

2.1207 of the Commission's Regulations, a single member of the Atomic Safety and Licensing Board Panel is hereby designated to rule on petitions for leave to intervene and/or requests for hearing and, if necessary, to serve as the Presiding Officer to conduct an informal adjudicatory hearing in the following proceeding.

Atlas Corporation

(Request for License Amendment)

The hearing, if granted, will be conducted pursuant to 10 C.F.R. Subpart L of the Commission's Regulations, "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings." This proceeding concerns a requested license amendment by Atlas Corporation to change the completion date for placement of the final radon barrier on the pile at its Moab, Utah facility. Pursuant to the provisions of 10 C.F.R. § 2.1205(a) and Federal Register Notice, 62 F.R. 3313 (January 22, 1997), John Francis Darke opposes this amendment and requests a hearing. The Presiding Officer in this proceeding is Administrative Judge G. Paul Bollwerk, III. Pursuant to the provisions of 10 C.F.R. § 2.722, Administrative Judge Charles N. Kelber has been appointed to assist the Presiding Officer in taking evidence and in preparing a suitable record for review.

All correspondence, documents and other materials shall be filed with Judge Bollwerk and Judge Kelber in accordance with 10 C.F.R. § 2.701. Their addresses are:

Administrative Judge G. Paul Bollwerk, III, Presiding Officer, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555

Dr. Charles N. Kelber, Special Assistant, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555

Issued at Rockville, Maryland, this 11th day of February 1997.

B. Paul Cotter, Jr.,
Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 97-3885 Filed 2-14-97; 8:45 am]

BILLING CODE 7590-01-P

[Docket No. 50-368]

Correction to Exemption

ENTERGY OPERATIONS, INC. (Arkansas Nuclear One, Unit 2).

In notice document 97-2377 beginning on page 4818, in the issue of Friday, January 31, 1997, make the following correction:

On page 4819, in the third column, second full paragraph, in line 5, (61 FR 20846) should be corrected to read, (61 FR 37774).

Dated at Rockville, Maryland, this 10th day of February 1997.

For the Nuclear Regulatory Commission.
Frank J. Miraglia,
Acting Director, Office of Nuclear Reactor Regulation.

[FR Doc. 97-3887 Filed 2-14-97; 8:45 am]

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Advisory Committee on Nuclear Waste; Notice of Meeting

The Advisory Committee on Nuclear Waste (ACNW) will hold its 90th meeting on March 20 and 21, 1997, in Room T-2B3, at 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed to discuss information the release of which would constitute a clearly unwarranted invasion of personal privacy pursuant to 5 U.S.C. 552b(c)(6).

The schedule for this meeting is as follows:

Thursday, March 20, 1997—8:30 A.M. until 6:00 P.M.

Friday, March 21, 1997—8:30 A.M. until 6:00 P.M.

During this meeting, the Committee plans to consider the following:

A. *Meeting with the Directors of the Division of Waste Management and the Spent Fuel Projects Office*—The Directors will discuss priorities for their respective divisions and highlight issues they may wish the Committee to consider over the next year.

B. *Defense In-Depth Philosophy*—The NRC staff will discuss this philosophy and how it applies to the regulation of nuclear waste activities. This discussion will revisit the history of the defense in-depth philosophy and the rationale behind the high-level waste subsystem requirements in the Commission's regulations (10 CFR Part 60).

C. *Planning for Commission Meeting*—The Committee will prepare for their April 1997 meeting with the Commission.

D. *BIOMOVs II*—The Committee will be briefed by the NRC staff on the current status of the Biosphere Model Validation Study, Phase II. Central to this work is defining the reference biosphere and critical group.

E. *Preparation of ACNW Reports*—The Committee will discuss proposed reports, including the specification of a critical group and reference biosphere to be used in the performance assessment

for a nuclear waste disposal facility, and other topics discussed during the meeting as the need arises.

F. *Committee Activities/Future Agenda/Appointment of New Members*—The Committee will consider topics proposed for future consideration by the full Committee and Working Groups. The Committee will discuss ACNW-related activities of individual members. The Committee will also consider the qualifications of potential new ACNW members. A portion of this session may be closed to public attendance to discuss information the release of which would constitute a clearly unwarranted invasion of personal privacy pursuant to 5 U.S.C. 552b(c)(6).

G. *Miscellaneous*—The Committee will discuss miscellaneous matters related to the conduct of Committee activities and organizational activities and complete discussion of matters and specific issues that were not completed during previous meetings, as time and availability of information permit.

Procedures for the conduct of and participation in ACNW meetings were published in the Federal Register on October 8, 1996 (61 FR 52814). In accordance with these procedures, oral or written statements may be presented by members of the public, electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify the Chief, Nuclear Waste Branch, Mr. Richard K. Major, as far in advance as practicable so that appropriate arrangements can be made to schedule the necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during this meeting will be limited to selected portions of the meeting as determined by the ACNW Chairman. Information regarding the time to be set aside for this purpose may be obtained by contacting the Chief, Nuclear Waste Branch, prior to the meeting. In view of the possibility that the schedule for ACNW meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should notify Mr. Major as to their particular needs.

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. Richard K. Major, Chief, Nuclear Waste Branch

(telephone 301/415-7366), between 8:00 A.M. and 5:00 P.M. EST.

ACNW 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; the local direct dial number is 703-321-3339.

Dated: February 2, 1997.

Andrew L. Bates,

Advisory Committee Management Office.

[FR Doc. 97-3884 Filed 2-14-97; 8:45 am]

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Natural Resources Defense Council Receipt of Petition and Issuance of a Director's Decision Under 10 CFR 2.206

Notice is hereby given that by Petition dated January 8, 1997, Thomas B. Cochran, on behalf of Natural Resources Defense Council (NRDC), requested that the Nuclear Regulatory Commission (Commission) take immediate action with regard to Envirocare of Utah, Inc. Specifically, the Petition requested NRC to take the following actions:

(1) Immediately revoke the license or licenses, or cause the state of Utah to revoke its agreement state license or licenses, under which Envirocare is currently permitted to accept low-level radioactive waste and mixed waste for permanent disposal.

(2) Immediately revoke the NRC 11e.(2) byproduct material license under which Envirocare is currently permitted to accept uranium mill tailings for disposal.

(3) Immediately revoke any other NRC license, or agreement state license, if such license exists, held by Envirocare, Khosrow Semnani, or any entity controlled or managed by Khosrow Semnani.

(4) Prohibit the future issuances of any license by the NRC, the State of Utah, or other NRC agreement state, to Khosrow Semnani or any company or entity which he owns, controls, manages, or [with which he] has a significant affiliation or relationship.

(5) Suspend the agreement with the state of Utah under which regulatory authority has been transferred from the NRC to the Utah's Bureau of Radiation [Division of Radiation Control], until the State of Utah can demonstrate that it can operate the Bureau of Radiation [Division of Radiation Control] in a lawful manner, and without the participation of licensees, or employees of licensees, in Bureau of Radiation [Division of Radiation Control] oversight roles.

As a basis for the request, the Petitioner asserts that on December 28, 1996, an article in *The Salt Lake Tribune* reported that between 1987 and 1995 Mr. Semnani made secret cash payments to Mr. Larry F. Anderson, who served as Director of the Utah Division of Radiation Control from 1983 until 1993. The article also reported that the Utah Attorney General's office has initiated a criminal investigation into the matter.

The NRC response to the Petitioner's request regarding the Agreement State program is provided in a "NRC Staff Evaluation of Natural Resources Defense Council Request to Suspend Section 274 Agreement With The State of Utah." The other issues raised in the Petition have been evaluated by the Director of the Office of Nuclear Material Safety and Safeguards. After review of the Petition, the Director has denied the Petitioner's requests.

The Director's Decision concluded that no substantial health and safety issues have been raised regarding Envirocare that would require initiation of the immediate action requested by the NRDC. The NRDC has not provided any information in support of its requests of which the NRC was not already aware. Moreover, NRC inspections of the Envirocare facility have not revealed the existence of extraordinary circumstances that would warrant immediate suspension of the Envirocare license. In addition, the staff's review of the technical basis for its issuance of the license and subsequent amendments found no evidence of the existence of any substantial health or safety issue that would justify the actions requested by the NRDC. However, NRC will monitor the investigations and actions being conducted by the State of Utah. If NRC receives any specific information that there is a public health or safety concern as a result of these actions or from any other source, including the NRC ongoing Agreement State oversight activities, NRC will evaluate that information and take such action as it deems is warranted at that time.

The complete "Director's Decision under 10 CFR § 2.206" (DD-97-02) is available for public inspection in the Commission's Public Document Room located at 2120 L Street, N.W., Washington, D.C. 20555. The Director's Decision is also available on the NRC Electronic Bulletin Board at (800) 952-9676.

A copy of this Decision will be filed with the Secretary for the Commission's review, in accordance with 10 CFR 2.206. As provided by this regulation, the Decision will constitute the final

action of the Commission 25 days after the date of issuance of the Decision unless the Commission on its own motion institutes a review of the Decision within that time.

Dated at Rockville, Maryland this 7th day of February 1997.

For the Nuclear Regulatory Commission.
Carl J. Paperiello,
*Director, Office of Nuclear Material Safety
and Safeguards.*

[FR Doc. 97-3886 Filed 2-14-97; 8:45 am]

BILLING CODE 7590-01-P

[Docket No. 50-245]

Northeast Utilities; Millstone Nuclear Power Station, Unit 1; Issuance of Director's Decision under 10 CFR 2.206

Notice is hereby given that the Acting Director, Office of Nuclear Reactor Regulation, has taken action with regard to a Petition dated January 5, 1995, by Mr. Anthony J. Ross (Petition for action under 10 CFR 2.206). The Petition pertains to Millstone Nuclear Power Station, Unit 1.

In the Petition, the Petitioner described several examples of what he alleged were violations of Procedure WC-8, which required that maintenance and test equipment be signed out from and returned to a custodian. The Petitioner requested that the U.S. Nuclear Regulatory Commission institute sanctions against his department manager, his first-line supervisor, and two co-workers for engaging in deliberate misconduct in violation of 10 CFR 50.5. The Petitioner also asserted that the NRC "desperately needs to conduct an investigation" into the procedure violations and to audit the Millstone Unit 1 maintenance department measuring and test equipment folders to reveal widespread problems regarding noncompliance with this procedure.

The Acting Director of the Office of Nuclear Reactor Regulation has determined to grant the Petition in part, and deny the Petition in part. The reasons for this decision are explained in the "Director's Decision Under 10 CFR 2.206" (DD-97-04), the complete text of which follows this notice and 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 Learning Resources Center, Three Rivers Community-Technical College, 574 New London Turnpike, Norwich, Connecticut, and at the temporary local public document room located at the Waterford Library, ATTN: Vince