

CERTIFIED

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FEBRUARY 6-8, 1997

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A. Reports, Letters, and Memoranda

REPORTS

- Human Performance Program Plan (Report to Shirley Ann Jackson, Chairman, NRC, from R. L. Seale, Chairman, ACRS, dated February 13, 1997)
- Nuclear Safety Research and Regulatory Reform (Report to The Honorable Newt Gingrich, Speaker of the United States House of Representatives, and to Albert Gore, Jr., President of the United States Senate, from R. L. Seale, Chairman, ACRS, dated February 21, 1997)

MEMORANDA

- Draft AEOD Report on Grid Performance Factors (Memorandum to Hugh L. Thompson, Jr., Acting Executive Director for Operations, from John T. Larkins, Executive Director, ACRS, dated February 11, 1997)
- Rulemaking Plan to Amend Financial Protection Requirements for Permanently Shutdown Nuclear Power Reactors -- 10 CFR 50.54(w) and 10 CFR 140.11 (Memorandum to Hugh L. Thompson, Jr., Acting Executive Director for Operations, from John T. Larkins, Executive Director, ACRS, dated February 12, 1997)

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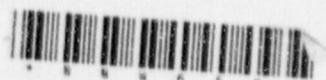
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- Proposed Revision 3 to Regulatory Guide 1.134, "Medical Evaluation of Licensed Personnel at Nuclear Power Plants" (Memorandum to Hugh L. Thompson, Jr., Acting Executive Director for Operations, from John T. Larkins, Executive Director, ACRS, dated February 12, 1997)
- Proposed Supplement to Generic Letter 95-06, "Changes in the Operator Licensing Program" (Memorandum to Hugh L. Thompson, Jr., Acting Executive Director for Operations, from John T. Larkins, Executive Director, ACRS, dated February 12, 1997)
- Proposed Final Generic Letter, "Revised Contents of Monthly Operating Report" (Memorandum to Hugh L. Thompson, Jr., Acting Executive Director for Operations, from John T. Larkins, Executive Director, ACRS, dated February 12, 1997)
- Proposed Rulemaking for Amendments to 10 CFR Parts 30, 40, 50, 70, and 72--Self-Guarantee for Non-Profit and Non-Bond Issuing Licensees (Memorandum to Leonard J. Callan, Executive Director for Operations, from John T. Larkins, Executive Director, ACRS, dated February 20, 1997)
- B. Reconciliation of ACRS Comments and Recommendations
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MINUTES OF THE FOUR HUNDRED THIRTY-EIGHTH MEETING OF THE
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
FEBRUARY 6-8, 1997
ROCKVILLE, MARYLAND

CERTIFIED

The 438th meeting of the Advisory Committee on Reactor Safeguards was held at Conference Room 2B3, Two White Flint North Building, Rockville, Maryland, on February 6-8, 1997. The purpose of this meeting was to discuss and take appropriate action on the items listed in the attached agenda. The meeting was open to public attendance. There was one request for time to make an oral statement from the Nuclear Energy Institute.

A transcript of selected portions of the meeting was kept and is available in the NRC Public Document Room at the Gelman Building, 2120 L Street, N.W., Washington, D.C. [Copies of the transcript are available for purchase from Neal R. Gross and Co., Inc., 1323 Rhode Island Avenue, N.W., Washington, D.C. 20005.]

ATTENDEES

ACRS Members: Dr. Robert L. Seale (Chairman), Dr. Dana A. Powers (Vice-Chairman), Dr. George Apostolakis (absent half of Thursday A.M.), Mr. John Barton, Dr. Ivan Catton, Dr. Mario H. Fontana, Dr. Thomas S. Kress, Dr. Don W. Miller, and Dr. William J. Shack. [For a list of other attendees, see Appendix III.]

I. CHAIRMAN'S REPORT (Open)

[Note: Dr. John T. Larkins was the Designated Federal Official for this portion of the meeting.]

Dr. Robert L. Seale, Committee Chairman, convened the meeting at 8:30 a.m. and reviewed the schedule for the meeting. He announced that several candidates for appointment to the ACRS were present and that a schedule for Members to interview these candidates had been distributed. He also highlighted several items of interest for the Members to consider.

II. SUBCOMMITTEE REPORT - WESTINGHOUSE AP600 TEST AND ANALYSIS PROGRAM (Open)

[Note: Mr. P. Boehnert was the Designated Federal Official for this portion of the meeting.]

Dr. Catton, Chairman of the Thermal-Hydraulic Phenomena Subcommittee, provided a report on the status of the Subcommittee's review of the Westinghouse AP600 Test and Analysis Program (TAP) prior to his departure from the Committee later in February. He noted the following key points:

- Based on an initial investigation of the AP600 thermal-hydraulic characteristics, it was clear that testing would be required to address the unique aspects of this design. In particular, it was clear that the phenomena of thermal stratification, condensation, and small differences in buoyancy and drag forces would be important and would pose a challenge to code simulations.
- The Subcommittee told Westinghouse that it expected its test data to be presented in a scrutable manner; i.e., by the construction of a Phenomena Identification and Ranking Table (PIRT) and both a top-down and bottom-up scaling analysis. At the December 18-19, 1996 Subcommittee Meeting, Westinghouse attempted to provide these items, but fell short of Subcommittee expectations. The principal problem was a lack of adequate documentation. Dr. Catton expressed the opinion that, with a few exceptions (see below), Westinghouse has an adequate test data set to support certification.
- Westinghouse is using the COBRA/TRAC code to model large-break, loss-of-coolant accidents (LOCAs), and the NOTRUMP code for small-break LOCA modeling. Further, for modeling long-term cooling, Westinghouse is again using COBRA/TRAC. Use of COBRA/TRAC for long-term cooling modeling, in his opinion, is a mistake.
- Referring to an NRR report documenting recommendations for improving the staff's review process ("Report of the Maine Yankee Lessons Learned Task Group"), Westinghouse should: adhere to staff guidance for documentation of emergency core cooling system methodologies, document licensee/vendor responses to staff questions in associated topical reports, and submit sample applications of codes and methodologies for staff approval.
- Westinghouse has drafted a revised Table of Contents for its PIRT/Scaling Report that was reviewed during the December 18-19, 1996 Subcommittee Meeting. After reviewing this draft, Dr. Catton recommended that Westinghouse make reference to its responses to staff questions.

Conclusion

The Subcommittee plans to meet with Westinghouse in the near future to discuss its efforts to model the AP600 long-term cooling scenarios, while it proceeds in parallel to monitor the resolution of the outstanding issues pertaining to the AP600 PIRT and Scaling Report.

III. SUBCOMMITTEE REPORT - NATIONAL ACADEMY OF SCIENCES PHASE 2 STUDY REPORT (Open)

[Note: Mr. M. Markley was the Designated Federal Official for this portion of the meeting.]

Dr. Don W. Miller, Chairman of the ACRS Subcommittee on Instrumentation and Control Systems and Computers, provided a brief report to the Committee regarding his preliminary review of the National Academy of Sciences/National Research Council (NAS/NRC) Phase 2 study report. Dr. Miller noted that he and Dr. Powers had met with the NRC staff on January 29, 1997, regarding the schedule and content of future meetings to review the proposed final Standard Review Plan (SRP) and associated guidance for digital instrumentation and control (I&C) systems, including the planned integration of insights from the Phase 2 study. Dr. Miller summarized the following points regarding the NAS study and future ACRS reviews:

- Many of the recommendations made in the Phase 2 study are addressed in Branch Technical Position (BTP) 14.
- The recommendation that "the NRC should require that the relative influence of software failure on system reliability be included in probabilistic risk assessments (PRAs) for systems that include digital components," is a potentially controversial issue.
- The NAS/NRC Committee did not have the benefit of reviewing the proposed SRP and associated guidance including the BTPs. They did, however, have the benefit of briefings by the staff regarding these matters.
- For the proposed final SRP Chapter 7 review, the staff agreed to forward a document identifying the points of agreement and disagreement with the conclusions and recommendations in the Phase 2 study as well as the staff's proposed resolution and recommended actions.
- A Subcommittee meeting has been proposed for April 17-18, 1997, to review proposed final SRP sections, BTPs, and regulatory guides. Full ACRS review of the proposed final documents is scheduled for May 1997.

For the Committee review of the NAS/NRC Phase 2 study, Dr. Miller proposed the following assignments to facilitate the efficient and effective review of this study during the March 1997 ACRS meeting:

1. Introduction - Barton
2. Key Issues - Miller
3. System Aspects of Digital I&C Technology - Apostolakis

4. Software Quality Assurance - Fontana
5. Common-Mode Software Failure Potential - Kress
6. Safety and Reliability Assessment Methods - Powers
7. Human Factors and Human-Machine Interfaces - Seale
8. Dedication of Commercial Off-the-Shelf Software - Miller
9. Case-by-Case Licensing Process - Barton
10. Adequacy of Technical Infrastructure - Shack
11. Overview and Summary - Miller

Dr. Miller requested each Member to perform a detailed review of his assigned sections and to highlight points of concern for the briefing as well as recommended actions for ACRS letter-writing deliberations. He requested ACRS Members to provide their written comments on the Phase 2 study by February 21, 1997.

Conclusion

The Committee plans to continue its review of these matters during future meetings.

IV. SHUTDOWN OPERATIONS RISK (Open)

[Note: Mr. N. Dudley was the Designated Federal Official for this portion of the meeting.]

Dr. Dana Powers opened the session by explaining that the Committee had discussed the issue of shutdown risk over the last year and that a Committee report had been drafted regarding the need for a research program to analyze and quantify low power and shutdown risk. He stated that during his discussion with the staff on January 29, 1997, the staff had expressed the concern that the proposed ACRS report would delay the issuance of the shutdown rule. Dr. Powers noted that the staff had indicated there was an immediate need to proceed with the proposed rule, which is based on exploratory risk studies, and had requested an opportunity to brief the Committee.

Staff Presentation

Dr. Mark Cunningham, RES, presented the history and background of the staff's low power and shutdown risk analysis. He explained that the risk analysis involved a course screening phase and a phase of analyzing in detail two operational states. Mr. Martin Virgilio, NRR, summarized the comments and recommendations contained in the June 4, 1996, ACRS letter to the Executive Director for Operations concerning the development of a shutdown rule. He explained the staff's response to the letter and provided the status of the rulemaking effort. Mr. Virgilio presented examples of low power and shutdown events, summarized the regulato-

ry approach used in the proposed rule, and explained that the rule was needed to enhance safety and to codify voluntary improvements.

Mr. Cunningham identified the following research activities that support the proposed rulemaking: human reliability analysis, impact of performing maintenance during power operations versus shutdown conditions, and low power and shutdown models for events analysis. He presented different options for analyzing low power and shutdown risk besides the approach used in developing NUREG-1150, "Severe Accident Risk: An Assessment of Five U.S. Nuclear Power Plants." Mr. Cunningham noted that risk analyses related to low power and shutdown risk are being conducted by U.S. and foreign utilities. He concluded that completing the NUREG-1150 matrix is not technically justified.

The Committee members and the staff discussed the following items:

- peer review and validation of the staff risk analysis,
- use of industry PRAs,
- extrapolating shutdown risk insights to low power operations,
- the utility of performing low power and shutdown PRAs,
- plans to review the risk related to different shutdown modes,
- different methods for evaluating low power and shutdown risk,
- using a structured approach for setting research priorities,
- the practicality of performing expert elicitation,
- the potential for risk assessment initiatives by utility, and
- additional requirements for risk studies imposed by the proposed rule.

Committee Discussion

The Committee discussed the draft ACRS report, including the urgency for competing risk assessments, the structure and detail required for an effective risk analysis, the applicability of the Safety Goals to low power and shutdown conditions, and the need to understand the root causes of low power and shutdown events.

Conclusion

The Committee plans to complete a report on this issue during the April 3-5, 1997 ACRS meeting.

V. RISK-INFORMED, PERFORMANCE-BASED REGULATION AND RELATED MATTERS (Open)

[Note: Mr. M. Markley was the Designated Federal Official for this portion of the meeting.]

Dr. George Apostolakis, Chairman of the ACRS Subcommittee on Probabilistic Risk Assessment introduced the topic to the Committee. He noted that the PRA Subcommittee had met with the NRC staff and industry representatives on October 31 and November 1, 21, and 22, 1996, and January 28, 1997. He introduced Mr. Gary Holahan, Director, Division of Safety Systems and Analysis (DSSA), NRR, to discuss issues from the last Subcommittee meeting regarding proposed Standard Review Plan (SRP) sections and associated Regulatory Guides. He also noted that representatives of the Nuclear Energy Institute (NEI) had requested time to make a presentation regarding these matters.

NRC Staff Presentation

Mr. Gary Holahan led the discussions for the NRC staff. Drs. Thomas King, Deputy Director, Division of Systems Technology (DST), RES; Mark Cunningham, Chief, Probabilistic Risk Analysis Branch, DST/RES; and Mr. Robert Jones, Chief, Probabilistic Safety Assessment Branch, DSSA/NRR, provided supporting discussion. Mr. Holahan provided an overview of changes to the SRP and Regulatory Guides. He also addressed the following points requested by the Subcommittee on January 28, 1996:

- The staff definition of large, early release frequency (LERF) and how it applies on a plant-specific basis;
- Guidelines on the use of defense-in-depth;
- The staff definition of adequate safety margin and how to maintain sufficient margin;
- How the staff plans to address temporary changes; and
- The use of judgment in licensee expert panels and NRC peer reviews.

Dr. Apostolakis questioned how the staff defined a small increase in risk. The staff stated that it is defined as $CDF < 1E-5/RY$ and $LERF < 1E-6/RY$. Dr. Apostolakis also questioned the distinction between small and insignificant increases in risk. The staff stated that insignificant risk is captured within the definition of small.

Dr. Apostolakis questioned whether the "guidelines" for defense-in-depth were actually "elements" of defense-in-depth. The staff agreed that they could be viewed in that way. Dr. Apostolakis reiterated his earlier concern that the risk approach may be constrained if used as guideline.

Dr. Catton questioned how acceptance criteria for safety margins were considered. The staff stated that margins and uncertainties are addressed in the engineering analysis but noted that margin analysis does not fit well with risk analysis. The staff added that both need to be considered.

Dr. Kress questioned the bases for the plant-specific LERF. In particular, he questioned whether larger CDF could be tolerated if LERF is met. Dr. Seale questioned the need for Level 3 PRA and if a submittal could be based on the quantitative health objectives (QHOs) only. The staff stated that they would consider these points if provided in a submittal; however, they expressed doubt that the guidance would include provisions specifically for this or for all possible combinations of risk arguments.

Drs. Kress and Powers questioned how the guidance provides for temporary changes, what rates of change are acceptable, and how the time interval could be partitioned for an acceptable change. Dr. Powers questioned if there was any spike in risk which is so high that it would be unacceptable. The staff stated that they could establish a value; however, they emphasized that you cannot get there if the other criteria are met. Dr. Apostolakis suggested the staff look at the initiators to assess how you get into trouble.

The ACRS and staff discussed the legal implications of this proposed guidance. The staff stated that the Commission had requested review by the Office of the General Counsel regarding the allowance for increases in risk in some situations and the legal considerations (i.e., backfit) for plants that do not meet the guidelines.

Nuclear Energy Institute Presentation

Mr. Tony Pietrangelo led the discussions for the Nuclear Energy Institute (NEI). During his presentation, he highlighted the following points:

- The subject documents are not yet publicly available. Therefore, NEI comments are based largely on the discussions at the ACRS.
- There are no risk-informed regulations. Probabilistic Safety Assessment (PSA) is an input to the decision-making process. All other processes remain the same.
- The purpose of PSA is to focus resources and attention to better manage safety at the plants. He stated that the benefits must outweigh the burden or no one will use it. He also stated that there is too much emphasis on developing PSA (i.e., numbers) rather than using it to make better decisions.

- Licensees can make changes to the current licensing basis (CLB) using PSA without submittals to the NRC. He stated that, as long as 10 CFR 50.59 is reasonable, changes will be made without licensing submittals.
- NEI contends that using PSA, as currently proposed, will be more burdensome than not using it. He indicated that the actual licensing review will take longer and cost more. He added that nothing has been given up in the regulatory process to justify this added expense.
- He stated that the industry does not want to be regulated by PSA numbers and that NRC was not asked to endorse the EPRI PSA Applications Guide. He expressed concern that the Regulatory Guides may become enforced as rules.

Dr. Apostolakis questioned whether the SRP/RG was headed in the wrong direction. NEI reiterated that there had been too much emphasis on numbers and that the results of PSA are an input to the decision rather than decision criteria.

Dr. Apostolakis questioned whether there was a fundamental problem with the definition of "insight." NEI stated that the industry was looking for evolutionary or incremental change rather than a huge step as appears to exist in the SRP/RGs.

Because of the generally negative tone of the NEI presentation, Mr. Barton and Dr. Apostolakis requested industry representatives to provide the ACRS with a letter clarifying their objections to the proposed SRP/RGs. Mr. Pietrangelo stated that NEI plans to respond when the documents are publicly available.

At the conclusion of the meeting, Dr. Apostolakis requested each Member to review all the documents for the February 20-21 Subcommittee meeting. He stated that value will be added through detailed reviews and summarized previously agreed upon assignments for the individual applications. He noted the following assignments: Drs. Miller and Powers - graded quality assurance; Mr. Barton and Dr. Shack - Technical Specifications; Drs. Seale and Kress - inservice testing; and general guidance - all Members. He requested that Members provide comments to him by February 17, 1997, so that he can prepare a list of questions for the staff to consider in preparing for the meeting.

Conclusion

The Committee plans to continue its review of these matters at future meetings.

VI. AEOD SPENT FUEL POOL STUDY (Open)

[Note: Mr. A. Singh was the Designated Federal Official for this portion of the meeting.]

Introduction

Dr. Thomas Kress, Chairman of the Onsite Fuel Storage and Decommissioning Subcommittee, summarized the issues and noted that the Committee had previously heard presentations on this subject. Dr. Kress stated that the Executive Director for Operations (EDO) asked the Office for Analysis and Evaluation of Operational Data (AEOD) to perform an independent study of the likelihood and consequences of an extended loss of spent fuel pool (SFP) cooling. He further stated that this briefing was for information only and no Committee report was required.

AEOD Presentation

Mr. Jose Ibarra, AEOD, presented the results of its independent study of the likelihood and consequences of an extended loss of spent fuel pool (SFP) cooling. This study was performed at the request of the EDO. The study evaluated the SFP issues in a generic way which consisted of six major tasks: (1) assessment of SFP configuration, (2) review of operating experience, (3) observations from site visits and interviews, (4) review of regulatory requirements and guidance, (5) performance of engineering assessments, and (6) assessment of risk.

The findings and conclusions of the study are as follows:

- A review of more than 12 years of operating experience determined that loss of SFP coolant inventory greater than 1 foot has occurred at a rate of about 1 per 100 reactor years.
- A loss of SFP cooling with a temperature increase greater than 20°F has occurred at a rate of approximately 3 times per 1000 reactor years.
- The primary cause of events involving SFP cooling has been attributed to human error.
- The relative risk of fuel damage due to loss of SFP cooling is low in comparison with the risk of other reactor events not involving SFP.
- The likelihood and consequences of events involving loss of SFP cooling are highly dependent on human performance and individual plant design features.

As a result of this study, the staff is in the process of converting this study into a NUREG and will also issue an information notice to the industry.

Conclusion

This briefing was for information only. No Committee action was required.

VII. EXECUTIVE SESSION (Open)

[Note: Dr. John T. Larkins was the Designated Federal Official for this portion of the meeting.]

A. Reports, Letters and Memoranda

REPORTS

- Human Performance Program Plan (Report to Shirley Ann Jackson, Chairman, NRC, from R. L. Seale, Chairman, ACRS, dated February 13, 1997)
- Nuclear Safety Research and Regulatory Reform (Report to The Honorable Newt Gingrich, Speaker of the United States House of Representatives, and to Albert Gore, Jr., President of the United States Senate, from R. L. Seale, Chairman, ACRS, dated February 21, 1997)

MEMORANDA

- Draft AEOD Report on Grid Performance Factors (Memorandum to Hugh L. Thompson, Jr., Acting Executive Director for Operations, from John T. Larkins, Executive Director, ACRS, dated February 11, 1997)
- Rulemaking Plan to Amend Financial Protection Requirements for Permanently Shutdown Nuclear Power Reactors -- 10 CFR 50.54(w) and 10 CFR 140.11 (Memorandum to Hugh L. Thompson, Jr., Acting Executive Director for Operations, from John T. Larkins, Executive Director, ACRS, dated February 12, 1997)
- Proposed Revision 3 to Regulatory Guide 1.134, "Medical Evaluation of Licensed Personnel at Nuclear Power Plants" (Memorandum to Hugh L. Thompson, Jr., Acting Executive Director for Operations, from John T. Larkins, Executive Director, ACRS, dated February 12, 1997)

- Proposed Supplement to Generic Letter 95-06, "Changes in the Operator Licensing Program" (Memorandum to Hugh L. Thompson, Jr., Acting Executive Director for Operations, from John T. Larkins, Executive Director, ACRS, dated February 12, 1997)
- Proposed Final Generic Letter, "Revised Contents of Monthly Operating Report" (Memorandum to Hugh L. Thompson, Jr., Acting Executive Director for Operations, from John T. Larkins, Executive Director, ACRS, dated February 12, 1997)
- Proposed Rulemaking for Amendments to 10 CFR Parts 30, 40, 50, 70, and 72--Self-Guarantee for Non-Profit and Non-Bond Issuing Licensees (Memorandum to Leonard J. Callan, Executive Director for Operations, from John T. Larkins, Executive Director, ACRS, dated February 20, 1997)

B. Reconciliation of ACRS Comments and Recommendations

[Note: Mr. Sam Duraiswamy was the Designated Federal Official for this portion of the meeting.]

- The Committee discussed the response from the EDO dated February 4, 1997, responding to ACRS comments and recommendations included in the ACRS letter dated December 30, 1996, concerning the Human Performance Program Plan.

The Committee noted that the EDO response did not address a formal process for developing a long-term, top-down strategic plan that would identify and set priorities for agency needs in the area of human factors research. The Committee issued a report dated February 13, 1997, that provided additional comments and recommendations regarding the Human Performance Program Plan. The Committee decided to continue its discussion of this issue during future meetings.

- The Committee discussed the response from the EDO dated January 2, 1997, responding to ACRS comments and recommendations included in the ACRS letter dated November 20, 1996, concerning the proposed rule on steam generator integrity.

The ACRS Subcommittees on Materials and Metallurgy and on Severe Accidents met with the staff on January 9, 1997, to discuss the EDO response, the status of development of the proposed Steam Generator Rule, and an associated

regulatory guide, and issues related to risk-informed, performance-based regulation. The information the staff provided during the meeting was insufficient for the Members to clearly understand the technical bases for the proposed rule. As directed by the Committee, the Executive Director, ACRS, sent a memorandum to the Acting Deputy Director, NRR, on January 31, 1997, requesting that, at the next Subcommittee meeting, the staff respond to the ACRS comments included in the November 20, 1996 letter and also address comments provided by several members that were transmitted along with the memorandum. The Committee plans to continue its review of this issue at a joint meeting of the Subcommittees on Materials and Metallurgy and on Severe Accidents scheduled for March 4-5, 1997.

- The Committee discussed the response from the EDO dated December 26, 1996, responding to the ACRS comments and recommendations included in the ACRS report dated November 18, 1996, concerning the plant-specific application of safety goals.

The Committee decided that it was satisfied with the EDO response.

- The Committee discussed the response from the EDO dated December 19, 1996, responding to the ACRS comments and recommendations in the ACRS letter dated November 22, 1996, concerning the NRC programs for risk-based analysis of reactor operating experience.

The Committee decided to continue its discussion of this matter at future meetings.

- C. Report on the Meeting of the Planning and Procedures Subcommittee (Open)

The Committee heard a report from Dr. Seale on the Planning and Procedures Subcommittee meeting held on February 5, 1997. The following items were discussed:

1) REPORTING OF FOREIGN GIFTS

Agencies are now required to compile a list of statements filed during the year by employees who receive gifts given by foreign governments costing more than \$245 retail value at time of acceptance. This includes travel taking place entirely outside the United States, under certain circumstances.

RECOMMENDATION

The Subcommittee recommended that all Members read the attached announcement.

2) MEMORANDUM OF UNDERSTANDING WITH DEPARTMENT OF ENERGY

A supplement to the broad umbrella Memorandum of Understanding (MOU) between NRC and the Department of Energy (DOE) has been issued. It provides the basis for DOE and NRC to cooperate on significant projects and activities of mutual interest. It specifically mentions the ACRS in Item D.4.

RECOMMENDATION

The Subcommittee recommended that a meeting with the EDO be arranged at an appropriate time to discuss Items B.1 and D.4 of this MOU. Dr. Powers will work with the ACRS staff in arranging this meeting.

3) CANDIDATES FOR APPOINTMENT TO THE ACRS

A schedule has been created for Members to interview four candidates for appointment to the ACRS during the February meeting. This schedule, along with each candidate's résumé, was made available to the Members at the beginning of the meeting.

RECOMMENDATION

The Subcommittee recommended that after interviewing the candidates, the Members provide their views on each candidate.

4) STAFF REQUIREMENTS MEMORANDUM FROM THE COMMISSION

The Commission issued a Staff Requirements Memorandum that requests ACRS views on the relationship between the concept of "adequate protection" and the NRC safety goals, from the standpoint of levels of risk. The schedule for completing the ACRS response on this matter is July 31, 1997.

RECOMMENDATION

The Subcommittee recommended that Dr. Kress take the lead in developing an ACRS response, with an

outline to be distributed at the March meeting and a first draft to be distributed at the April meeting.

5) INTERNATIONAL ACTIVITIES

An email message was transmitted to Mr. Yamada identifying ACRS preferences for the next Quadripartite Meeting. No further information has been received concerning this meeting.

6) MEMORANDUM ON THE STEAM GENERATOR INTEGRITY RULE-MAKING

As instructed by Dr. Seale, ACRS Chairman, Dr. Larkins issued a memorandum to Ashok Thadani on January 31, 1997 requesting that, at the next joint meeting of the Subcommittees on Materials & Metallurgy and Severe Accidents, the staff respond to the ACRS comments and recommendations included in the November 20, 1996 letter to the EDO regarding the Steam Generator Integrity Rule, as well as the comments raised by individual Members.

7) ASSESSMENT OF ACRS TECHNICAL EXPERTISE

In response to a request from Chairman Jackson, a review has been made of the types of technical expertise that should be represented on the ACRS.

8) QUESTIONS FOR PRESCREENING ACRS CANDIDATES

The ACRS staff and the Office of the General Counsel have drafted a number of questions for prescreening the eligibility of candidates for ACRS membership (principally ex-utility officials).

RECOMMENDATION

Members were requested to provide comments by Saturday, February 8, 1997.

9) QUESTIONS AND REQUESTED ACTIONS ON INSTRUMENTATION AND CONTROL SYSTEMS

Dr. Miller, Chairman of the ACRS Subcommittee on Instrumentation and Control (I&C) Systems and Computers provided a list of issues to the NRC staff requesting that the staff address these issues when the ACRS reviews the proposed final SRP

sections, BTP, and Regulatory Guides associated with digital I&C systems.

10) BRIEFING TO THE ACRS ON THE NAS PHASE 2 STUDY REPORT

Two email messages have been received from Tracy Wilson, National Academy of Sciences (NAS), regarding the availability of NAS Committee members to participate in the ACRS meeting on March 7, 1997 to discuss the NAS Phase 2 Study report on digital I&C systems. Dr. Chapin will be available to brief the Committee, but Nancy Leveson will not be available.

11) CHANGES TO TRAVEL REGULATIONS

Travel Regulations have recently been revised. For example, under the new regulations, receipts are not required for individual travel expenses under \$75.

RECOMMENDATION

The Subcommittee recommended that Members read the attached NRC Announcement.

12) POSSIBLE LOSS OF UNESCORTED ACCESS FOR MEMBERS

Recently, a member of the NSRRC who works for a utility used his NRC badge to attend a meeting with the NRC Chairman at One White Flint North concerning utility business. This incident prompted the Chairman to reconsider the NRC practice of providing advisory committee members with unescorted access to headquarters buildings. The ACRS staff provided information to the Chairman's office in support of the need for ACRS and ACNW Members to retain their unescorted access.

13) SITE VISIT

It has been suggested that a visit to a nuclear power plant be arranged for interested ACRS Members within the next 3-4 months.

RECOMMENDATION

The Subcommittee recommended that Dr. Powers and Mr. Barton recommend a site.

14) ACRS/NSRRC COORDINATION

A summary of the November 14-15, 1996, NSRRC meeting has been provided to the Members. NSRRC views on the role of the NSRRC, the ACRS, and coordination between the two Committees are included.

15) ACRS SUBCOMMITTEE ON REGULATORY POLICIES AND PRACTICES

The draft meeting summary from the ACRS Subcommittee on Regulatory Policies and Practices, held on October 17-19, 1996, has been provided to the Members.

16) MEMBER ISSUES

- A memorandum from Dr. Powers suggests that the ACRS review the plan for NRC to assume responsibility for the safety oversight of DOE nuclear facilities and its potential impact on the ACRS workload and its report to Congress.
- Dr. Powers suggested that ACRS consider the need for NRC to reexamine regulations that are overly specific to the point that they do not provide adequate protection of the public when new or innovative nuclear activities are undertaken. In his memorandum, Dr. Powers provides several potential examples.

D. Future Meeting Agenda

Appendix IV summarizes the proposed items endorsed by the Committee for the 439th ACRS Meeting, March 6-8, 1997.

The 438th ACRS meeting was adjourned at 11:45 a.m. on Saturday, February 8, 1997.

defined in 10 CFR Part 20. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, the Commission concludes that there is no significant non-radiological environmental impact associated with the proposed exemption.

Alternatives to the Proposed Action

Since the Commission has concluded that there is no measurable environmental associated with the proposed action, any alternatives with equal or greater environmental impacts need not be evaluated. As an alternative to the proposed action, the staff considered denial of the proposed action. Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources

This action does not involve the use of resources not previously considered in the Final Environmental Statement Related to the Operation of Indian Point Nuclear Generating Plant Unit No. 3, dated February 1975.

Agencies and Persons Consulted

In accordance with its stated policy, on December 12, 1996, the staff consulted with the New York State official, Heidi Voelk, of the New York State Energy Research and Development Authority regarding the environmental impact of the proposed action. The state official had no comments.

Finding of no Significant Impact

Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated October 1, 1996, as supplemented by letter dated December 5, 1996, 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 White Plains Public Library, 100 Martine Avenue, White Plains, New York 10601.

Dated at Rockville, Maryland, this 16th day of January 1997.

For the Nuclear Regulatory Commission,
S. Singh Bajwa,
Acting Director, Project Directorate I-1,
Division of Reactor Projects—I/II, Office of
Nuclear Reactor Regulation.
(FR Doc. 97-1610 Filed 1-22-97; 8:45 am)
BILLING CODE 7000-01-4

Advisory Committee on Reactor Safeguards; Meeting Notice

In accordance with the purposes of Sections 29 and 162b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards will hold a meeting on February 5-6, 1997, in Conference Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

Wednesday, February 5, 1997

1:00 p.m.-1:15 p.m.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding conduct of the meeting and comment briefly regarding items of current interest. During this session, the Committee will discuss priorities for preparation of ACRS reports.

1:15 p.m.-2:45 p.m.: Design-Bases Verification (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and of the industry regarding the acceptance criteria to be used by the staff in judging the adequacy of the design-bases information provided by the licensees in response to the 10 CFR 50.54(f) letter issued to all licensees in October 1996.

3:00 p.m.-6:30 p.m.: Preparation of ACRS Reports (Open)—The Committee will discuss proposed ACRS reports on matters considered during this meeting. It will also discuss a proposed ACRS report to Congress on the NRC Safety Research Program, and a proposed report on Risk-Based Regulatory Acceptance Criteria for Site-Specific Application of Safety Goals.

Thursday, February 6, 1997

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

8:35 a.m.-9:00 a.m.: Subcommittee Report (Open)—The Committee will hear a report by the Chairman of the Thermal Hydraulic Phenomena Subcommittee regarding matters discussed during the December 18-19, 1996 Subcommittee meeting, and comments on the future scope and direction of the Subcommittee's review

of the Westinghouse AP600 Test and Analysis Program.

9:00 a.m.-9:30 a.m.: Subcommittee Report (Open)—The Committee will hear a report by the Chairman of the Instrumentation and Control Systems and Computers Subcommittee regarding the ACRS review of the National Academy of Sciences/National Research Council Phase 2 study on digital instrumentation and control systems.

9:30 a.m.-10:15 a.m.: Future ACRS Activities (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.

10:30 a.m.-12:00 Noon: Shutdown Operations Risk (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding issues associated with shutdown operations risk.

Representatives of the nuclear industry will participate, as appropriate.

1:00 p.m.-1:30 p.m.: Reconciliation of ACRS Comments and Recommendations (Open)—The Committee will discuss responses from the NRC Executive Director for Operations (EDO) to comments and recommendations included in recent ACRS reports, including the December 19, 1996 EDO response to ACRS comments included in its November 22, 1996 letter regarding NRC programs for the Risk-Based Analysis of Reactor Operating Experience.

1:30 p.m.-5:30 p.m.: Preparation of ACRS Reports (Open)—The Committee will continue its discussion of proposed ACRS reports on matters considered during this meeting. It will also continue to discuss a proposed ACRS report to Congress on the NRC Safety Research Program, as well as proposed reports on Risk-Based Regulatory Acceptance Criteria for Site-Specific Application of Safety Goals, and Human Performance Program Plan.

Friday, February 7, 1997

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

8:35 a.m.-10:30 a.m.: Risk-Informed, Performance-Based Regulation and Related Matters (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the proposed Standard Review Plan Sections and Regulatory Guides for risk-informed, performance-based regulation, and related matters.

10:45 a.m.-12:15 p.m.: AEOD Spent Fuel Pool Study (Open)—The Committee will hear presentations by and hold discussions with representatives of the Office for Analysis and Evaluation of Operational Data (AEOD) regarding the results of the study performed by AEOD on the adequacy of spent fuel pool designs.

Representatives of the nuclear industry will participate, as appropriate.

1:15 p.m.-7:00 p.m.: Preparation of ACRS Reports (Open)—The Committee will continue its discussion of proposed ACRS reports on matters considered during this meeting. It will also discuss a proposed ACRS report to Congress on the NRC Safety Research Program, as well as proposed reports on Risk-Based Regulatory Acceptance Criteria for Site-Specific Application of Safety Goals, and Human Performance Program Plan.

Saturday, February 8, 1997

8:30 a.m.-9:00 a.m.: Report of the Planning and Procedures Subcommittee (Open/Closed)—The Committee 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.

A portion of this session may be closed to discuss organizational and personnel matters that relate solely to the internal personnel rules and practices of this Advisory Committee, and matters the release of which would constitute a clearly unwarranted invasion of personal privacy.

9:00 a.m.-1:30 p.m.: Preparation of ACRS Reports (Open)—The Committee will continue its discussion of proposed ACRS reports on matters considered during this meeting. It will also continue to discuss a proposed report to Congress on the NRC Safety Research Program, as well as proposed reports on Risk-Based Regulatory Acceptance Criteria for Site-Specific Application of Safety Goals, and Human Performance Program Plan.

1:30 p.m.-2:00 p.m.: Strategic Planning (Open)—The Committee will continue its discussion of items of

significant importance to NRC, including rebaselining of the Committee activities for FY 1997.

[Note: The meeting could terminate earlier than scheduled, if the work of the Committee is completed.]

Procedures for the conduct of and participation in ACRS meetings were published in the Federal Register on October 1, 1996 (61 FR 51310). In accordance with these procedures, oral or written statements may be presented by members of the public; electronic recordings will be permitted only during the open portions of the meeting, and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify Mr. Sam Duraiswamy, Chief, Nuclear Reactors Branch, at least five days before the meeting, if possible, so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during this meeting may be limited to selected portions of the meeting as determined by the Chairman. Information regarding the time to be set aside for this purpose may be obtained by contacting the Chief of the Nuclear Reactors Branch prior to the meeting. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with the Chief of the Nuclear Reactors Branch if such rescheduling would result in major inconvenience.

In accordance with Subsection 10(d) P.L. 92-463, I have determined that it is necessary to close portions of this meeting noted above to discuss matters that relate solely to the internal personnel rules and practices of this Advisory Committee per 5 U.S.C. 552b(c)(2), and to discuss matters the release of which would constitute a clearly unwarranted invasion of personal privacy per 5 U.S.C. 552b(c)(6).

Further information regarding topics to be discussed, whether the meeting

has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting Mr. Sam Duraiswamy, Chief, Nuclear Reactors Branch (telephone 301/415-7364), between 7:30 a.m. and 4:15 p.m. est.

ACRS meeting notices, meeting transcripts, and letter reports are now available on FedWorld from the "NRC Main Menu." Direct Dial Access number to FedWorld is (800) 303-9672 or ftp.fedworld. These documents and the meeting agenda are also available for downloading or reviewing on the internet at <http://www.nrc.gov/ACRSACNW>.

The ACRS meeting dates for Calendar Year 1997 are provided below:

ACRS meeting No.	1997 ACRS meeting dates
439	March 6-8, 1997.
440	April 3-5, 1997.
441	May 1-3, 1997.
442	June 11-13, 1997.
443	July 9-11, 1997.
444	No August meeting.
445	September 3-5, 1997.
446	October 2-4, 1997.
447	November 6-8, 1997.
448	December 4-6, 1997.

Dated: January 16, 1997.

Andrew L. Bates,

Advisory Committee Management Officer.

[FR Doc. 97-1605 Filed 1-22-97; 8:45 am]

BILLING CODE 7899-01-P

SECURITIES AND EXCHANGE COMMISSION

Request for Public Comment; Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549

Extension:

Rule 15g-3	SEC File No. 270-346	OMB Control No. 3235-0392
Rule 15g-4	SEC File No. 270-347	OMB Control No. 3235-0393
Rule 15g-5	SEC File No. 270-348	OMB Control No. 3235-0394
Rule 15g-6	SEC File No. 270-349	OMB Control No. 3235-0395
Rule 15g-7(a)	SEC File No. 270-350	OMB Control No. 3235-0396
Rule 17Ac2-1 and Form TA-1	SEC File No. 270-95	OMB Control No. 3235-0084

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission

("Commission") is publishing the following summaries of collections for public comment.

Rule 15g-3 requires that brokers and dealers disclose to customers current quotation prices or similar market information in connection with

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 February 28, 1997, the licensee may file a request for a hearing with respect to issuance of the amendments to the subject facility operating licenses 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 Minneapolis Public Library, Technology and Science Department, 300 Nicollet Mall, Minneapolis, Minnesota 55401. 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 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 requests involve no significant hazards consideration, the Commission may issue the amendments and make them 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 requests involve 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: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 248-5100 (in Missouri 1-(800) 342-3700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to John N. Hannon: petitioner's name and telephone number, date petition was mailed, plant name, and publication date and page number of this Federal Register notice. 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 Jay Silberg, Esq., Shaw, Pittman, Fotts, and Trowbridge, 2300 N Street, NW, Washington, DC 20037, 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 November 6, 1996, which is 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 Minneapolis Public Library, Technology and Science Department, 300 Nicollet Mall, Minneapolis, Minnesota 55401.

Dated at Rockville, MD., this 23rd day of January 1997.

For the Nuclear Regulatory Commission,
Beth A. Wetzel,
Project Manager, Project Directorate III-1,
Division of Reactor Projects—III/IV, Office of
Nuclear Reactor Regulation.
[FR Doc. 97-2164 Filed 1-28-97; 8:45 am]
BILLING CODE 7550-01-F

Advisory Committee on Reactor Safeguards; Revised

The 438th meeting of the Advisory Committee on Reactor Safeguards scheduled to be held on February 5-8,

1997, in Conference Room T-2B3, 11545 Rockville Pike, Rockville, Maryland, has been rescheduled for February 6-8, 1997. The meeting will begin at 8:30 a.m. on Thursday, February 6, 1997, instead of 1:00 p.m. on Wednesday, February 5, 1997. The discussion of the item on "Design-bases Verification" scheduled for Wednesday, February 5, 1997, has been postponed to a future meeting as requested by the NRC staff. All other items pertaining to this meeting remain the same as published in the *Federal Register* on Thursday, January 23, 1997 (62 FR 3539).

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting Mr. Sam Duraiswamy, Chief, Nuclear Reactors Branch (telephone 301/415-7364), between 7:30 A.M. and 4:15 P.M. EST.

Dated: January 23, 1997.

Andrew L. Bates,

Advisory Committee Management Officer.

[FR Doc. 97-2165 Filed 1-28-97; 8:45 am]

BILLING CODE 7550-01-2

Biweekly Notice

Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations

I. Background

Pursuant to Public Law 97-415, the U.S. Nuclear Regulatory Commission (the Commission or NRC staff) is publishing this regular biweekly notice. Public Law 97-415 revised section 189 of the Atomic Energy Act of 1954, as amended (the Act), to require the Commission to publish notice of any amendments issued, or proposed to be issued, under a new provision of section 189 of the Act. This provision grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from January 4, 1997, through January 16, 1997. The last biweekly notice was published on January 15, 1997 (62 FR 2185).

Notice of Consideration of Issuance of Amendments To Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The Commission has made a proposed determination that the following amendment requests involve 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 amendment 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. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 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 30-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 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received before action is taken. 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 Chief, 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 a hearing and petitions for leave to intervene is discussed below.

By February 28, 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 for the particular facility involved. 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 a 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 a 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.



APPENDX II
UNITED STATES
NUCLEAR REGULATORY COMMISSION
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
WASHINGTON, D. C. 20555

January 27, 1997

SCHEDULE AND OUTLINE FOR DISCUSSION
438th ACRS MEETING
FEBRUARY 6-8, 1997

THURSDAY, FEBRUARY 6, 1997, CONFERENCE ROOM 2B3, TWO WHITE FLINT NORTH,
ROCKVILLE, MARYLAND

1) 8:30 - 8:³⁵~~45~~ A.M.

Opening Remarks by the ACRS Chairman (Open)

1.1) Opening Statement (RLS/SD)

1.2) Items of current interest
(RLS/JTL/SD)

1.3) Priorities for preparation of ACRS
reports (RLS/SD)

2) 8:³⁵~~45~~ - 8:⁵⁵~~00~~ A.M.

Subcommittee Report (Open) (IC/PAB)
Report by the Chairman of the Thermal
Hydraulic Phenomena Subcommittee regarding
matters discussed during the December 18-19,
1996 Subcommittee meeting, and comments on
the future scope and direction of the
Subcommittee's review of the Westinghouse
AP600 Test and Analysis Program.

3) 8:⁵⁵~~00~~ - 9:²⁰~~30~~ A.M.

Subcommittee Report (Open) (DWM/MTM)
Report by the Chairman of the Subcommittee
on Instrumentation and Control Systems and
Computers regarding the ACRS review of the
National Academy of Sciences/National
Research Council Phase 2 study report on
digital instrumentation and control systems.

4) 9:20 - 9:30 A.M.
~~9:30~~ - 10:¹⁵~~15~~ A.M.
10:15 10:30

RECONCILIATION - SEE ITEM 6

Future ACRS Activities (Open) (RLS/SD)
Discussion of the recommendations of the
Planning and Procedures Subcommittee
regarding items proposed for consideration
by the full Committee during future
meetings

10:00 - 10:15 A.M.

9:30 00

~~10:15~~ - 10:³⁰~~30~~ A.M.

Report by J. BARTON ON RECENT COMMISSION
MEETING REGARDING PLANT WATCH LIST
BREAK

[TRANSCRIBED PORTIONS OF THE MEETING]

5) 10:30 - ^{11:47}~~12:00~~ Noon

Shutdown Operations Risk (Open)
(DAP/JJB/NFD)

- 5.1) Remarks by the Subcommittee Chairman
- 5.2) Briefing by and discussions with representatives of the NRC staff regarding issues associated with shutdown operations risk.

Representatives of the nuclear industry will participate, as appropriate.

ACRS REPORTS

LUNCH

FUTURE ACTIVITIES (CONT.)

11:47 - 12:15 P.M.

12:¹⁵~~00~~ - 1:¹⁵~~00~~ P.M.

1:15 - 1:45 P.M.

6) 3:⁰⁰~~00~~ - 3:¹⁵~~15~~ P.M.

ALSO SEE PAGE 4.

Reconciliation of ACRS Comments and Recommendations (Open) (RLS, et.al./SD, et.al.)

Discussion of the responses from the NRC Executive Director for Operations to comments and recommendations included in recent ACRS reports

7) 1:⁴⁵~~30~~ - 5:30 P.M.
(3:³⁰~~30~~-3:⁴⁵~~45~~ P.M. BREAK)
00 10

Preparation of ACRS Reports (Open)

Discussion of proposed ACRS reports on:

- 7.1) Human Performance Program Plan (GA/NFD)
- 7.2) Annual ACRS Report to Congress on the NRC Safety Research Program (RLS/DAP/MME)
- 7.3) Shutdown Operations Risk (DAP/JJB/NFD)
- 7.4) Risk-Based Regulatory Acceptance Criteria for Site-Specific Application of Safety Goals (TSK/RRS/NFD)

FRIDAY, FEBRUARY 7, 1997, CONFERENCE ROOM 2B3, TWO WHITE FLINT NORTH, ROCKVILLE, MARYLAND

8) 8:30 - 8:35 A.M.

[Opening Remarks by the ACRS Chairman (Open)
(RLS/SD)

9) 8:35 - 10:30 A.M.

Risk-Informed, Performance-Based Regulation and Related Matters (Open) (CA/MTM)

- 9.1) Remarks by the Subcommittee Chairman
- 9.2) Briefing by and discussions with representatives of the NRC staff regarding the proposed Standard Review Plan Sections and Regulatory Guides for risk-informed, performance-based regulation.

Representatives of the nuclear industry will participate, as appropriate.

10:30 - 10:45 A.M.

BREAK

10) 10:45 - ^{11:39}~~12:15~~ P.M.

AEOD Spent Fuel Pool Study (Open) (TSK/AS)

- 10.1) Remarks by the Subcommittee Chairman
- 10.2) Briefing by and discussions with representatives of the Office for Analysis and Evaluation of Operational Data (AEOD) regarding the results of the study performed by AEOD on the adequacy of the spent fuel pool designs.

Representatives of the nuclear industry will participate, as appropriate.

12:15 - ^{2:00}~~1:15~~ P.M.

LUNCH

11) ^{2:00}~~1:15~~ - ^{4:30}~~7:00~~ P.M.
(3:30-3:45 P.M. BREAK)

Preparation of ACRS Reports (Open)

Discussion of proposed ACRS reports on:

- 11.1) Annual ACRS Report to Congress on the NRC Safety Research Program (RLS/DAP/MME)
- 11.2) Human Performance Program Plan (GA/NFD)
- 11.3) Risk-Based Regulatory Acceptance Criteria for Site-Specific Application of Safety Goals (TSK/RRS/NFD)
- 11.4) Shutdown Operations Risk (DAP/JJB/NFD)

SATURDAY, FEBRUARY 8, 1997, CONFERENCE ROOM 2B3, TWO WHITE FLINT NORTH,
ROCKVILLE, MARYLAND

12) 8:⁴⁰~~30~~ - 9:³⁷~~00~~ A.M.

Report of the Planning and Procedures Subcommittee (Open/Closed) (RLS/JTL)
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

[Note: A portion of this session may be closed to discuss organizational and personnel matters that relate solely to the internal personnel rules and practices of this Advisory Committee, and matters the release of which would constitute a clearly unwarranted invasion of personal privacy.]

13) 9:³⁷~~00~~ - 11:²⁰~~00~~ Noon
(10:30 - 10:45 A.M. BREAK)

Preparation of ACRS Reports (Open)
Discussion of proposed ACRS reports identified under Item 11.

14) 11:²⁰~~00~~ - 11:⁴⁵~~00~~ P.M.

Strategic Planning (Open) (RLS/JTL)
Discussion of items of significant importance to NRC, including rebaselining of the Committee activities for FY 1997.

- NOTE:
- Presentation time should not exceed 50 percent of the total time allocated for a specific item. The remaining 50 percent of the time is reserved for discussion.
 - Number of copies of the presentation materials to be provided to the ACRS - 35.

APPENDIX III: MEETING ATTENDEES

438TH ACRS MEETING
FEBRUARY 6-8, 1997

NRC STAFF

THURSDAY, FEBRUARY 6, 1997

S. Arndt	AEOD
J. Calvert	RES
M. Chiramal	NRR
F. Coffman	RES
T. Collins	NRR
K. Desai	NRR
R. Eckenrode	NRR
J. Gallagher	NRR
W. Hodges	RES
G. Hubbard	NRR
S. Jones	NRR
R. Latta	NRR
A. Levin	NRR
W. Lyon	NRR
J. Mitchell	OEDO
J. Monninger	NRR
J. Persensky	RES
M. Pohida	NRR
J. Stewart	NRR
D. Taylor	NRR
H. Vandermolen	RES
M. Virgilio	NRR
J. Wermiel	NRR

FRIDAY, FEBRUARY 7, 1997

P. Ambros	AEOD
T. Collins	NRR
L. Constable	OCM
D. Fischer	NRR
J. Flack	NRR
C. Gratton	NRR
W. Hodges	RES
L. Higgins	OIG
T. Hsia	OCM
G. Hubbard	NRR
J. Ibark	AEOD
B. Jones	AEOD
R. Jones	SPSB
S. Jones	NRR
J. Kaffman	AEOD
J. Kramer	RES
T. King	RES
G. Lanik	AEOD

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S. Lee	NRR
J. Mitchell	OEDO
D. Morrison	RES
J. Murphy	RES
H. Ornstlin	AEOD
G. Parry	NRR
E. Roderick	RES
J. Rosenthal	AEOD
E. Rossi	AEOD
M. Rubin	NRR
J. Shackelford	RIV
J. Smith	RES

ATTENDEES FROM OTHER AGENCIES AND GENERAL PUBLIC

THURSDAY, FEBRUARY 6, 1997

B. Borsuer	FTR
B. Bradley	NEI
D. Chung	NUS
L. Connor	STS
B. McIntire	Westinghouse
J. Meyer	SCIENTECH

FRIDAY, FEBRUARY 7, 1997

B. Bradley	NEI
P. Negres	GE
T. Pietrangelo	NEI
Z. Rosztoczy	Zeetech
B. Youngblood	SCIENTECH
T. Zama	TEPCO

APPENDIX IV: FUTURE AGENDA

The Committee agreed to consider the following during the 439th ACRS Meeting, March 6-8, 1997:

THURSDAY, MARCH 6, 1997

- 1) 8:45 - 10:30 A.M.: Capability of RELAP5/MOD 3 Code to Assess the AP600 Design (Open/Closed) Briefing by and discussions with representatives of the NRC staff regarding the capability of the RELAP5/MOD 3 code to assess the adequacy of the AP600 passive plant design
- 2) 10:45 - 12:15 P.M.: AP600 Test Data from ROSA and Oregon State University (OSU) Apex Test Facilities (Open/Closed) Briefing by and discussions with representatives of the NRC staff and Westinghouse Electric Corporation regarding the issues associated with the release of test data from ROSA and OSU-APEX test facilities to the public.
- 3) 1:15 - 2:45 P.M.: Arthur Andersen Study on the Adequacy of the NRC Process for Evaluating Performance of Operating Plants Briefing by and discussions with representatives of the NRC staff regarding the results of the Arthur Andersen study on the adequacy of the NRC process for evaluating the performance of operating plants.
- 5) 3:00 - 4:30 P.M.: Risk-Informed, Performance-Based Regulation and Related Matters (Open) Briefing by and discussions with representatives of the NRC staff regarding the proposed Standard Review Plan (SRP) Sections, Regulatory Guides, and other matters associated with the risk-informed, performance-based regulation.

FRIDAY, MARCH 7, 1997

- 4) 8:35 - 9:45 A.M.: Independent Safety Assessment of the Main Yankee Atomic Power Station (Open) Briefing by and discussions with representatives of the NRC staff regarding the results of independent safety assessment of the Main Yankee Atomic Power Station.
- 5) 9:45 - 12:30 P.M.: National Academy of Sciences/National Research Council (NAS/NRC) Phase 2 Study Report (Open) Briefing by and discussions with the Chairman of the NAS/NRC Committee regarding the results of the NAS/NRC Phase 2 Study on the digital instrumentation and control systems.

Other Members of the NAS/NRC Committee and representatives of the NRC Staff and nuclear industry will participate, as appropriate.

- 6) 1:30 - 2:30 P.M.: Department of Energy Proposal for Tritium Production Briefing by and discussions with representatives of the Department of Energy (DOE) regarding DOE's tritium production program.

APPENDIX V
LIST OF DOCUMENTS PROVIDED TO THE COMMITTEE

[Note: Some documents listed below may have been provided or prepared for Committee use only. These documents must be reviewed prior to release to the public.]

MEETING HANDOUTS

AGENDA
ITEM NO.

DOCUMENTS

1. Opening Remarks by the ACRS Chairman
 1. Items of Interest, dated February 6-8, 1997
4. Future ACRS Activities
 2. Future ACRS Activities - 439th ACRS Meeting, March 6-8, 1997 [Handout #4.1]
5. Shutdown Operations Risk
 3. Risk Analysis of Accidents Initiated During Low Power and Shutdown Conditions, dated February 6, 1997, presented by Mark Cunningham, RES, and Martin Virgilio, NRR [Viewgraphs]
 4. Memorandum dated January 30, 1997, from Dr. D.A. Powers to ACRS Members: Shutdown Regulation versus Risk Assessment [Handout]
6. Reconciliation of ACRS Comments and Recommendations
 5. Reconciliation of ACRS Comments and Recommendations [Handout #6.1]
9. Risk-Informed, Performance-Based Regulation and Related Matters
 6. Regulatory Guides and Standard Review Plans in Support of Risk-Informed Regulation, dated February 7, 1997, Presented by Gary Holahan, NRR, Thomas King, RES, Robert Jones, NRR, and Mark Cunningham, RES [Viewgraphs]
 7. Observations on Risk-Informed Regulatory Activities, dated February 7, 1997, presented by Tony Pietrangelo, Nuclear Energy Institute [Viewgraphs]
10. AEOD Spent Fuel Pool Study

8. Assessment of Spent Fuel Cooling, dated February 7, 1997,
presented by Jose G. Ibarra, AEOD [Viewgraphs]
12. Report of the Planning and Procedures Subcommittee
 9. Final Draft Minutes of Planning and Procedures
Subcommittee Meeting - February 5, 1997 [Handout #12.1]

MEETING NOTEBOOK CONTENTS

TAB

DOCUMENTS

2. Subcommittee Report - Westinghouse AP600 Test and Analysis Program

1. Table of Contents
2. Project Status Report, dated February 6, 1997 [Internal Committee Use Only: Westinghouse Proprietary Material Attached]
3. Excerpt from the Minutes of the ACRS Thermal-Hydraulic Phenomena Subcommittee Meeting, December 18-19, 1996

5. Shutdown Operations Risk

4. Table of Contents
5. Proposed Agenda
6. Status Report, dated February 6, 1997
7. Letter dated June 4, 1996, from T.S. Kress, Chairman, ACRS, to James M. Taylor, Executive Director for Operations (EDO): Proposed Rule on Shutdown Operations
8. Memorandum dated January 27, 1997, from Mr. Ashok Thadani, NRR, to Mr. Hugh Thompson, Acting EDO: Status of the Development of 10 CFR 50.67, "Shutdown and Fuel Storage Pool Operation at Nuclear power Plants"

9. Risk-Informed, Performance-Based Regulation and Related Matters

9. Table of Contents
10. Proposed Schedule
11. Project Status Report, dated February 7, 1997
12. Staff Requirements Memorandum, dated January 22, 1997, SECY-96-218: "Quarterly Status Update for the Probabilistic Risk Assessment (PRA) Implementation Plan, Including a Discussion of Four Emerging Policy Issues Associated with Risk-Informed, Performance-Based Regulation."
13. Memorandum dated January 21, 1997, from A. Thadani, NRR, to John Larkins, ACRS: "Transmittal of Revised General Regulatory guide (DG-1061) and Standard Review Plan (Chapter 19) for Risk-Informed Regulation."
14. Draft Regulatory Guide DG-1061, dated January 16, 1997, "An Approach for Using Probabilistic Risk Assessment in Risk-Informed Decisions on Plant-Specific Changes to the Current Licensing Basis."
15. Draft SRP Chapter 19, Revision J, dated January 19, 1997, "Use of Probabilistic Risk Assessment in Plant-Specific, Risk-Informed Decisionmaking: General Guidance."

10. AEOD Spent Fuel Pool Study

16. Table of Contents
17. Proposed Schedule
18. Status Report, dated February 7, 1997
19. Memorandum dated October 23, 1996, from Charles E. Rossi, Director, Safety Programs Division, Office for Analysis and Evaluation of Operational Data, to John Larkins, ACRS: Assessment of Spent Fuel Pool Cooling.
20. Memorandum dated December 13, 1996, from John C. Hoyle, Secretary, NRC, to James M. Taylor, EDO: Staff Requirements--Briefing on Spent Fuel Pool Cooling.