendment Request**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Consideration of an Amendment Request for Release of the Remediated Portion of Jefferson Proving Ground (JPG), Madison, IN, for Unrestricted Use and Amendment of the U.S. Army Source Material License Number SUB-1435, and Opportunity for Hearing.

The U.S. Nuclear Regulatory Commission is considering two license amendment requests for Source Material License SUB-1435, issued to the U.S. Army, Jefferson Proving Ground (JPG), Madison, IN. The first amendment would release, for unrestricted use, a portion of JPG. The second amendment would transfer the license from the U.S. Army at JPG to the U.S. Army Test and Evaluation Command (TECOM), Aberdeen, MD.

The first amendment request involves that portion of JPG which has been remediated to levels in compliance with the current NRC decommissioning criteria for unrestricted release (i.e., "Guidelines for Decontamination of Facilities and Equipment Prior to Release for Unrestricted Use or Termination of Licenses by Byproduct, Source, or Special Nuclear Material," August 1987). This portion of the JPG site is located south of the firing line. In a letter dated September 14, 1995, the licensee requested amendment of its license to release the area south of the firing line for unrestricted use. In support of this request, the licensee remediated the area south of the firing line and submitted a final survey report. In addition, the Army has submitted a certificate of disposition which indicated that the depleted uranium (DU) material, that resulted from the remediation activities, was disposed of at a licensed burial site. Subsequently, the NRC conducted a confirmatory radiological survey of that area and submitted the results of that survey to the Army on September 27, 1995 (Report No. 040-08838/95001/R-III). The radiological survey data in these two reports (final and confirmatory

survey reports) did not identify any radioactive material in excess of the current NRC decommissioning criteria for unrestricted use. Therefore, in accordance with NRC regulations in 10 CFR 40.41, and NRC's Action Plan to Ensure Timely Cleanup of Site Decommissioning Management Plan Sites (57 FR 13389, April 16, 1992), that portion of JPG site would be released for unrestricted use.

The second amendment request involves the transfer of the license. The U.S. Army has ceased its function as a test center for DU projectiles and has closed JPG effective September 30, 1995. The Army has transferred certain DU material to other Army locations under different licenses. Therefore, the Army currently possesses only the DU material remaining onsite (estimated 80,000 kilograms), in the DU impact area north of the firing line, and will not conduct any further DU test activities at JPG. As a result of these changes, the Army has requested (in a letter dated September 14, 1995) an amendment to transfer the license to the U.S. Army TECOM Headquarters in Aberdeen, MD. Consequently, NRC is considering the Army's request to amend the license to conform with the current conditions and status at JPG. In addition, NRC is proceeding with the development of an environmental impact statement (EIS) which will examine alternatives for the decommissioning of the remaining radiologically contaminated portion of JPG (i.e., the DU impact area north of the firing line). A notice of intent to develop an EIS was published in the Federal Register on April 10, 1995 (60 FR 18155).

The NRC hereby provides notice that this is a proceeding on an application for a license amendment falling within the scope of Subpart L, Informal Hearing Procedures for Adjudication in Materials Licensing Proceedings, of NRC's rules and practices 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(c). A request for hearing must be filed within (30) days of the date of 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 Docketing and Service Branch of the Office of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738; or
2. By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory

Commission, Washington, DC 20555.  
Attention: Docketing and Service Branch.

In accordance with 10 CFR § 2.1205(e), each request for a hearing must also be served, by delivering it personally or by mail, to:

1. The applicant, U.S. Army Test and Evaluation Command, Aberdeen Proving Ground, Maryland 21005-5055, ATTN: Ms. Tanya Palmateer Oxenberg, and

2. The NRC staff, by delivery to the Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, or by mail, addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

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 in the proceeding;
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(g);
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(c).

For further details with respect to this action, the application for the license amendment is available for inspection at the Commission's Public Document Room, 2120 L Street NW., Washington, DC 20555. If you have any questions or comments about the requests, please contact NRC's project manager for the site, Dr. Boby Eid, at telephone number (301) 415-5811 or at Mail Stop T7F27, U.S. NRC, Washington, DC 20555.

Dated at Rockville, Maryland this 31st day of October 1995.

For the U.S. Nuclear Regulatory Commission.

Michael F. Weber,

*Chief, Low-Level Waste and Decommissioning Projects Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

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