

D. The disposal of such other by-product, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission; and,

E. The extraction or concentration of source material from source material ore and the management and disposal of the resulting by-product material.

Article III

This Agreement may be amended, upon application by the Commonwealth and approval by the Commission, to include the additional area(s) specified in Article II, paragraph E, whereby the Commonwealth can exert regulatory control over the materials stated therein.

Article IV

Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, by-product, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

Article V

This Agreement shall not affect the authority of the Commission under Subsection 161b or 161i of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

Article VI

The Commission will use its best efforts to cooperate with the Commonwealth and other Agreement States in the formulation of standards and regulatory programs of the Commonwealth and the Commission for protection against hazards of radiation and to assure that Commonwealth and Commission programs for protection against hazards of radiation will be coordinated and compatible. The Commonwealth will use its best efforts to cooperate with the Commission and other Agreement States in the formulation of standards and regulatory programs of the Commonwealth and the Commission for protection against hazards of radiation and to assure that the Commonwealth's program will continue to be compatible with the program of the Commission for the regulation of like materials. The Commonwealth and the Commission

will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

Article VII

The Commission and the Commonwealth agree that it is desirable to provide reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any other Agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

Article VIII

The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the Commonwealth, or upon request of the Governor of the Commonwealth, may terminate or suspend all or part of this Agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that (1) such termination or suspension is required to protect public health and safety, or (2) the Commonwealth has not complied with one or more of the requirements of Section 274 of the Act. The Commission may also, pursuant to Section 274j of the Act, temporarily suspend all or part of this Agreement if, in the judgement of the Commission, an emergency situation exists requiring immediate action to protect public health and safety and the Commonwealth has failed to take necessary steps. The Commission shall periodically review this Agreement and actions taken by the Commonwealth under this Agreement to ensure compliance with Section 274 of the Act.

Article IX

This Agreement shall become effective on [April 24, 1996,] >(date to be determined)< and shall remain in effect unless and until such time as it is terminated pursuant to Article VIII.

Done at [Boston, Massachusetts] >(location to be determined)<, in triplicate, this [24]th Day of [April, 1996] >(date to be determined)<.

For the United States Nuclear Regulatory Commission.

Shirley Ann Jackson,
Chairman.

For the Commonwealth of Massachusetts.
William F. Weld,
Governor.

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[Docket No. 50-344]

Portland General Electric Company, Trojan Nuclear Plant; Consideration of Approval of Application Regarding Proposed Corporate Restructuring

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) is considering approval under 10 CFR 50.80 of an application concerning the proposed corporate restructuring of Portland General Corporation (PGC), the parent holding company for Portland General Electric (PGE), the licensee for the Trojan Nuclear Plant (TNP).

By letter dated August 20, 1996, as supplemented by letter dated October 30, 1996, PGE informed the Commission that PGE's parent company, PGC, has agreed to a merger with Enron Corporation, subject to certain conditions. Those conditions include approval by the shareholders of the companies and obtaining appropriate governmental approvals which do not impose terms or conditions that would be reasonably likely to have an adverse effect on PGC or Enron. Under the Agreement and Plan of Merger the businesses of Enron and PGC would be combined by means of the re-incorporation of Enron as an Oregon corporation through the merger of Enron with, and into, a wholly owned Enron subsidiary, New Falcon Corporation (the name to be changed to Enron Corporation, but is hereinafter referred to as the "Merger Company"). As a result the shareholders of Enron will become shareholders of the Merger Company. In addition, PGC will combine with the Merger Company. The shareholders of PGC will become shareholders of the Merger Company on a share for share basis. PGE will continue to be headquartered in Portland and senior management will remain in place. The merger will not affect PGE's status as a regulated public electric utility in the State of Oregon. According to PGE, the planned merger of PGE's parent company, PGC, with the Merger Company should improve the overall financial strength and stability of PGE's parent company after the merger. After the merger PGE will continue to be

the NRC licensee for Trojan Nuclear Plant and no direct transfer of the operating license or interests in the unit will result from the merger.

Pursuant to 10 CFR 50.80, the Commission may approve the transfer of control of a license after notice to interested persons. Such approval is contingent upon the Commission's determination that the holder of the license following the transfer is qualified to hold the license and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders of the Commission.

For further details with respect to this action, see the licensee's letter dated August 20, 1996, as supplemented by letters dated October 16, 1996, and October 30, 1996. These documents 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 Branford Price Millar Library, Portland State University, 934 SW Harrison Street, PO Box 1151, Portland, Oregon 97207.

Dated at Rockville, MD., this 10th day of January 1997.

For the Nuclear Regulatory Commission,
Marvin M. Mendonca,

*Acting Director Non-Power Reactors and
Decommissioning Project Directorate,
Division of Reactors Program Management,
Office of Nuclear Reactor Regulation.*

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[Docket No. 50-356]

Environmental Assessment and Finding of No Significant Impact Regarding Proposed Amendment Approving Decommissioning Plan University of Illinois at Urbana- Champaign

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of a license amendment approving the decommissioning plan for the University of Illinois at Urbana-Champaign (licensee or UIUC) Low Power Reactor Assembly (LOPRA) located on the licensee's campus in Urbana, Illinois, in accordance with the application dated February 10, 1995, as supplemented on April 24, 1995, and October 2, 1996. The approved decommissioning plan will be a supplement to the Safety Analysis Report.

Environmental Assessment

Identification of Proposed Action

By application dated February 10, 1995, as supplemented, UIUC requested authorization to decommission and partially dismantle the LOPRA, Facility Operating License No. R-117, in accordance with the decommissioning plan submitted as part of the application and to terminate Facility Operating License No. R-117. There are two reactors at UIUC, the Advanced TRIGA Research Reactor (TRIGA) and the LOPRA. The LOPRA was created when a subcritical assembly authorized under the TRIGA license was upgraded in 1971 to sustain nuclear fission in a self-supporting chain reactor and licensed as a separate reactor. The LOPRA will be converted back into a subcritical assembly by partial dismantling. All byproduct and special nuclear material under the LOPRA license will then be transferred as part of the decommissioning effort to Facility License No. R-115 for the UIUC TRIGA. Amendment No. 9 to the TRIGA license authorizing possession of the LOPRA byproduct and special nuclear material was issued on August 8, 1996.

Need for Proposed Action

The proposed action is needed in order to convert the LOPRA back into a subcritical assembly, transfer the byproduct and special nuclear material to the TRIGA license, and terminate the LOPRA license.

Environmental Impact of the Proposed Action

All proposed operations in connection with decommissioning and dismantling of the LOPRA will be carefully planned and controlled; all contaminated components will be removed, packaged, and shipped offsite or transferred to the TRIGA license; and radiological control procedures will be in place and implemented to ensure that releases of radioactive wastes from the facility are within the limits of 10 CFR Part 20 and are as low as reasonably achievable (ALARA).

All decommissioning activities will be performed by trained personnel in accordance with previously reviewed procedures and will be overseen by experienced health-physics staff. Solid and liquid waste will be removed from the facility and managed in accordance with NRC requirements. The NRC staff estimates that the collective dose equivalent to the UIUC staff and public for the project will be less than 1 mrem.

On the basis of a review of the specific proposed activities associated with the dismantling and

decontamination of the UIUC-LOPRA, the staff has determined that there will be no significant increase in the amounts of effluents that may be released off site, and no significant increase in individual or cumulative occupational or population radiation exposure.

The staff has also determined that the proposed activities will not have any significant impacts on air, water, land, or biota in the area or any other significant environmental impact.

Alternative Use of Resources

The only alternative to the proposed decommissioning, dismantling, and decontamination activities is to have UIUC maintain possession of the reactor. This approach would include monitoring and reporting for the duration of a safe storage period until the TRIGA is decommissioned. However, UIUC intends to convert the reactor to a subcritical assembly under the TRIGA reactor license. This alternative would not be responsive to the licensee's request. The alternative of not decommissioning reactors was rejected in the "Generic Environmental Impact Statement on Decommissioning," NUREG-0586. No alternative appears that will have a different or lesser effect on the use of available resources, and other alternatives need not be evaluated.

Agencies and Persons Consulted

The NRC staff consulted with the Illinois State official regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

The Commission has determined not to prepare an environmental impact statement for the proposed action based upon the foregoing environmental assessment. The Commission concludes that the proposed action will not have a significant effect on the quality of the human environment for the reasons given above.

For detailed information with respect to this proposed action, see the application for a license amendment dated February 10, 1995, as supplemented. These documents are available for public inspection at the Commission's Public Document Room, 2120 L Street, NW, Washington, DC 20037.

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