

Jeanson, France; and Mr. L. Lewis (Duke Power Company), United States of America developed this draft from an IAEA collation during a meeting on May 16-27, 1977, and we are soliciting public comment on this draft. Comments on this draft received by August 19, 1977 will be useful to the U.S. representatives to the Technical Review Committee and Senior Advisory Group in evaluating its adequacy prior to the next IAEA discussion.

Single copies of this draft may be obtained by a written request to the Director, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

(5 U.S.C. 522(e))

Dated at Rockville, Md., this 16th day of June 1977.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Director,

Office of Standards Development.

[FR Doc. 77-1881 Filed 7-1-77; 8:45 am]

[Docket No. PRM-50-18]

NATURAL RESOURCES DEFENSE COUNCIL

Denial of Petition for Rulemaking

Notice is hereby given that the Nuclear Regulatory Commission (hereinafter "NRC" or "Commission") has denied a petition for rulemaking submitted by letter dated November 8, 1976 by the Natural Resources Defense Council, Inc., 917 15th Street, NW., Washington, D.C.

A notice of the filing of the petition, Docket No. PRM-50-18, was published in the *FEDERAL REGISTER* on January 13, 1977 (42 FR 2730) and interested persons were invited to comment on the petition by February 14, 1977. The comment period was subsequently extended to February 22, 1977 (42 FR 9735, February 17, 1977). Eighteen letters were received which recommended denial of the petition while two letters supported the petition. Copies of the comments are available for public inspection in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C.

Natural Resources Defense Council (hereinafter "NRDC") petitioned the Nuclear Regulatory Commission (1) to conduct a rulemaking proceeding to determine "whether radioactive wastes can be generated in nuclear power reactors and subsequently disposed of without undue risk to the public health and safety, and (2) to refrain from acting finally to grant pending or future requests for operating licenses until such time as this definitive finding of safety can be made." (NRDC Petition, at 15). NRDC argued that the Commission is required by the Atomic Energy Act (42 U.S.C. 2011 et seq. (1972)) and the Energy Reorganization Act (42 U.S.C. 5801(a) (1972)) to ensure that the public health and safety are protected. The petitioner cited the requirements found in the Commission's regulations that the Commission must

make a finding that "there is reasonable assurance that the activities authorized by the operating license can be conducted without endangering the health and safety of the public" and that "the issuance of the license will not be inimical to the health and safety of the public" (§ 50.57(a)(3) and (a)(6)) and from these requirements argued that the NRC must make a finding, prior to issuing an operating license for a reactor, that permanent disposal of high-level radioactive wastes¹ generated by that reactor can be accomplished safely.

In contrast, those comments which favored denial of the petition argued that long-term storage or disposal of high-level wastes is beyond the scope of licenses for reactors and, therefore, that no finding need be made regarding safe disposal of high-level wastes until the NRC licenses an actual facility to handle such disposal. The two comments supporting the petition stated that such wastes could not be disposed of safely but gave no evidence to support this conclusion.

After thorough study of the petition and exhibits submitted therewith and analysis of the comments, the Commission has concluded that it is not obligated to make a "definitive" finding, nor is it appropriate to make the "definitive" finding requested by NRDC, the safe methods of high-level waste disposal are now available prior to the licensing of a reactor. Because the petition seeks a finding that safe waste disposal can be accomplished immediately, the Commission has determined that the rulemaking petition should be denied. The Commission notes that prior to any licensing of high-level waste disposal facilities, a detailed finding concerning the safety of the proposed facilities will be made. There is, we believe, a clear distinction between permanent disposal of wastes and their interim storage. The Commission must be assured that wastes generated by licensed power reactors can be safely handled and stored as they are generated. As part of the licensing process for an individual power reactor facility, the Commission does review the facility in question in order to assure that the design provides for safe methods for interim storage of spent nuclear fuel. But it is neither necessary nor reasonable for the Commission to insist on proof that a means of permanent waste disposal is on hand at the time reactor operation begins, so long as the Commission can be reasonably confident that permanent disposal (as distinguished from continued storage under surveillance) can be accomplished safely when it is likely to become necessary. Reasonable progress towards the development of permanent disposal facilities is

¹ The Commission's definition of high-level wastes for purposes of this notice, is the same as petitioner's definition which includes high-level wastes as defined in 10 CFR Part 50, App. F, spent fuel rods, and transuranic-contaminated wastes. (Petition, at 2).

presently being accomplished. Under these circumstances a halt in licensing of nuclear power plants is not required to protect public health and safety.

STATUTORY REQUIREMENTS

As petitioner states, the Atomic Energy Act clearly requires that some kind of safety finding be made prior to issuance of an operating license for a nuclear power reactor. (NRDC Petition, at 4-9). Section 103d of the Act provides that no license for a production or utilization facility may be issued if, in the opinion of the Commission, the issuance of the license would be inimical to the health and safety of the public. It seems clear, however, that the statutory findings required by section 103 apply specifically to the "proposed activities" and "activities under such licenses." (42 U.S.C. 2133). These activities include some interim storage activities for spent fuel. They do not include the permanent disposal of high-level wastes though wastes are, in fact, generated by operation of the reactor.

That detailed questions regarding the safety of permanent disposal of these wastes are to be addressed in connection with the licensing of an actual high-level waste disposal facility, rather than in connection with licensing of reactor operation, is clear from the statutory treatment of radioactive wastes.² Historically, the Atomic Energy Act has provided that nuclear materials licensing proceedings involving possession or use of nuclear materials off-site from the facility, which include high-level radioactive waste disposal proceedings, are to be treated as separate and distinct from the facility licensing proceeding itself.³ The Act provides for two-step facility licensing proceedings in sections 101-106, and 185 of the Act in sharp contrast to the one-step licensing provisions relating to byproduct, source, and special nuclear material covered by sections 53, 54, 57, 62, 63, 81, and 82. (42 U.S.C. 2131-2136; 2235; 2073-74; 2077; 2092-93; 2111-12).

Section 182 of the Atomic Energy Act, which sets forth the information which must be supplied by an applicant for a facility license gives further support to the proposition that on safety finding regarding ultimate disposal of high-level wastes is required in a reactor operating license proceeding. (42 U.S.C. 2232). This section sets forth in some detail what an applicant for a license to operate a

² This point was raised in several of the comments. See comments of LeBoeuf, Lamb, Leiby & MacRae, at 6-7; Shaw, Pittman, Potts & Trowbridge, at 4-6, and 23-26; and Westinghouse, at 2-3.

³ "Nuclear materials" include special nuclear materials defined in section 11aa of the Act (42 U.S.C. 2014aa) and covered in sections 51-58 of the Act (42 U.S.C. 2071-2078), source material which is defined in 11a of the Act (42 U.S.C. 2014z) and covered in sections 61-69 of the Act (42 U.S.C. 2091-2099), and byproduct material which is defined in section 11e of the Act (42 U.S.C. 2014e) and covered in 81-82 of the Act (42 U.S.C. 2111-2112).

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production or utilization facility must supply to enable the Commission to make the required safety finding. This information includes "the place of use (of special nuclear material), (and) the specific characteristics of the facility" as well as information regarding the technical and financial qualifications of the applicant.

The emphasis on information pertaining to the facility and applicant to be licensed is especially significant. No such information is required regarding high-level waste disposal facilities. Such information would be necessary were the Commission to make the detailed safety finding regarding high-level waste disposal activities requested by petitioner. Indeed, an applicant for a reactor operating license will have no responsibility for permanent disposal of high-level waste. (Appendix F, 10 CFR Part 50). This responsibility has been assumed by the Federal government, which, through ERDA, will research, design, build and operate high-level waste disposal facilities.

The statutory provisions cited above make it clear that no statutory requirement exists that the Commission determine the safety of ultimate high-level waste disposal activities in connection with licensing of individual reactors.

REGULATORY REQUIREMENTS

With regard to the petitioner's contention that the Commission's regulations require a finding regarding the safety of ultimate disposal of high-level wastes, while the Commission's regulations do deal with the handling of spent fuel and other high-level wastes, they do so only to the extent that such activities are related to on-site activities carried on by the licensee as an integral part of operation of the reactor. This scheme of regulations has been in effect for some time, and the Commission's findings have been limited to those findings required by the Act and the Commission's regulations—"that there is reasonable assurance that the activities authorized by the operating license (the operation of the reactor) can be conducted without endangering the health and safety of the public" and "the issuance of the license will not be inimical *** to the health and safety of the public." (10 CFR 50.57(a)(3) and (a)(6)). These findings have not included findings with regard to safe permanent disposal of high-level radioactive wastes and, as is pointed out below, have been implicitly approved by Congress.

CONGRESSIONAL RATIFICATION OF NRC ACTION

The scope of the Commission's safety findings is well known to Congress, as is the extent of the development of systems for high-level radioactive waste

¹ See General Criteria for Nuclear Power Plants, Appendix A, 10 CFR Part 50. See also comments by LeBoeuf, Lamb, Leiby, and MacRae, at 10-12; and Shaw, Pittman, Potts, and Trowbridge, at 7-9.

disposal. Congress has permitted continued licensing of reactors and the Commission has been given broad discretion in developing criteria for licensees. Such conduct constitutes implicit ratification of the Commission's handling of the high-level waste disposal question.²

As early as 1959, Congress held hearings on waste disposal problems.³ Six days of hearings were held and the printed hearing materials totaled over 3,000 pages. The hearings were followed by a detailed Joint Committee survey analysis. At that time, development of a permanent high-level waste repository was further from completion than it is today. Congress was made aware of the fact that the problem of permanent disposal of high-level waste had not been solved and that several years of research and testing would be required before engineering practicality could be demonstrated.

During the hearing, the AEC described generally its regulatory program for radioactive waste disposal.⁴ Comments regarding regulatory aspects of the high-level radioactive waste disposal problem were confined to the brief statement that "for the foreseeable future, all high-level wastes resulting from processing of spent fuel elements from licensed reactors will be returned to the Commission for processing and handling."⁵

Witnesses who testified in 1959 commented upon the Commission's handling of waste disposal problems, and one witness was questioned about whether he felt that the Commission had been meeting its responsibilities in the area of high-level waste disposal. He stated in response that the Commission had handled the problem quite well, but pointed out that temporary containment and custody was the only presently available method of handling high-level wastes and that a final and permanent solution to the problem might not ever be devised.⁶

In later hearings, in 1973 and 74, some witnesses urged that a moratorium on licensing be imposed until a solution to the high-level waste disposal question was reached.⁷ One witness cited the

² This point was made repeatedly in the comments. See comments by LeBoeuf, Lamb, Leiby and MacRae, at 7-8; Shaw, Pittman, Potts, and Trowbridge, 6-7, 15-28; and Troy B. Conner, at 3-4.

³ Industrial Radioactive Waste Disposal, Hearings before the JCAE Special Subcommittee on Radiation, Jan. 28-30, Feb. 2-3, and July 29, 1959, 86th Cong., 1st Sess. (1959).

⁴ Id. at 9-10.

⁵ Id. at 2515.

⁶ Id. at 11-13.

⁷ Hearing on S. 2744 before the Senate Subcomm. on Reorg., Research and Int'l Org. of the Senate Comm. on Government Operations, 93rd Cong., 1st Sess. (1973), see particularly the prepared statement of Daniel F. Ford, Union of Concerned Scientists, at 210-215; Hearings on S. 2135 and S. 2744 before the Subcomm. on Reorg., Research, and Int'l Org. of the Senate Comm. on Government

high-level waste disposal problem as one of several problems which in his opinion warranted a moratorium on continued construction of nuclear power reactors,⁸ and another witness stated that "many people have come to believe that present nuclear power plant construction plans which imply accumulations of more radioactive wastes, should be halted until a proven method for safely storing radioactive wastes is available."⁹ The AEC in response described the existing proposals for long-term waste management and disposal, but made no claim that methods for permanent disposal had been developed.¹⁰ Instead of ordering a moratorium on licensing, the Congress provided for NRC licensing of ERDA facilities for waste disposal in sections 202 (3) and (4) of the Energy Reorganization Act.

Thus, almost from the beginning of the reactor licensing program the basic issue presented by the NRDC petition—whether nuclear power reactors should be licensed in the absence of some "definitive" finding or conclusion that high-level wastes can be safely disposed of—was also presented to the Congress. Congress is and has been aware of the high-level waste disposal problem, aware of its connection to reactor operations, and aware that the Commission does not plan to defer licensing until the problem is resolved.

The question of continued licensing in the face of continued uncertainty respecting ultimate disposal technology is certainly a legitimate one to present to the Congress. It must make its judgments, as we do, with an eye to known prospects for the future, programs for implementing them, and current assessments of the risk that what is thought likely to succeed will in fact succeed. This Commission recognizes its responsibility to keep the Congress aware of its information and projections on these matters and has done so in the past. The Commission has confidence, given the on-going federal programs, that the problem of permanent disposal will be solved. This confidence was supported by the Congress when it passed major legislation dividing the Atomic Energy Commission into separate agencies and provided for NRC licensing of ERDA waste management facilities. At that time, it did not order a moratorium on reactor licensing and did not require that the Commission make specific findings with regard to high-level waste disposal in reactor licensing proceedings. As the Supreme Court said in *Power Reactor Development Corp. v. Electrical Union*

Operations, 93rd Cong., 2d Sess., (1974), testimony of Dr. Edward P. Radford, Johns Hopkins University, at 139, and prepared statements submitted by Sam Love, Environmental Action Foundation, at 141 and Anthony Roisman, at 212.

⁸ Id., testimony of Sam Love, at 141.

⁹ Hearings on S. 2135 and 2744, supra note 7, testimony of Daniel F. Ford, at 213.

¹⁰ Hearings on S. 2135 and S. 2744, supra note 7, at 336-47.

with regard to Congress' failure to act regarding the Commission's safety findings at the construction permit and operating license stages:

It may often be shaky business to attribute significance to the inaction of Congress, but under these circumstances, and considering especially the peculiar responsibility and place of the Joint Committee on Atomic Energy in the Statutory scheme, we think it fair to read this history as a de facto acquiescence in and ratification of the Commission's licensing procedure by Congress.¹⁴

In the instant case, Congress was clearly aware of the Commission's actions and the high-level waste disposal question, yet though major revisions of the legislation relating to the Commission's authority were made Congress neither amended the statutes to require such a finding nor did it direct the Commission to stop licensing reactors pending resolution of the waste disposal problem. Such a course of conduct reinforces the conclusion reached above, based on the clear language of the statute, that the Commission is not required to make a finding that radioactive wastes can be disposed of safely prior to the issuance of an operating license for a reactor. It presupposes, as well, a continuing dialogue between the Congress and the responsible federal agencies—a dialogue which has in fact been vigorous over the past months and promises to remain so. The Congress is entitled to the Commission's continuing assessment of this issue, and will have it.

CONCLUSION

NRDC cites several court cases in its petition in support of the proposition that the Commission must make a full safety finding prior to reactor licensing.¹⁵ The Commission agrees with NRDC that these cases interpreting the statute indicate that a definitive safety finding regarding operation of the facility must be made prior to licensing a reactor. However, NRDC gives no support for its conclusion that this finding must extend to safe permanent disposal of high-level wastes, as activity not performed by the facility. To the contrary, the previous discussion demonstrates that there is no statutory requirement that the Commission determine that high-level radioactive wastes can be permanently disposed of safely prior to the issuance of an operating license for a reactor. The legislative materials cited above support the view that Congress did not and does not require that the Commission make the finding requested by NRDC. Accordingly, the Commission has decided to deny NRDC's petition for rulemaking.

POLICY CONSIDERATIONS—SCOPE OF A REASONABLE SAFETY FINDING

The Commission believes that the direction and progress of the present over-

all high-level waste management program is satisfactory and provides a reasonable basis for continued licensing of facilities whose operation will produce nuclear wastes. Even if, contrary to the Commission's view, some kind of prior finding on waste disposal safety were required under the statutory scheme, such a finding would not have to be a definitive conclusion that permanent disposal of high-level wastes can be accomplished safely at the present time. There is no question that prior to authorizing operation of a reactor the Commission must find pursuant to section 182 that hazards which become fully mature with start-up will be dealt with safely from the beginning. But the quality of this reactor safety finding can be readily distinguished from the quality of findings regarding impacts on public health and safety which will not mature until much later, if ever. The hazards associated with permanent disposal will become acute only at some relatively distant time when it might be no longer feasible to store radioactive wastes in facilities subject to surveillance. The Commission would not continue to license reactors if it did not have reasonable confidence that the wastes can and will in due course be disposed of safely. The accumulating evidence as discussed below continues to support the Commission's implicit finding of reasonable assurance that methods of safe permanent disposal of high-level wastes can be available when they are needed. Given this, and the fact that at present safe storage methods are presently available and highly likely to remain so until a permanent disposal system can be demonstrated and licensed, the Commission sees no reason to cease licensing reactors.

The technology for disposal is reasonably available, and the studies done to date, while not conclusive, are nevertheless promising for timely and safe implementation of the technology. Most importantly, ERDA has dramatically expanded the U.S. program for development of a permanent high-level waste repository. ERDA has issued a report on technology for high-level waste repositories (ERDA-76-43), and has a programmatic EIS on high-level waste management in preparation. ERDA has greatly expanded its program for selection of sites for geologic disposal and is expected to apply to the NRC for a license for such a facility in early 1980 or before. In addition, ERDA is involved in programs to consider the effects on disposal of emplacement of spent fuel rods in a repository. Furthermore, it is involved in extensive program to develop methods of stabilizing (e.g., solidifying) high-level wastes to provide for optimum safety during transportation, storage and disposal should reprocessing be commenced sometime in the future. Finally, ERDA is engaged in developing interim storage sites in case federal custody of wastes becomes necessary before a working repository is available. Thus, there is now a coordinated Federal program to develop an actual disposal facility. Similarly, the NRC is expanding

its own program to set the regulatory requirements for such an operation. The NRC is presently developing a set of regulations to govern licensing of federal repositories to insure that permanent disposal of high-level radioactive wastes will be accomplished safely.

The NRC is also involved in several waste management related programs. The Commission recently completed an "Environmental Survey of the Reprocessing and Waste Management Portions of the LWR Fuel Cycle", NUREG-0116, which was published in October 1976, and a companion document NUREG-0216, published in March 1977. In the survey the light water power reactor uranium fuel cycle was taken as including alternatively (1) no reprocessing of spent fuel and follow-on interim and/or long-term storage or disposal of spent fuel or (2) reprocessing spent fuel for purposes other than recycle of plutonium, with follow-on interim and/or long-term storage or disposal of plutonium and wastes from reprocessing, with plutonium either separated from or included with the wastes. This survey served as the basis for an interim rule (hereinafter "S-3") promulgated on March 14, 1977 (42 FR 13803) which quantified the environmental impacts from the reprocessing and radioactive waste management portions of the nuclear fuel cycle alternatives described above. The survey generally concluded that these impacts were not significant. A final rulemaking proceeding will be held shortly.

In addition, the Commission has been involved in a rulemaking proceeding on its final Generic Environmental Statement on the Use of Recycle Plutonium in Mixed Oxide Fuel in Light Water Cooled Reactors, NUREG-0002 (hereinafter "GESMO"). While the Commission has recognized that President Carter's statement of April 7, 1977 regarding reprocessing raises significant issues requiring a reassessment of the course of the GESMO proceedings (42 FR 22964, May 5, 1977), these proceedings to date have furnished the Commission with information on waste management sufficient to convince the Commission that the technology for disposal does exist. More detailed information on NRC and ERDA programs is available in Appendices B and C of the S-3 Survey (NUREG-0116). It suffices to state here that these programs are designed to permit the NRC to meet its regulatory responsibilities in the field of waste management to protect the health and safety of the public. Of course, the additional work that is underway will produce more information on the technology and risks of high-level waste disposal and the momentum of the Federal program may change.

Beyond this, the selection and demonstration of an actual disposal site will likely be highly controversial, and a strong and continued national commitment to "get the job done" will likely be necessary. We see in the recent statements and actions of the Executive Branch regarding nuclear power and national energy policy, a firm commitment to carry through to completion a com-

¹⁴ 387 U.S. 306, 409 (1961).

¹⁵ "Power Reactor Development Corp. v. Electrical Union, *supra* note 13; *Nader v. NRC*, 513 F.2d 1045 (D.C. Cir. 1975) and *Citizens for Safe Power v. NRC*, 524 F.2d 1201 (D.C. Cir. 1975).

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prehensive high-level waste management program. Further, the Commission fully intends to press for vigorous pursuit of programs aimed at developing and implementing sound and timely arrangements for high-level waste disposal.

Dated at Washington, D.C., this 27th day of June, 1977.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK,
Secretary of the Commission.

[FR Doc.77-18816 Filed 7-1-77;8:45 am]

REGULATORY GUIDE

Issuance and Availability

The Nuclear Regulatory Commission has issued a guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its view of applications for permits and licenses.

Regulatory Guide 3.27, Revision 1, "Nondestructive Examination of Welds in the Liners of Concrete Barriers in Fuel Reprocessing Plants," describes methods acceptable to the NRC staff for nondestructive examination to establish the leaktight integrity of welds in the metal liners of concrete confinement barriers in fuel reprocessing plants. This guide was revised following public comment and additional staff review.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW, Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Document Control. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Md., this 23d day of June 1977.

For the Nuclear Regulatory Commission.

RAY G. SMITH,
Acting Director,
Office of Standard Development.

[FR Doc.77-18812 Filed 7-1-77;8:45 am]

[Docket No. 50-485]

ROCHESTER GAS AND ELECTRIC CORP.,
(STERLING POWER PROJECT, NUCLEAR
UNIT NO. 1)

Order Regarding Evidentiary Hearing

The evidentiary hearing in this matter will resume on Saturday, July 16, 1977, at 9:00 a.m. at The Education Center, Room No. 19, 233 West Utica Street, Oswego, New York.

Dated at Bethesda, Md., this 27th day of June 1977.

So ordered.

THE ATOMIC SAFETY AND LICENSING BOARD,
EDWARD LUTON,
Chairman.

[FR Doc.77-18815 Filed 7-1-77;8:45 am]

[Docket No. 50-155]

CONSUMERS POWER CO.

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 13 to Facility Operating License No. DPR-6, issued to the Consumers Power Company (the licensee), which revised Technical Specifications for operation of the Big Rock Point Plant (the facility) located in Charlevoix County, Michigan. The amendment is effective as of its date of issuance.

The amendment authorized modification of the facility's liquid radioactive waste collection system in that it permits replacement of the presently installed liquid radwaste concentrator, feed pump, condenser, and associated piping and instrumentation with two cartridge filter units. The amendment also revised the Technical Specifications to delete reference to the components that will be removed during the modification of the waste collection system.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental

impact and that pursuant to 10 CFR 51.5 (d) (4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated May 25, 1977, as supplemented by letter dated June 14, 1977, (2) Amendment No. 13 to License No. DPR-6, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW, Washington, D.C., and at the Charlevoix Public Library, 107 Clinton Street, Charlevoix, Michigan 49720. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 22nd day of June 1977.

For the Nuclear Regulatory Commission.

DON K. DAVIS,
Acting Chief, Operating Reactors Branch No. 2, Division of Operating Reactors.

[FR Doc.77-19069 Filed 7-1-77;8:45 am]

[Docket No. 50-330]

NORTHEAST NUCLEAR ENERGY CO., ET AL.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 29 to Facility Operating License No. DPR-65 issued to Northeast Nuclear Energy Company, The Connecticut Light and Power Company, The Hartford Electric Light Company, and Western Massachusetts Electric Company, which revised Technical Specifications for operation of the Millstone Nuclear Power Station, Unit No. 2, located in the Town of Waterford, Connecticut. The amendment is effective as the date of issuance.

The amendment will provide (1) a modification of the action required to be taken, as stated in Technical Specification 3.1.1.5, in the event that the Reactor Coolant System (RCS) temperature becomes less than 515° F, and (2) a change in the limits of RCS pressure as a function of temperature as given in Technical Specification 3.4.9.1.

The applications for the amendment comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license