

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-293]

Boston Edison Company, Pilgrim Nuclear Power Station; Notice of Consideration of Approval of Transfer of Facility Operating License and Materials License and Issuance of Conforming Amendment, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an order under 10 CFR 50.80 approving the transfer of Facility Operating License No. DPR-35 for the Pilgrim Nuclear Power Station (Pilgrim) currently held by Boston Edison Company (Boston Edison), as owner and licensed operator of Pilgrim. The transfer would be to Entergy Nuclear Generation Company (Entergy). The Commission is also considering amending the license for administrative purposes to reflect the proposed transfer.

According to an application for approval filed by Boston Edison and Entergy, Entergy would assume title to the facility following approval of the proposed license transfer, and would be responsible for the operation, maintenance, and eventual decommissioning of Pilgrim. No physical changes to the Pilgrim facility or operational changes are being proposed in the application.

The proposed amendment would replace references to Boston Edison in the license with references to Entergy, to reflect the proposed transfer.

Pursuant to 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. The Commission will approve an application for the transfer of a license, if the Commission determines that the proposed transferee is qualified to hold the license, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

Before issuance of the proposed conforming 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.

As provided in 10 CFR 2.1315, unless otherwise determined by the Commission with regard to a specific application, the Commission has determined that any amendment to the license of a utilization facility which

does no more than conform the license to reflect the transfer action involves no significant hazards consideration. No contrary determination has been made with respect to this specific license amendment application. In light of the generic determination reflected in 10 CFR 2.1315, no public comments with respect to significant hazards considerations are being solicited, notwithstanding the general comment procedures contained in 10 CFR 50.91.

The filing of requests for hearing and petitions for leave to intervene, and written comments with regard to the license transfer application, are discussed below.

By February 16, 1999, any person whose interest may be affected by the Commission's action on the application may request a hearing, and, if not the applicants, may petition for leave to intervene in a hearing proceeding on the Commission's action. Requests for a hearing and petitions for leave to intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart M, "Public Notification, Availability of Documents and Records, Hearing Requests and Procedures for Hearings on License Transfer Applications," of 10 CFR Part 2. In particular, such requests and petitions must comply with the requirements set forth in 10 CFR 2.1306, and should address the considerations contained in 10 CFR 2.1308(a). Untimely requests and petitions may be denied, as provided in 10 CFR 2.1308(b), unless good cause for failure to file on time is established. In addition, an untimely request or petition should address the factors that the Commission will also consider, in reviewing untimely requests or petitions, set forth in 10 CFR 2.1308(b)(1)-(2).

Requests for a hearing and petitions for leave to intervene should be served upon John M. Fulton, Assistant General Counsel, at Boston Edison Company, 800 Boylston Street, Boston, Massachusetts 02199-8003 (tel: 617-424-2553; fax: 617-424-2733; e-mail: john_fulton@bedison.com), Jay E. Silberg, counsel for Boston Edison, at Shaw Pittman Potts & Trowbridge, 2300 N Street, NW., Washington, DC 20037-1128 (tel: 202-663-8063; fax: 202-663-8007; e-mail: jay_silberg@shawpittman.com), and Douglas E. Levanway, counsel for Entergy Nuclear Generating Company, at Wise, Carter, Childs and Caraway, P.O. Box 651, Jackson, Mississippi, 39205-0651 (tel: 601-968-5524; fax: 601-968-5519; e-mail: del@wisecarter.com); the General Counsel, U.S. Nuclear Regulatory

Commission, Washington, DC 20555; and the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, in accordance with 10 CFR 2.1313.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the **Federal Register** and served on the parties to the hearing.

As an alternative to requests for hearing and petitions to intervene, by February 25, 1999, persons may submit written comments regarding the license transfer application, as provided for in 10 CFR 2.1305. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, and should cite the publication date and page number of this **Federal Register** notice.

For further details with respect to this action, see the application dated December 21, 1998, 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 Plymouth Public Library, 11 North Street, Plymouth, Massachusetts 02199.

Dated at Rockville, Maryland this 21st day of January 1999.

For the Nuclear Regulatory Commission.

William M. Dean,

Director, Project Directorate I-2, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 99-1703 Filed 1-25-99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Nuclear Waste; Notice of Meeting

The Advisory Committee on Nuclear Waste (ACNW) will hold its 106th meeting on February 23-25, 1999, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The schedule for this meeting is as follows:

Tuesday, February 23, 1999—8:30 A.M. until 6:00 P.M.

Wednesday, February 24, 1999—8:30

A.M. until 6:00 P.M.

Thursday, February 25, 1999—8:30 A.M. until 4:00 P.M.

The following topics will be discussed:

A. *Viability Assessment*—The Committee will continue its review of the Department of Energy's (DOE's) Yucca Mountain viability assessment (VA). Discussions with representatives of DOE and the NRC staff are possible. The Committee will discuss its own internal review of the VA.

B. *Waste Related Research*—The Committee will review nuclear waste related research and technical assistance being performed for the NRC. The Committee will present the results of this review in a report to the Commissioners due April 1999. Discussions with representatives of NRC's Office of Nuclear Regulatory Research and Nuclear Material Safety and Safeguards is anticipated.

C. *Preparation of ACNW Reports*—The Committee will discuss planned reports on the following topics: an ACNW self-assessment, DOE's Viability Assessment, NRC supported Waste Related Research, a White Paper on Repository Design Issues at Yucca Mountain, and other topics discussed during this and previous meetings as the need arises.

D. *Repository Design*—The Committee will begin work on a White Paper that addresses Repository Design Issues for Yucca Mountain. The paper will focus on the results of thermal testing and modeling and how moisture contacts and affects the waste package. The Committee may also examine the significance of coupled effects, aspects of waste retrievability, repository ventilation, rock fall, and water dripping into drifts.

E. *Meeting with NEI*—Representatives from the Nuclear Energy Institute will present their perspective on the upcoming year. Topics will focus on the U.S. high-level radioactive waste program and related legislation.

F. *Meeting with NRC's Director, Division of Waste Management, Office of Nuclear Material Safety and Safeguards*—The Committee will meet with the Director to discuss recent developments within the division such as developments at the Yucca Mountain project, rules and guidance under development, available resources, and other items of mutual interest.

G. *Prepare for the Next Meeting with the Commission*—The Committee will begin preparations for its next public meeting with the Commission. Specific topics for discussion will be finalized and reviewed.

H. *Committee Activities/Future Agenda*—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.

I. *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 September 29, 1998 (63 FR 51967). 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 taking pictures 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 canceled 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 for downloading or reviewing on the internet at <http://www.nrc.gov/ACRSACNW>.

Dated: January 20, 1999.

Andrew L. Bates,

Advisory Committee Management Officer.
[FR Doc. 99-1707 Filed 1-25-99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Revised Meeting

The agenda for the 459th meeting of the Advisory Committee on Reactor Safeguards scheduled to be held on February 3-6, 1999, in Conference Room T-2B3, 11545 Rockville Pike, Rockville, Maryland, has been revised to change the time for the ACRS meeting with the NRC Commissioners. The meeting with the NRC Commissioners will be held between 1:00 and 2:30 p.m., on Wednesday, February 3, 1999, instead of 2:00 and 3:30 p.m. Preparation of ACRS reports will begin at 3:00 p.m. instead of 4:00 p.m.

The agenda for February 4-6, 1999 remains the same as published in the **Federal Register** on Thursday, January 14, 1999 (64 FR 2525).

Further information regarding this meeting can be obtained by contacting Mr. Sam Duraiswamy, Chief of the Nuclear Reactors Branch (telephone 301/415-7364), between 7:30 a.m. and 4:15 p.m. EST.

Dated: January 20, 1999.

Andrew L. Bates,

Advisory Committee Management Officer.
[FR Doc. 99-1708 Filed 1-25-99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: Nuclear Regulatory Commission.

DATES: Weeks of January 25, February 1, 8, and 15, 1999.

PLACE: Commissioner's Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

MATTERS TO BE CONSIDERED:

Week of January 25—Tentative

There are no meetings scheduled for the Week of January 25.

Week of February 1—Tentative

Tuesday, February 2

2:00 p.m.—Briefing by Executive Branch (Closed-Ex. 1)

3:30 p.m.—Affirmation Session (Public Meeting) (if needed)