

Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. OMB approval has been requested by February 14, 1997. If granted, the emergency approval is only valid for 180 days. Comments should be directed to OMB, Office of Information and Regulatory Affairs, Attention: Ms. Debra Bond, 202-395-7316, Department of Justice Desk Officer, Washington, DC 20503.

During the first 60 days of this same period a regular review of this information collection is also being undertaken. Comments are encouraged and will be accepted until April 14, 1997. Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology; e.g., permitting electronic submission of responses.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202-616-7600, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 5307, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

Overview of this information collection:

(1) Type of Information Collection: *New Information Collection.*

(2) Title of the Form/Collection: Certificate of Eligibility for Nonimmigrant Student (F-1/M-1)

Status for Academic, Language and Vocational Students (Pilot).

(3) Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection: Form I-20P. Adjudications Division, Immigration and Naturalization Service.

(4) Affected public who will be asked or required to respond, as well as a brief abstract: Primary: Not-for-profit institutions, Business or other for profit. The information collection is used by the INS to electronically collect and submit information in a limited pilot environment, from nonimmigrant students attending schools in the U.S. in order that INS can monitor the students' immigration status and ensure that the students maintain the conditions imposed by their nonimmigrant status while attending school.

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: 20,000 responses at 30 minutes per response.

(6) An estimate of the total public burden (in hours) associated with the collection: 10,000.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Suite 850, Washington Center, 1001 G Street, NW, Washington, DC 20530.

Dated: February 6, 1997.

Robert B. Briggs,

Department Clearance Officer, United States Department of Justice.

[FR Doc. 97-3393 Filed 2-10-97; 8:45 am]

BILLING CODE 4410-18-M

DEPARTMENT OF LABOR

Employment and Training Administration

Job Training Partnership Act: Migrant and Seasonal Farmworker Programs; Application of Waiver Provision, and Solicitation for Grant Application

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice of the application of the waiver from the requirement for competition of migrant and seasonal farmworker grants every two years, and notice of solicitation for grant applications (SGA) for funding of migrant and seasonal farmworker training and employment programs in five State service areas.

SUMMARY: This action concerns funding of the Migrant and Seasonal Farmworker grants authorized under section 402 of the Job Training Partnership Act (29 U.S.C. 1672). The Department of Labor (DOL or Department) announces that for state service areas currently served by grantees that are performing satisfactorily, the Department is exercising its option to waive competition for the second two-year funding period of the current four-year funding cycle that began with the 1995 Program Year (PY) on July 1, 1995.

The State service areas for which competition is not waived are Minnesota, Mississippi, North Dakota, Puerto Rico, and South Dakota. Since competition is not waived for these areas, this notice solicits proposals for grant applications from qualifying organizations to serve these areas during Program Years 1997 and 1998 (July 1, 1997 through June 30, 1999). Applicants selected will be designated as grantees for these five areas for PYs 1997 and 1998 (July 1, 1997 through June 30, 1999). For the purpose of this solicitation, Preapplication for Federal Assistance (SF 424) will be included in the application package as opposed to being submitted as a separate and preceding document.

DATES: Applications for Grant Agreements shall be submitted by certified or registered mail, return receipt requested, and postmarked no later than April 14, 1997. Applications submitted by hand-delivery will be accepted daily between the hours of 8:15 a.m. and 4:45 p.m., Eastern Time, but no later than 4:45 p.m., Eastern Time, on April 14, 1997.

No exceptions to the mailing and hand-delivery conditions set forth in this notice will be granted. Funding applications failing to meet the conditions set forth in this notice will not be accepted.

ADDRESSES: Funding applications shall be mailed or hand-delivered to James DeLuca, Grant Officer, ETA, 200 Constitution Avenue, NW., Room S-4203, Washington, DC 20210.

FOR FURTHER INFORMATION CONTACT: Charles C. Kane, Chief, Division of Seasonal Farmworker Programs, 200 Constitution Avenue, NW., Room N-4641, Washington, DC 20210. Phone: (202) 219-5500 (this is not a toll-free number). E-mail: KANEC@DOLETA.GOV.

A. Notice of Waiver of Competition

The Department announces that it is waiving the requirement to conduct a competition for grants to serve migrant

and seasonal farmworkers during the 1997 and 1998 Program Years under Section 402 of the Job Training Partnership Act for all grantees except those serving Minnesota, Mississippi, North Dakota, Puerto Rico, and South Dakota.

This waiver is exercised in accordance with JTPA section 402(c)(2) which states as follows:

The competition for grants under this section shall be conducted every 2 years, except that if a recipient of such a grant has performed satisfactorily under the terms of the existing grant agreement, the Secretary may waive the requirement for such competition upon receipt from the recipient of a satisfactory 2-year grant period.

This waiver applies to the "succeeding 2-year grant" period of the four year funding cycle that began July 1, 1995. Grants for the first 2-year grant period covering PYs 1995 and 1996 (July 1, 1995 through June 30, 1997) were competed through a solicitation for grant agreements for every State service area.

The Department has determined that there are three grantees that have not performed satisfactorily during the current Program Year. These grantees operate Section 402 migrant and seasonal farmworker grant programs in the five State service areas of Minnesota, Mississippi, North Dakota, Puerto Rico and South Dakota. Since the waiver does not apply to these five areas, the Department seeks qualifying grantees for operating programs in these five areas under the Solicitation that follows.

B. Solicitation for Grant Agreements

This notice provides instructions consisting of: Part I—Introduction; and Part II—Solicitation for Grant Application (SGA). Part II constitutes invitations from the Department for public agencies, and private nonprofit organizations authorized by their Charters or Articles of Incorporation to provide training and employment and other services described in this notice, to submit funding applications for operating migrant and seasonal farmworker programs during PY 1997 in Minnesota, Mississippi, North Dakota, Puerto Rico and South Dakota.

Part I—Introduction and Background

JTPA, 29 U.S.C. 1501 *et seq.*, establishes programs to prepare youth and unskilled adults for entry into the labor force, and to afford job training to those economically disadvantaged individuals and others facing serious barriers to employment who are in special need of such training to obtain productive employment. The regulations promulgated by DOL to

implement JTPA are set forth at parts 626 through 638 of Title 20, Code of Federal Regulations (CFR).

The purpose of section 402 of JTPA, as set forth at 29 U.S.C. 1672 and 20 CFR 633.102, is to provide job training, employment opportunities, and other services for those individuals who suffer chronic seasonal unemployment and underemployment in the agriculture industry. These conditions have been substantially aggravated by continual advancements in technology and mechanization resulting in displacement and contribute significantly to the Nation's rural employment problem. These factors substantially affect the entire national economy. Because of the special nature of farmworker employment and training problems, such programs are centrally administered at the national level. Programs and activities supported under this section shall, in accordance with section 402(c)(3) of JTPA:

(1) Enable farmworkers and their dependents to obtain or retain employment;

(2) Allow participation in other program activities leading to their eventual placement in unsubsidized agricultural or nonagricultural employment;

(3) Allow activities leading to stabilization in agricultural employment; and

(4) Include related assistance and supportive services.

Regulations promulgated by DOL to implement the provisions of Title IV, section 402, of JTPA are set forth in 20 CFR part 633 and part 636. In addition, State and local governments and Native American applicants must conform to Administrative Requirements at 29 CFR part 97. Non-profit organizations must conform to Administrative Regulations at 29 CFR part 95. Migrant and other seasonally employed farmworker programs are also subject to 29 CFR parts 93 (Restrictions on Lobbying), 96 (Audit Requirements for Grants, Contracts and other agreements), and 98 (Disbarment, Suspension and Drug-free Workplace requirements).

Pursuant to 20 CFR 633.201, DOL will not consider any funding application when fraud or criminal activity has been proven to exist within the applicant organization, or when efforts by the DOL to recover debts established by final agency action have been unsuccessful. Prior to the final selection of an applicant as a potential grantee, DOL will conduct a Responsibility Review of the available records to establish an organization's overall responsibility to administer Federal funds in accordance with 20 CFR

633.204. Any applicant which is not considered or selected as a potential grantee because of these provisions shall be advised of its appeal rights.

Comments From the States

Executive Order 12372, "Intergovernmental Review of Federal Programs," and the implementing regulations at 29 CFR part 17, are applicable to this program. Pursuant to these requirements, in States which have established a consultation process expressly covering this program, applications shall be provided to the State for comment. Since States also may participate as competitors for this program, applications shall be submitted to the State upon the deadline for submission to DOL (20 CFR 633.202(d)).

To strengthen the implementation of E.O. 12372, DOL specifies the following timeframe for its treatment of comments from the State's Single Point of Contact (SPOC) on JTPA section 402 applications:

1. As required by 29 CFR 17, the SPOC must submit comments, if any, to DOL no later than 60 days after the deadline date for applications;

2. DOL will forward those comments to the applicant within 10 days of their receipt from the SPOC; and

3. DOL will notify the SPOC of its decision regarding the comments and response, but, under normal circumstances, will not implement that decision for at least 10 days after the SPOC has been notified.

Planning Estimates

Planning estimates for the five jurisdictions are provided below. The stated amounts are solely for the purpose of developing the funding applications and are the same as the PY 1996 allocations. Final allocation levels for PY 1997 will be published for all State service areas at a later date.

Minnesota: \$1,243,685
Mississippi: \$1,413,704
North Dakota: \$456,939
Puerto Rico: \$2,867,153
South Dakota: \$675,971

Part II—Solicitation for Grant Applications

A. Funding Applications

Program Year 1997 section 402 funds are available for grants to serve all State service areas except Alaska, Rhode Island and the District of Columbia. As stated in the preceding portion of this notice, funds will be awarded through competition to serve the five State service areas listed above.

Applications for Statewide programs are encouraged, but are not necessary.

Applicants applying for grants shall submit:

(1) A Standard Form 424 Facesheet found in OMB Circular No. A-102;

(2) An attachment identifying, by State or county, the proposed service area; and

(3) For a private nonprofit organization, a recent (within the last six months) certification from a Certified Public Accountant that its financial management system is capable of properly accounting for and safeguarding Federal funds; or, for a public agency, a recent (within the last six months) certification by its Chief Fiscal Officer attesting to the adequacy of the agency's accounting system to properly account for and safeguard Federal funds.

The Preapplication for Federal Assistance shall be submitted as part of the application package and should also include the following:

(1) A statement indicating the legally constituted authority under which the organization functions. An applicant which is a nonprofit organization shall submit a copy of its Charter or Articles of Incorporation to satisfy this requirement;

(2) An employer identification number (EIN) from the Internal Revenue Service and, for nonprofit applicants, proof of the organization's nonprofit status.

B. Review of Funding Applications

Applications will be reviewed and rated by a review panel applying the review standards cited at 20 CFR 633.203. Panel results are advisory in nature and are not binding on the Grant Officer. In addition, prior to the final selection of an applicant as a potential grantee, DOL will conduct a Responsibility Review of available records pursuant to 20 CFR 633.204. This review is intended to establish overall responsibility to administer Federal funds and is independent of the competitive process. Applicants failing to meet the requirements of that or other sections of the regulations will not be selected as potential grantees irrespective of their standing in the competition.

C. Rating Criteria

The rating criteria and the weights assigned to each are described below:

(1) *An understanding of the problems of migrant and seasonal farmworkers.* Range 0 to 20 points. This factor rates the applicant's analysis of the needs of the target group, including socio-economic characteristics of the client population and the proposed program's potential to address those needs. Ratings

are based on a clear and concise narrative demonstrating this understanding; appropriateness of the proposed program mix of training and supportive services meeting the identified needs; and responsiveness to JTPA goals of targeting the hard-to-serve for training which leads to skills acquisition, long-term employability and increased earnings.

(2) *A familiarity with the area to be served.* Range 0 to 15 points. This factor rates the applicant's knowledge of the resources of the service area, and the proposed linkages, coordination, and partnerships with different segments of the community within a designated service delivery area in order to further the training and placement of farmworkers into new and better jobs; i.e., plans for involving appropriate area agencies and programs in the design and delivery of training and other services proposed to meet the needs of participants. It includes a demonstrated knowledge of approximate size and location within the State of the eligible client population, current and changing market place needs, including areas of emerging technologies, and how the changing skill requirements will be reflected in the proposed program activities. Ratings are based on a clear and concise narrative demonstrating this familiarity, and documented programmatic ties to appropriate area agencies and programs.

(3) *A previously demonstrated capability to administer effectively a diversified employability development program, including program outcomes.* Range 0 to 30 points. This factor rates program experience, and capability to meet or exceed planned goals. Ratings are based on a previously demonstrated capability to administer effectively a diversified employability development program for migrant and seasonal farmworkers; documentation that planned performance goals were either met or exceeded during the period of performance; and satisfactory description of the employment and training components and procedures necessary to undertake the goals of this grant solicitation.

(4) *General administrative and financial management capability, including audit outcomes.* Range 0 to 25 points. This factor rates the applicant's managerial experience, and the potential for efficient and effective administration of the proposed program. In the case of applicants competing for two or more States or sub-State areas, the application for each State or sub-State area should contain a statement describing the manner in which the grant recipient will conduct monitoring

and provide technical assistance and support to each of the State's operations for which it achieves responsibility to the Department of Labor. Ratings are based on consideration of the administrative expertise of present and proposed managerial and decision-making staff, and the extent to which the management plan demonstrates the ability to capably and economically operate a multi-activity delivery system. Finally, the applicant should expound on those cost benefits which will accrue to the Department of Labor through a multi-jurisdiction (State) approach over that offered through the management of a single venue grant.

D. Content and Format of Funding Application (Statement of Work)

Exclusive of letters of support and commitment, the funding application should not exceed 50 pages of double-spaced unrounded type. Cost issues should not be addressed in an applicant's submission. Detailed budgets and program planning estimates are not to be part of the application. These will be negotiated later with applicants selected for grant awards.

The required application format shall be followed and contain the sections listed below. The sections correspond to the rating criteria listed in the preceding subpart of this notice.

(1)—Target Populations and Program Approach

This section should describe the applicant's approach to fulfilling the intent of JTPA section 402. Elements to be included are:

(a) A description of the needs and problems of migrant and seasonal farmworkers in the service area, including the socio-economic characteristics of the farmworker population in the State or sub-State area to be served;

(Note: For applicants which are current JTPA section 402 grant recipients, a sole recapitulation of the socio-economic characteristics of their past or current participants *will not* satisfy this requirement); and

(b) The rationale for the proposed program mix of training for job placement, training for employability enhancement, and stabilization in agriculture through supportive services activities, including a discussion of targeting the hard-to-serve for long-term training leading to skills acquisition, long-term employment and increased earnings.

(2)—Service Environment

This section should describe the applicant's current programmatic ties

within the proposed service area to appropriate State and local agencies, private nonprofit organizations, and other groups—particularly JTPA Service Delivery Area grant recipients, JTPA Title II sub-State area grantees, the Offices of Migrant Education and Migrant Health, and Farmworker Housing Programs—providing resources and services to farmworkers such as basic education, health and child care.

Elements to be included are:

(a) A description of existing linkages to agencies, organizations and institutions within the service area that will result in the coordinated delivery of services to the disadvantaged farmworker population. Further, the applicant should detail any partnerships developed within the service delivery area and delineate the nature of these agreements noting the various assets brought by each party which in turn will tend to better serve the farmworker target population.

(Note: Letters of commitment documenting appropriate programmatic ties should be attached to the application.);

(b) A description of the proposed delivery system, including a list of the applicant's field/regional office locations and any other delivery agents, and the services to be provided by each;

(c) A labor market assessment of the State or sub-State areas to be served, with projections for current employment needs, projected skill shortages based on new or changing industry growth as well as those created by emerging technologies, and specific job opportunities known to the applicant which are available in the service area; and

(d) A discussion of the approximate size and location of the eligible client population which draws on information collected by the applicant and from other service providers identified at the beginning of this section.

(3)—Program Experience

This section should describe the applicant's capability and experience in administering employment and training programs. Elements to be included are:

(a) The types of programs operated in the proposed service area during the past two years, including the contract, grant, or agreement number, the name of the funding agency, the amount of funding, the period of performance and program outcomes;

(b) The types of programs operated outside the service area during the past two years, including the contract, grant or agreement number, the name of the funding agency, the amount of funding and the period of performance;

(c) The nature of the training, employability development, and supportive services activities which were provided.

(Note: Applicants should clearly identify those activities undertaken within the service area.)

(d) The actual versus the planned number of participants and their placement into unsubsidized employment for each program activity.

(Note: Applicants should clearly identify those performance standards failed, met and exceeded within the service area.)

(e) A detailed description of each major activity and component of the program proposed for funding under this grant solicitation to meet the identified needs; this description should include a discussion of:

(1) Outreach to and recruitment of the hard-to-serve;

(2) The process of eligibility determination and verification;

(3) Assessment and the criteria used for placement in training or referral to other service providers;

(4) The role of grantee staff in the employment and training process, including efforts to make training-related placements;

(5) The role of vendors in the employment and training process; and

(6) Participant tracking during training and as a follow-up after placement;

(f) An analysis of the extent to which the proposed employment and training program, including linkages and delivery system, is consistent with the labor market assessment in Section II of this notice.

(4)—Administration and Staff

This section should describe the applicant's organizational and staffing plans. Elements to be included are:

(a) Total number of people presently involved in the administration of the organization and the number of people who will be directly involved in the administration and delivery of the proposed JTPA section 402 program services, including position titles and the number of persons in each position; abstracts of position descriptions of managerial and decision-making positions should be attached;

(b) A description of the management and administration plan including:

(1) Organizational structure;

(2) Personnel management procedures, including but not limited to, capacity building, in-service training and planning;

(3) Fiscal accounting system, including a plan for maintaining cash on hand in an amount which comports

with acceptable government requirements; the allowance payment system, if applicable; fiscal reporting procedures; the process employed to insure the proper expenditure of Federal funds; and the process employed to reduce to a minimum carryover of program funds from one Program Year to the next;

(4) Internal monitoring system (for applicants applying for multiple-State or sub-State areas, this includes a plan for monitoring each proposed service area);

(5) Provisions for hiring members of the client population; and

(6) In the case of multiple-State or sub-State applicants, a management plan which delineates the process and manner in which the applicant will provide oversight, technical support, management, fiscal procedures and communications over several distinct service areas. This section should demonstrate how these activities will be accomplished in an efficient manner and result in reduction of costs to the Federal Government; and

(7) A statement describing the applicant's experience with audits, including the results of recent audits.

E. Submission of Funding Application

Three copies of the funding applications shall be submitted either by mail or hand-delivery. As noted earlier in this announcement, mailings shall be mailed by registered or certified mail, return receipt requested, no later than April 14, 1997. All hand-delivered applications will be accepted daily between the hours of 8:15 a.m. and 4:45 p.m., Eastern Time. A receipt will be provided bearing the time and date of delivery. No hand-deliveries will be accepted after 4:45 p.m., Eastern Time, on April 14, 1997. No exceptions to these mailing and hand-delivery conditions will be granted. Applications not meeting these conditions will not be accepted.

Funding applications shall be mailed or hand-delivered to: James DeLuca, Grant Officer, ETA, 200 Constitution Avenue, NW., room C-4305, Washington, DC 20210.

F. Notification of Selection

(a) Respondents to this SGA which are selected as potential grantees will be notified by DOL in writing. The notification will invite each potential grantee to negotiate the final terms and conditions of the grant; will establish a reasonable time and place for the negotiation; and will indicate the State or sub-State area to be covered by the grant. Grants will be awarded for the performance period July 1, 1997 to June

30, 1998. Applicants selected will not have to recompetite for funding for PY 1998 (July 1, 1998 to June 30, 1999) if the grant recipient has met all applicable regulatory requirements, has performed satisfactorily under the terms of its existing grant for PY 1997, submits an acceptable training plan or PY 1998, and funds are available.

(b) In the event that no grant applications will be received for a specific State or sub-State area or those received are deemed to be unacceptable, or where a grant agreement is not successfully negotiated, DOL may give the Governor first right to submit an acceptable application pursuant to the precondition for Grant Application and Responsibility Review tests at 20 CFR 633.201 and 633.204, respectively. Should the Governor not accept the offer within 15 days after being notified, the Department may then: (1) designate another organization or organizations, (2) reopen the area for competitive bidding, or (3) use the allocated funds for national account activities.

(c) An applicant whose grant application is not selected by DOL to receive JTPA section 402 funds will be notified in writing.

(d) Any applicant whose grant application is denied in whole or part by DOL will be advised of its appeal rights.

Signed at Washington, DC, this 4th day of February, 1997.

James DeLuca,

Grant Officer, Division of Acquisition and Assistance.

[FR Doc. 97-3347 Filed 2-10-97; 8:45 am]

BILLING CODE 4510-30-M

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-327 AND 50-328]

Sequoyah Nuclear Plant, Units 1 and 2; Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License No. DPR-77 and DPR-79 issued to the Tennessee Valley Authority (the licensee) for operation of the Sequoyah Nuclear Plant, Units 1 and 2, located in Soddy Daisy, Tennessee.

The proposed amendments would permanently incorporate requirements associated with steam generator tube inspections and repair in the Sequoyah

Nuclear Plant, Units 1 and 2 Technical Specifications (TS). The new requirements establish alternate steam generator tube plugging criteria (APC) at the tube support plate intersections. These revised criteria, based on NRC Generic Letter 95-05, were incorporated into the TS by previous amendments to the operating licenses but only for Operating Cycle 8. The proposed amendments would remove the reference to Cycle 8, thereby making the requirements applicable to all future operating cycles.

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:

TVA has evaluated the proposed technical specification (TS) change and has determined that it does not represent a significant hazards consideration based on criteria established in 10 CFR 50.92(c). Operation of Sequoyah Nuclear Plant (SQN) in accordance with the proposed amendment will not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed TS change revises the SQN steam generator (S/G) Specification 3/4.4.5 to remove footnotes that limit the application of the alternate plugging criteria (APC) to Cycle 8 operation only. In addition, SQN TS 3.4.6.2, "Operational Leakage," contains a similar footnote that limits application of S/G APC to Cycle 8 operation only. The removal of these footnotes allows TVA to apply APC to SQN S/Gs beyond Cycle 8 operation. TVA's proposed change is based on resolution of the industry issues concerning [eddy current test] probe wear and probe variability. APC was applied to the SQN S/Gs during the Cycle 7 refueling outages for Units 1 and 2.

The proposed changes provide TS requirements that are consistent with the guidance of NRC GL [Generic Letter] 95-05. This change does not involve a physical modification to the plant or affect any setpoints. Accordingly, the proposed changes

do not involve an increase in the probability or consequences of an accident previously evaluated.

2. Create the possibility of a new or different kind of accident from any previously analyzed.

The proposed changes provide TS requirements for SQN S/Gs that are consistent with the guidance provided in GL 95-05. No new event initiator has been created, nor has any hardware been changed. This change does not involve a physical change to SQN S/Gs or any other system. Therefore, the proposed change will not create the possibility of a new or different kind of accident from any previously analyzed.

3. Involve a significant reduction in a margin of safety.

TVA's proposed change allows application of APC for SQN S/Gs to extend beyond Cycle 8 of operation. This change continues to provide requirements that maintain structural integrity of SQN S/G tubes during normal operating, transient, and postulated accident conditions. This change does not involve a setpoint change or physical modification to the plant. Accordingly, the margin of safety has not been reduced.

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 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. 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