

use of appropriate automated, electrical, mechanical or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

ADDRESSES: A.B. Spellman, National Endowment for the Arts, 1100 Pennsylvania Avenue, N.W., Washington, DC 20506-000, telephone 202-682-5421 (this is not a toll-free number), fax 202-578-5049.

Dated: March 27, 1997.

Murray Welsh,

Director, Administrative Service, National Endowment for the Arts.

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NATIONAL SCIENCE FOUNDATION

Submission for OMB Review: Comment Request

Title of Collection: Survey of Earned Doctorates.

In compliance with the requirement of Section 3508(c)(2)(A) of the Paperwork Reduction Act of 1995 for opportunity for public comment on proposed data collection projects, the National Science Foundation (NSF) publishes periodic summaries of proposed projects. Such a notice was published at 62 FR 2691, dated January 17, 1997. No comments were received.

The materials are now being sent to OMB for review. Send any written comments to Desk Office, OMB, 3145-033, OIRA, OMB, Washington, D.C. 20503. OMB should receive comments within 30 days after the date of this notice.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility, (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, (c) ways to enhance the quality, utility, and clarity of the information to be collected, and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated data collection techniques and other forms of information.

Proposed Project: The Survey of Earned Doctorates has been conducted continuously since 1958 and is jointly sponsored by five Federal agencies in order to avoid duplication. It is an accurate, timely source of information on our Nation's most precious resource—highly educated individuals.

Data is obtained from each person earning a research doctorate on their

field of specialty, educational background, sources of support in graduate school, postgraduation plans for employment, and demographic characteristics. The information is used extensively by the Federal government, universities and others. The National Science Foundation, as the lead agency, publishes statistics from the survey in the annual publication series *Selected Data on Science and Engineering Doctorates* (available in print and electronically on the World Wide Web). The National Academy of Sciences also disseminates a free report entitled *Summary Report: Doctorate Recipients from U.S. Universities*.

We anticipate a response rate of 95% and expect a total of 42,750 (45,000x.95) respondents who earned a research doctorate. We estimate the average burden per respondent to be 20 minutes and the entire information burden for the respondents to be 14,250 hours.

Dated: March 27, 1997.

Gail A. McHenry,

NSF Reports Clearance Officer.

[FR Doc. 97-8352 Filed 4-1-97; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-341]

Detroit Edison Company; Notice of 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. NPF-43, issued to Detroit Edison Company (the licensee), for operation of the Fermi 2 facility located in Monroe County, Michigan.

The proposed amendment would revise the technical specifications to allow elimination of response time testing requirements for selected instrument loops in the reactor protection system, isolation system, and emergency core cooling system based on the BWR Owners' Group Topical Report NEDO-32291A, "System Analyses for Elimination of Selected Response Time Testing Requirements," October 1995. Specifically, the response time testing requirements proposed to be eliminated are:

(1) Reactor protection system instrumentation—Sensors for reactor vessel steam dome pressure-high and reactor vessel low water level—Level 3.

(2) Isolation actuation system instrumentation—Sensors for reactor vessel low water level—Level 1 and main steam line flow-high, and;

(3) Emergency core cooling system actuation instrumentation.

The March 27, 1997, application requested that this amendment be processed on an exigent basis. The need for exigent processing exists in that failure of the Commission to act in a timely manner would result in the delaying of resumption of operation of Fermi 2. The licensee was unable to make a more timely application because the licensee only recently discovered that the existing technical specifications require response time testing prior to restarting the unit. The NRC has determined that the licensee used its best efforts to make a timely application for the proposed changes and that exigent circumstances do exist and were not the result of any intentional delay on the part of the licensee.

Before issuance of the proposed license amendment, 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 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. 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) The changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

The purpose of the proposed Technical Specification changes is to eliminate response time testing requirements for selected instrument loops in the Reactor Protection System, Isolation System, and Emergency Core Cooling System. However, because of the continued application of other Technical Specification testing requirements such as channel calibrations, channel checks, channel functional tests, and logic system functional tests, the response time of these systems will be maintained within the acceptance limits assumed in plant safety analyses and required for successful

mitigation of an initiating event. The proposed Technical Specification changes do not affect the capability of the associated systems to perform their intended function within their required response time.

GE [General Electric] and the BWR [Boiling Water Reactors] Owners' Group have completed an evaluation (Reference 1 [of the March 27, 1997 application]) which demonstrates that response time testing is unnecessary due to other Technical Specification testing requirements listed in the preceding paragraph. These other tests are sufficient to identify failure modes or degradations in instrument response time and assure operation of the associated systems within acceptance limits. There are no failure modes that can be detected by response time testing that cannot also be detected by the other Technical Specification tests.

(2) The changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

As discussed above, the proposed Technical Specification changes do not affect the capability of the associated systems to perform their intended function within the acceptance limits assumed in the plant safety analyses and required for successful mitigation of an initiating event. Other than the elimination of selected response time tests there are no changes to plant equipment or configuration.

(3) The changes do not involve a significant reduction in the margin of safety.

The current Technical Specification response times are based on the maximum allowable values assumed in the plant safety analyses. These analyses conservatively establish the margin of safety. As described above, the proposed Technical Specification changes do not affect the capability of the associated systems to perform their intended function within the allowed response time used as the basis for the plant safety analyses. Plant and system response to an initiating event will remain in compliance within the assumptions of the safety analyses, and therefore, the margin of safety is not affected.

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 amendment involves 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. 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 hearing and petitions for leave to intervene is discussed below.

By May 2, 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 Monroe County Library System, 3700 South Custer Road, Monroe, Michigan 48161. 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 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.

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 consideration. 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: 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) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to John 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 John Flynn, Esq., Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan 48226, 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 March 27, 1997, 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 Monroe County Library System, 3700 South Custer Road, Monroe, Michigan 48161.

Dated at Rockville, Maryland, this 28th day of March 1997.

For the Nuclear Regulatory Commission.

Linh N. Tran,

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

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[Docket No. 50-390]

Watts Bar Nuclear Plant, Unit 1; Notice of 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. NPF-90, issued to the Tennessee Valley Authority (TVA or the licensee), for operation of the Watts Bar Nuclear Plant (WBN), Unit 1 located in Rhea County, Tennessee. This Notice supersedes a Notice placed in the **Federal Register** on March 26, 1997 (62 FR 14469) on this matter.

The proposed amendment would revise the Watts Bar Nuclear Plant (WBN) Unit 1 Technical Specifications to increase the enrichment and storage capacity of the spent fuel pool racks. The proposed modification increases the WBN spent fuel storage capacity from 484 fuel assemblies to 1835 fuel assemblies. The initial enrichment of the fuel to be stored in the spent fuel storage racks will be increased from 3.5 weight percent (wt%) to 5.0 wt%. This modification would also change the spacing of stored fuel assembly center-to-center spacing from a nominal 10.72 inches to 10.375 inches in 24 PaR flux trap rack modules and 8.972 inches in ten smaller burnup credit rack modules to be installed peripherally along the south and west pool walls and in a single 15 x 15 burnup credit rack to be installed in the cask pit.

In addition to the above proposed revisions, two limiting conditions for operation will be added to require that the combination of initial enrichment and burnup of each spent fuel assembly to be stored is in the acceptable region

and to require boron concentration of the cask pit to be greater than or equal to 2000 parts per million (ppm) during fuel movement in the flooded cask pit. As an added protection to the fuel stored in the cask pit area, the Technical Requirements Manual (TRM) is being revised to require that an impact shield be in place over the fuel when heavy loads are moved near or across the cask pit area.

The WBN Unit 1 Technical Specification Bases and the TRM would be revised to support these changes.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination 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 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. 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:

The Nuclear Regulatory Commission has provided standards for determining whether a significant hazards consideration exists (10 CFR 50.92(c)). A proposed amendment to an operating license for a facility involves no significant hazards consideration if 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. Each standard is discussed below for the proposed amendment.

(1) Operation of the facility in accordance with the proposed amendment would not involve a significant increase in the probability or consequences of an accident previously evaluated.

The following potential scenarios were considered:

1. A spent fuel assembly drop.
2. Drop of the transfer canal gate or the cask pit divider gate.
3. A seismic event.
4. Loss-of-cooling flow in the spent fuel pool.
5. Installation activities.

The effect of additional spent fuel pool storage cells fully loaded with fuel on the