

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 Bloch and Judge Kelber in accordance with 10 CFR 2.701. Their addresses are:

Administrative Judge Peter B. Bloch,
Presiding Officer, Atomic Safety and
Licensing Board Panel, U.S. Nuclear
Regulatory Commission, Washington,
DC 20555

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

Issued at Rockville, Maryland, this 9th day
of October 1997.

B. Paul Cotter, Jr.,

*Chief Administrative Judge, Atomic Safety
and Licensing Board Panel.*

[FR Doc. 97-27423 Filed 10-15-97; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket Number 40-0299]

Umetco Minerals Corporation; Notice of Opportunity for a Hearing

AGENCY: Nuclear Regulatory
Commission.

ACTION: Notice of receipt of application
from Umetco Minerals Corporation to
change six site-reclamation milestones
in Condition 59 of Source Material
License SUA-648 for the Gas Hills,
Wyoming Uranium Mill.

SUMMARY: Notice is hereby given that
the U.S. Nuclear Regulatory
Commission (NRC) has received, by
letter dated October 3, 1997, an
application from Umetco Minerals
Corporation (Umetco) to amend License
Condition (LC) 59 of its Source Material
License No. SUA-648 for the Gas Hills,
Wyoming uranium mill. The license
amendment application proposes to
modify LC 59 to extend the completion
dates for placement of the final radon
barrier and the erosion protection cover
for the Inactive, the A-9, and the Heap
Leach impoundments.

FOR FURTHER INFORMATION CONTACT:
Mohammad W. Haque, Uranium
Recovery Branch, Division of Waste
Management, U.S. Nuclear Regulatory
Commission, Washington, DC 20555.
Telephone (301) 415-6640.

SUPPLEMENTARY INFORMATION: The
portion of LC 59 with the proposed
changes would read as follows:

A. (3) Placement of final radon barrier
designed and constructed to limit radon

emissions to an average flux of no more
than 20 pCi/m.²/s above background:

for the Inactive impoundment
(enhanced barrier)—December 31,
1999;

for the A-9 impoundment—December
31, 2003;

for the Heap Leach impoundment—
December 31, 1998.

B. (1) Placement of erosion protection
as part of reclamation to comply with
Criterion 6 of Appendix A of 10 CFR
Part 40:

for the Inactive impoundment—

December 31, 2002;

for the A-9 impoundment—December
31, 2004;

for the Heap Leach impoundment—
December 31, 2001.

Umetco's application to amend LC 59
of Source Material License SUA-648,
which describes the proposed changes
to the license condition and the reasons
for the request is being made available
for public inspection at the NRC's
Public Document Room at 2120 L Street,
NW (Lower Level), Washington, DC
20555.

The NRC hereby provides notice of an
opportunity for a hearing on the license
amendment under the provisions of 10
CFR Part 2, Subpart L, "Informal
Hearing Procedures for Adjudications in
Materials and Operator Licensing
Proceedings." Pursuant to § 2.1205(a),
any person whose interest may be
affected by this proceeding may file a
request for a hearing. In accordance
with § 2.1205(c), a request for hearing
must be filed within 30 days of the
publication of this notice in the **Federal
Register**. The request for a hearing must
be filed with the Office of the Secretary,
either:

(1) By delivery to the Docketing and
Service Branch of the Office of the
Secretary at One White Flint North,
11555 Rockville Pike, Rockville, MD
20852; or

(2) By mail or telegram addressed to
the Secretary, U.S. Nuclear Regulatory
Commission, Washington, DC 20555,
Attention: Docketing and Service
Branch.

In accordance with 10 CFR 2.1205(e),
each request for a hearing must also be
served, by delivering it personally or by
mail, to:

(1) The applicant, Umetco Minerals
Corporation, 2754 Compass Drive, Suite
280, Grand Junction, Colorado 81506-
8741, Attention: John S. Hamrick; and

(2) The NRC staff, by delivery to the
Executive Director for Operations, One
White Flint North, 11555 Rockville
Pike, Rockville, MD 20852 or by mail
addressed to the Executive Director for
Operations, U.S. Nuclear Regulatory
Commission, Washington, DC 20555.

In addition to meeting other
applicable requirements of 10 CFR part
2 of the NRC's regulations, a request for
a hearing filed by a person other than
an applicant must describe in detail:

(1) The interest of the requestor in the
proceeding;

(2) How that interest may be affected
by the results of the proceeding,
including the reasons why the requestor
should be permitted a hearing, with
particular reference to the factors set out
in § 2.1205(g);

(3) The requestor's areas of concern
about the licensing activity that is the
subject matter of the proceeding; and

(4) The circumstances establishing
that the request for a hearing is timely
in accordance with § 2.1205(c).

The request must also set forth the
specific aspect or aspects of the subject
matter of the proceeding as to which
petitioner wishes a hearing.

Dated at Rockville, Maryland, this 8th day
of October 1997.

Joseph J. Holonich,

Chief, Uranium Recovery Branch, Division

of Waste Management, Office of Nuclear

Material Safety and Safeguards.

[FR Doc. 97-27418 Filed 10-15-97; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Evaluation of Agreement State Radiation Control Programs

AGENCY: Nuclear Regulatory
Commission.

ACTION: Implementation of the
Integrated Materials Performance
Evaluation Program and rescission of a
final general statement of policy.

SUMMARY: The Nuclear Regulatory
Commission (NRC) is implementing the
Integrated Materials Performance
Evaluation Program (IMPEP) for the
evaluation of Agreement State programs.
NRC is rescinding the May 28, 1992,
General Statement of Policy "Guidelines
for NRC Review of Agreement State
Radiation Control Programs, 1992,"
since it is now superseded.

The NRC has issued the final policy
statements: "Statement of Principles
and Policy for the Agreement State
Program" and "Policy Statement on the
Adequacy and Compatibility of
Agreement State Programs," (See 62 FR
46517; September 3, 1997). Conforming
revisions to IMPEP in connection with
these two policy statements have been
completed and are reflected in the
implementing procedure, Management
Directive 5.6, Integrated Materials
Performance Evaluation Program.

EFFECTIVE DATE: October 1, 1997.

ADDRESSES: Interested persons may obtain a single copy of Management Directive 5.6 by contacting Nancy Belmore, Office of State Programs, U.S. Nuclear Regulatory Commission, Document Control Desk, P1-37, Washington, DC 20555, telephone (301)-415-2326.

FOR FURTHER INFORMATION CONTACT: Kathleen N. Schneider, Office of State Programs, U.S. Nuclear Regulatory Commission, Document Control Desk, P1-37, Washington, DC 20555, telephone (301)-415-2320.

SUPPLEMENTARY INFORMATION: In 1995, NRC implemented, on an interim basis, a process to evaluate NRC regional licensing and inspection programs and Agreement State radiation control programs that regulate the use of radioactive materials in an integrated manner using common performance indicators (see 60 FR 54734; October 25, 1995). The NRC staff conducted the interim program using Management Directive 5.6, "Integrated Materials Performance Evaluation Program" dated September 12, 1995. On June 30, 1997, the Commission approved SECY-97-054, Final Recommendations on Policy Statements and Implementing Procedures for: "Statement of Principles and Policy for the Agreement State Program" and "Policy Statement on the Adequacy and Compatibility of Agreement State Programs." NRC is implementing IMPEP with the corresponding revisions as a result of the final policy statements. The revised Management Directive is currently being prepared in final form to incorporate the final policy statements and comments received during interim implementation of IMPEP from the Regions and the Agreement States.

NRC is rescinding the May 28, 1992, "NRC Review of Agreement State Radiation Control Programs: Final General Statement of Policy," on October 1, 1997. This policy is superseded by IMPEP, which is no longer considered an interim program.

SMALL BUSINESS REGULATORY ENFORCEMENT FAIRNESS ACT: In accordance with the Small Business Regulatory Enforcement Fairness Act of 1996, the NRC has determined that Management Directive 5.6 is not a major rule and has verified this determination with the Office of Information and Regulatory Affairs of the Office of Management and Budget.

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

For the Nuclear Regulatory Commission.
John C. Hoyle,
Secretary of the Commission.
[FR Doc. 97-27424 Filed 10-15-97; 8:45 am]
BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-271]

Vermont Yankee Nuclear Power Corporation, Vermont Yankee Nuclear Power Station; Issuance of Partial Director's Decision Under 10 CFR 2.206

Notice is hereby given that the Director, Office of Nuclear Reactor Regulation, has taken action with regard to a Petition dated December 6, 1996, submitted by Mr. Jonathan M. Block, on behalf of the Citizens Awareness Network, Inc. (CAN). The Petition requested evaluation of certain Memoranda enclosed with the Petition relating to the Vermont Yankee Nuclear Power Station operated by the Vermont Yankee Nuclear Power Corporation (Licensee) to see if enforcement action is warranted.

The first document enclosed with the Petition is a CAN Memorandum dated December 5, 1996, that reviews information presented by the Licensee at an enforcement conference held on July 23, 1996, involving the minimum flow valves in the Vermont Yankee residual heat removal system. CAN raises a concern that the corrective action taken by the Licensee in opening these valves may have introduced an unreviewed safety question with regard to containment isolation.

The second document enclosed with the Petition is a CAN Memorandum dated December 6, 1996, that contains a review of certain Licensee Event Reports (LERs) submitted by the Licensee in the latter part of 1996. Various issues are presented, such as fire protection, tornado protection, thermal protection for piping lines, equipment operability, and equipment testing. On the basis of its analysis of the LERs, CAN reaches certain conclusions regarding the performance of the Licensee and actions that should be taken.

On the basis of these documents, CAN requests that the NRC determine whether enforcement action is warranted pursuant to 10 CFR 2.206.

The Director of the Office of Nuclear Reactor Regulation has granted the Petition in that the NRC staff has evaluated the majority of issues and LERs raised in these Memoranda to see if enforcement action is warranted based upon the information contained therein.

The conclusion of the evaluation is that no further enforcement action is warranted for those issues and LERs that are closed. LERs which remain open will be resolved through the normal inspection and enforcement process and will be addressed in a Final Director's Decision after the NRC staff has completed its evaluations. The reasons for the staff's conclusions are provided in the "Partial Director's Decision Pursuant to 10 CFR 2.206" (DD-97-25), 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 20037, and at the local public document room located at Brooks Memorial Library, 224 Main Street, Brattleboro, VT 05301. A copy of the Decision will be filed with the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206(c) of the Commission's regulations. As provided for by this regulation, the Decision will become the final action of the Commission 25 days after the date of issuance, unless the Commission, on its own motion, institutes a review of the decision in that time.

Dated at Rockville, Maryland, this 8th day of October 1997.

For the Nuclear Regulatory Commission.
Samuel J. Collins,
Director, Office of Nuclear Reactor Regulation.

Partial Director's Decision Pursuant to 10 CFR 2.206

I. Introduction

On December 6, 1996, Mr. Jonathan M. Block, submitted a Petition to the Office of the Secretary of the U.S. Nuclear Regulatory Commission (NRC) pursuant to Section 2.206 of Title 10 of the Code of Federal Regulations (10 CFR 2.206). The Petition was submitted on behalf of the Citizen's Awareness Network, Inc. (CAN or Petitioner), and contained two Memoranda from CAN. The first Memorandum enclosed with the Petition is dated December 5, 1996. It reviews information presented by the Vermont Yankee Nuclear Power Corporation (Licensee) at a predecisional enforcement conference held on July 23, 1996, involving the minimum flow valves in the residual heat removal (RHR) system at the Vermont Yankee Nuclear Power Station (Vermont Yankee facility). CAN raises a concern that the corrective action taken by the Licensee in opening these valves may have introduced an unreviewed safety question with regard to containment isolation.