

PLACE: National Science Foundation, 4201 Wilson Boulevard, Room 580, Arlington, VA 22230.

TYPE OF MEETING: Closed.

CONTACT PERSON: Fred G. Heineken, Program Director, Biotechnology Engineering, Division of Bioengineering and Environmental Systems, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230, Telephone: (703) 306-1318.

PURPOSE OF MEETING: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

AGENDA: To review and evaluate CAREER proposals as part of the selection process for awards.

REASON FOR CLOSING: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: October 3, 1997.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 97-26684 Filed 10-3-97; 2:49 pm]

BILLING CODE 7555-01-M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Polar Programs; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting.

NAME AND COMMITTEE CODE: Special Emphasis Panel in Polar Programs (#1209).

DATE AND TIME: October 30th and 31st, 1997: 8:00 am to 5:00 pm.

PLACE: Room 730, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

TYPE OF MEETING: Closed.

CONTACT PERSON: Dr. Odile de La Beaujardiere, Program Director, Arctic Natural Sciences, Office of Polar Programs, Room 740, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306-1029.

PURPOSE OF MEETING: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

AGENDA: to review and evaluate Arctic Natural Sciences multidisciplinary

proposals as part of the selection process for awards.

REASON FOR CLOSING: The proposals being reviewed include information of the proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c) (4) and (6) of the Government in the Sunshine Act.

Dated: October 3, 1997.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 97-26685 Filed 10-3-97; 2:45 pm]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-261]

Carolina Power & Light Company; Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity For a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-23 issued to the Carolina Power & Light Company (CP&L or the licensee) for operation of the H. B. Robinson Steam Electric Plant, Unit No. 2 (HBR) located in Darlington County, South Carolina.

By letter dated August 27, 1996, as supplemented by letters dated December 18, 1996, January 17, February 18, March 27, April 6, April 25, April 29, May 30, June 2, June 13, June 18, August 4, August 8, September 10, October 2 (RNP RA/97-0216), and October 2, 1997 (RNP RA/97-0207), the licensee applied for full conversion from the current HBR Technical Specifications (CTS) to a set of improved Technical Specifications (ITS) based on NUREG-1431, "Standard Technical Specifications Westinghouse Plants," Revision 0, dated September 1992 (including approved travellers used in the issuance of Revision 1, dated April 1995). A "Notice of Consideration of Issuance and Opportunity for Hearing" regarding conversion to the ITS was published in the **Federal Register** on October 29, 1996 (61 FR 55830). An "Environmental Assessment and Finding of No Significant Impact" regarding the conversion to ITS was published in the **Federal Register** on September 25, 1997 (62 FR 50409).

One of the ITS conversion changes proposed by the licensee in its August 27, 1996, application, and addressed in the April 29, and October 2, 1997, supplements, requires, as a part of ITS Limiting Condition for Operation (LCO) 3.6.4, that the pressure in containment be maintained greater than or equal to -0.8 psig. CTS require that containment pressure be maintained greater than or equal -1.0 psig; therefore, the ITS LCO is more restrictive than the CTS with regard to this parameter. This change in minimum allowable containment pressure is needed to make the ITS LCO consistent with a new licensee analysis of an inadvertent containment spray event.

In its letter dated October 2, 1997, the licensee provided justification for Commission issuance of the proposed change in minimum allowable containment pressure on an exigent basis. As defined in 10 CFR 50.91(a)(6), exigent circumstances exist when the licensee and the Commission must act quickly and time does not exist for the Commission to publish a **Federal Register** notice allowing 30 days for prior public comment and the Commission also determines that the proposed amendment involves no significant hazards considerations. The NRC staff has reviewed the licensee's October 2, 1997, letter and determined that exigent circumstances exist in that—

(1) Earlier issuance of this more restrictive change would be consistent with the most recent analysis and would enhance safety.

(2) As described below, there appear to be no significant hazards considerations associated with this change.

The licensee's ITS conversion application was prepared in accordance with appropriate industry guidance as provided in Nuclear Energy Institute Guidance document 96-06, "Improved Technical Specifications Conversion Guidance," dated August 1996. That guidance did not address the need for specific no significant hazards discussions other than for less restrictive changes. Therefore, the exigent circumstances could not reasonably have been avoided in that the licensee was not aware of the need for a specific no significant hazards discussion regarding the change in minimum allowable containment pressure.

Before issuance of the ITS conversion amendment, including the proposed change to ITS 3.6.4, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended

(the Act) and the Commission's regulations.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendments would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

The proposed change provides a requirement of -0.8 psig for the minimum allowable internal containment atmospheric pressure. This requirement is determined to be more restrictive than the current Technical Specifications requirement of -1.0 psig with respect to plant operation. The minimum allowable containment internal atmospheric pressure is not assumed to be an initiator of an analyzed event and the new requirement is consistent with a current analysis relative to mitigation of the inadvertent actuation of a containment spray event. This change has no effect on any other accident or transient previously evaluated. The new requirement being proposed is an assumption in an analysis which enhances assurance that process variables, structures, systems, and components are maintained consistent with the safety analyses and licensing basis of the unit. Therefore, this change does not involve any increase in the probability or consequences of an accident previously evaluated.

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed change does not involve any physical alteration of plant systems, structures, or components or changes in parameters governing normal plant operation other than the minimum allowable containment atmospheric pressure. This change is consistent with assumptions made in the inadvertent containment spray event and has no other effect on other safety analyses or the licensing basis. The new requirement is a more restrictive Limiting Condition for Operations resulting from an analysis that enhances safe operation. Therefore, this [change] does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does this change involve a significant reduction in a margin of safety?

The imposition of the new requirement for the minimum allowable containment

atmospheric pressure maintains the margin of plant safety by restricting operations to be consistent with an analysis of an inadvertent actuation of the containment spray system that utilizes analytical methods currently acceptable to the NRC. Therefore, this change does not involve a reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 14 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 14-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 14-day notice period, provided that its final determination is that the amendments involve no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By November 6, 1997, the licensee may file a request for a hearing with

respect to issuance of the amendment to the subject facility operating license 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. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Hartsville Memorial Library, 147 West College Avenue, Hartsville, South Carolina 29550. 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 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 amendment 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 the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards determination. If a hearing is requested, 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 amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

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 amendment.

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, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. A copy of the petition should also be sent

to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Mr. William D. Johnson, Vice President and Senior Counsel, Carolina Power & Light Company, Post Office Box 1551, Raleigh, North Carolina 27602, 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 amendment dated August 27, 1996, as supplemented by letters dated December 18, 1996, January 17, February 18, March 27, April 6, April 25, April 29, May 30, June 2, June 13, June 18, August 4, August 8, September 10, October 2 (RNP RA/97-0216), and October 2, 1997 (RNP RA/97-0207), which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Hartsville Memorial Library, 147 West College Avenue, Hartsville, South Carolina 29550.

Dated at Rockville, Maryland, this 3rd day of October, 1997.

For the Nuclear Regulatory Commission.

David C. Trimble,

Project Manager, Project Directorate II-1, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 97-26642 Filed 10-6-97; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 72-22-ISFSI ASLBP No. 97-732-02-ISFSI]

Private Fuel Storage, LLC; Notice of Reconstitution of Board

Pursuant to the authority contained in 10 CFR § 2.721, the Atomic Safety and Licensing Board in the Private Fuel Storage proceeding, with the above-identified Docket Number, is hereby reconstituted by appointing Administrative Judge Peter S. Lam in place of Administrative Judge Thomas D. Murphy.

As reconstituted, the Board is comprised of the following Administrative Judges: G. Paul

Bollwerk, III, Chairman, Dr. Jerry R. Kline, Dr. Peter S. Lam.

All correspondence, documents and other material shall be filed with the Board in accordance with 10 CFR § 2.701 (1980). The address of the new member is: Dr. Peter S. Lam, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Issued at Rockville, Maryland, this 1st day of October 1997.

B. Paul Cotter, Jr.

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 97-26508 Filed 10-6-97; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Sunshine Act Meeting

DATE: Weeks of October 6, 13, 20, and 27, 1997.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

MATTERS TO BE CONSIDERED:

Week of October 6

Wednesday, October 8

3:30 p.m. Affirmation Session (Public Meeting)

- Changes to Paragraph (h) of 10 CFR Part 50.55a, "Codes and Standards"
- Sequoyah Fuels Corp. & General Atomics: Docket No. 40-8027-EA; LBP-95-18 and LBP-96-24, Memoranda and Orders (Approving Settlement) (Tentative)

Week of October 13—Tentative

Tuesday, October 14

10:00 a.m. Briefing on EEO Program (Public Meeting) (Contact: Ed Tucker, 301-415-7382)

1:00 p.m. Briefing on Severe Accident Master Integration Plan (Public Meeting) (Contact: Charles Ader, 301-415-5622)

Wednesday, October 15

10:00 a.m. Briefing on PRA Implementation Plan (Public Meeting) (Contact: Tom King, 301-415-5790)

11:30 a.m. Affirmation Session (Public Meeting) (if needed)

Week of October 20—Tentative

Tuesday, October 21

10:30 a.m. Affirmation Session (Public Meeting) (if needed)