

Frequency of Report: On occasion.

David B. Nelson,

Deputy Chief Information Officer, Office of the Administrator.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-247]

Consolidated Edison Company of New York, Inc.; Facility Operating License No. DPR-26 Receipt of Additional Information Relating to Petition for Director's Decision Under 10 CFR 2.206

Notice is hereby given that additional information has been submitted in support of a Petition dated March 14, 2000, filed by Mr. David A. Lochbaum, on behalf of the Union of Concerned Scientists, the Nuclear Information & Resource Service, the PACE Law School Energy Project, and Public Citizen's Critical Mass Energy Project (petitioners). The petitioners requested that the U.S. Nuclear Regulatory Commission (NRC) take action with regard to Indian Point Nuclear Generating Unit No. 2 (IP2), owned and operated by the Consolidated Edison Company of New York, Inc. (the licensee). The petitioner requested that the NRC issue an order to the licensee preventing the restart of IP2, or modify the license for IP2 to limit it to zero power, until (1) all four steam generators are replaced, (2) the steam generator tube integrity concerns identified in Dr. Joram Hopenfeld's differing professional opinion (DPO) and in Generic Safety Issue (GSI-163) are resolved, and (3) potassium iodide tablets are distributed to residents and businesses within the 10-mile emergency planning zone (EPZ) or stockpiled in the vicinity of IP2. The original Petition was published in the **Federal Register** on April 11, 2000 (65 FR 19398). The supplemental information consisted of a letter from Mr. Lochbaum dated April 14, 2000, a letter from Mr. Riccio dated April 12, 2000, and information provided at an April 7, 2000, public meeting.

As stated in the original **Federal Register** notice, the request that the NRC prevent the licensee from restarting IP2 until all four steam generators are replaced is being treated pursuant to 10 CFR 2.206 of the Commission's regulations. The original request that the NRC prevent the licensee from restarting IP2 until the DPO filed by Dr. Hopenfeld is resolved and until potassium iodide

tablets are distributed to people and businesses within the 10-mile EPZ or stockpiled in the vicinity of IP2 was not being treated at that time pursuant to 10 CFR 2.206 of the Commission's regulations. However, the petitioners provided additional information at the April 7, 2000, public meeting and in Mr. Riccio's April 12, 2000, letter concerning the population density in the vicinity of the IP2 site and difficulties in emergency planning at the site which, in their view, make adequate evacuation and/or sheltering of the local population impossible. Based on this additional information, the NRC staff has determined that the request that the NRC issue an order to prevent Con Ed from restarting IP2, or modify the license for IP2 to limit it to zero power, until potassium iodide tablets are distributed to people and businesses within the 10-mile EPZ or stockpiled in the vicinity of IP2 meets the criteria of 10 CFR 2.206. As provided by section 2.206, action will be taken on this request within a reasonable time.

In their April 14, 2000, letter, the petitioners contend that the information in NUREG/CR-5752, "Assessment of Current Understanding of Mechanisms of Initiation, Arrest, and Reinitiation of Stress Corrosion Cracks in PWR Steam Generator Tubing," is relevant to their request to replace the IP2 steam generators and to resolve Dr. Hopenfeld's DPO prior to IP2 restart. However, the information in NUREG/CR-5752 is a schematic or generalized presentation of the process for crack initiation and growth and was not intended to be representative of actual plant conditions. Thus, NUREG/CR-5752 is not directly applicable to IP2 and does not provide information specific to IP2 restart. Therefore, the request that the NRC prevent the licensee from restarting IP2 until the DPO filed by Dr. Hopenfeld is resolved will not be treated pursuant to 10 CFR 2.206 of the Commission's regulations.

Copies of the Petition and additional information are available for inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street NW., Washington, DC, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www/nrc.gov>).

Dated at Rockville, Maryland, this 26th day of June 2000.

For the Nuclear Regulatory Commission.

Roy P. Zimmerman,

Acting Director, Office of Nuclear Reactor Regulation.

[FR Doc. 00-17883 Filed 7-13-00; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. SSD 99-27 ASLBP No. 00-778-06-ML]

Atomic Safety and Licensing Board Panel; Notice of Hearing and of Opportunity to Petition for Leave To Intervene or To Participate as an Interested Governmental Entity (Denial of Sealed Source Registration Application)

July 10, 2000.

Before Administrative Judges: G. Paul Bollwerk, III, Presiding Officer, Frederick J. Shon, Special Assistant

In the Matter of Graystar, Inc., (Suite 103, 200 Valley Road, Mt. Arlington, NJ 07856)

In this proceeding, GrayStar, Inc., (GrayStar) has requested a hearing to challenge the NRC staff's May 24, 2000 determination denying the request of GrayStar, as set forth in its April 19, 1999 application and September 27, 1999 letter, to register the Model GS-42 sealed source and the Model 1 irradiator. By memorandum and order issued June 13, 2000, the Commission referred the GrayStar request to the Atomic Safety and Licensing Board Panel's Chief Administrative Judge for appointment of a Presiding Officer to conduct a 10 CFR Part 2, Subpart L informal adjudicatory proceeding relative to the GrayStar request. See CLI-00-10, 51 NRC ____ (Jun. 13, 2000). This Presiding Officer and Special Assistant were appointed on June 16, 2000. See 65 FR 38,867 (2000). By memorandum and order issued this date, the Presiding Officer has granted the GrayStar hearing request.

In light of the foregoing, please take notice that a hearing will be conducted in this proceeding. As noted above, this hearing will be governed by the informal hearing procedures set forth in 10 CFR Part 2, Subpart L (10 CFR 2.1201-1263) and the parties currently designated in this proceeding are GrayStar and the staff.

Further, in accordance with 10 CFR 2.1205(j), please take notice that within thirty days from the date of publication of this notice of hearing in the **Federal Register** (1) any person whose interest may be affected by this proceeding may file a petition for leave to intervene; and (2) any interested governmental entity may file a request to participate in this proceeding in accordance with 10 CFR 2.1211(b). Any petition for leave to intervene must set forth the information required by 10 CFR 2.1205(e), including a detailed description of (1) the interest of the petitioner in the proceeding; (2) how that interest may be affected by the

results of the proceeding, including the reasons why the petitioner should be permitted to intervene with respect to the factors set forth in 10 CFR 2.1205(h); (3) the petitioner's areas of concern regarding the staff's May 24, 2000 denial of GrayStar's registration application; and (4) the circumstances establishing that the petition to intervene is timely in accordance with 10 CFR 2.1205(d). In accordance with 10 CFR 2.1211(b), any request to participate by an interested governmental entity must state with reasonable specificity the requestor's areas of concern regarding the staff's May 24, 2000 denial of GrayStar's registration application.

In addition, pursuant to 10 CFR 2.1211(a), any person not a party to the proceeding may submit a written limited appearance statement setting forth his or her position on the issues in this proceeding. These statements do not constitute evidence, but may assist the Presiding Officer and/or parties in the definition of the issues being considered. Persons wishing to submit a written limited appearance statement should send it to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC. 20555-0001, Attention: Docketing and Service Branch. A copy of the statement also should be served on the Presiding Officer and the Special Assistant.

In the initial order issued this date, the Presiding Officer directed that on or before Tuesday, August 1, 2000, the staff shall file the hearing file for this proceeding. Once the hearing file is received, pursuant to 10 CFR 2.1233 the Presiding Officer will establish a schedule for the filing of written presentations by GrayStar and the staff, which may be subject to supplementation to accommodate the grant of any intervention petition or request to participate by an interested governmental entity. After receiving the parties' written presentations, pursuant to 10 CFR 2.1233(a), 2.1235, the Presiding Officer may submit written questions to the parties or any interested governmental entity or provide an opportunity for oral presentations by any party or interested governmental entity, which may include oral questioning of witnesses by the Presiding Officer.

Documents relating to this proceeding are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC. Additionally, documents relating to this proceeding submitted after November 1, 1999, are available electronically through the NRC's Agencywide Documents Access and Management System (ADAMS),

with access to the public through the NRC's Internet Web site Public Electronic Reading Room link at <<http://www.nrc.gov/NRC/ADAMS/index.html>>. Also, general information regarding the conduct of agency adjudicatory proceedings, including the provisions of 10 CFR Part 2, Subpart L, can be found by accessing the Atomic Safety and Licensing Board Panel's Web site at <<http://www.nrc.gov/NRC/ASLBP/homepage.html>>.

By the Presiding Officer *.

Dated: Rockville, Maryland, July 10, 2000.

G. Paul Bollwerk, III,

Administrative Judge.

[FR Doc. 00-17882 Filed 7-13-00; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 72-2]

Notice of Issuance of Amendment to Materials License SNM-2501 Virginia Electric and Power Company Surry Independent Spent Fuel Storage Installation

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment 11 to Materials License SNM-2501 held by Virginia Electric and Power Company (Virginia Power) for the receipt, possession, transfer, and storage of spent fuel at the Surry Independent Spent Fuel Storage Installation (ISFSI), located in Surry County, Virginia. The amendment is effective the date of issuance.

By application dated April 5, 1999, as supplemented on February 29, 2000, VA Power requested to amend its ISFSI license to permit the continued storage of burnable poison rod assemblies and/or thimble plug devices within the already loaded GNSI CASTOR V/21, Westinghouse MC-10, and NAC-I28 casks used at Surry. This amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

In accordance with 10 CFR 72.46(b)(2), a determination has been made that the amendment does not present a genuine issue as to whether public health and safety will be significantly affected. Therefore, the publication of a notice of proposed action and an opportunity for hearing or a notice of hearing is not warranted.

Notice is hereby given of the right of interested persons to request a hearing on whether the action should be rescinded or modified.

Also in connection with this action, the Commission prepared an Environmental Assessment (EA) and Finding of no Significant Impact (FONSI). The EA and FONSI were published in the **Federal Register** on July 3, 2000 (65 FR 41108).

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

Dated at Rockville, Maryland, this 6th day of July 2000.

For The Nuclear Regulatory Commission.

E. William Brach,

Director, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.

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PENSION BENEFIT GUARANTY CORPORATION

Interest Assumption for Determining Variable-Rate Premium; Interest on Late Premium Payments; Interest on Underpayments and Overpayments of Single-Employer Plan Termination Liability and Multiemployer Withdrawal Liability; Interest Assumptions for Multiemployer Plan Valuations Following Mass Withdrawal

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of interest rates and assumptions.

SUMMARY: This notice informs the public of the interest rates and assumptions to be used under certain Pension Benefit Guaranty Corporation regulations. These rates and assumptions are published elsewhere (or are derivable from rates published elsewhere), but are collected and published in this notice for the convenience of the public. Interest rates are also published on the PBGC's web site (<http://www.pbgc.gov>).

DATES: The interest rate for determining the variable-rate premium under part 4006 applies to premium payment years beginning in July 2000. The interest assumptions for performing multiemployer plan valuations