the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

A request for a hearing and a petition for leave to intervene that seeks to invoke the hybrid hearing procedures in accordance with this notice must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and to Mr. Nicholas S. Reynolds, Winston & Strawn, 1400 L Street, NW., attorney for the licensee.

Untimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(I)–(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated March 31, 1997, as supplemented June 18, 1997, October 10, 1997, October 20, 1997, November 11, 1997, December 22, 1997, January 15, 1998, January 27, 1998, March 30, 1998, April 23, 1998, April 27, 1998, May 8, 1998, and May 22, 1998, which 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 Rochester Public Library, 115 South Avenue, Rochester, New York 14610.

Dated at Rockville, Maryland, this 24th day of June 1998.

For the Nuclear Regulatory Commission.

Guy S. Vissing,

Senior Project Manager Project Directorate I–1, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 98–17353 Filed 6–29–98; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–321 and 50–366 and License Nos. DPR–57 and NPF–5]

Southern Nuclear Operating Company Inc.; Edwin I. Hatch Nuclear Plant, Units 1 and 2; Confirmatory Order Modifying License; Effective Immediately

I

Southern Nuclear Operating Company, Inc. (SNC/the licensee) is the holder of Facility Operating License Nos. DPR–57 and NPF–5, which authorizes operation of Edwin I. Hatch Nuclear Plant, Units 1 and 2, located in Appling County, Georgia.

II

The staff of the U.S. Nuclear Regulatory Commission (NRC) has been concerned that Thermo-Lag 330–1 fire barrier systems installed by licensees may not provide the level of fire endurance intended and that licensees that use Thermo-Lag 330–1 fire barriers may not be meeting regulatory requirements. During the 1992 to 1994 timeframe, the NRC staff issued Generic Letter (GL) 92–08, ''Thermo-Lag 330–1 Fire Barriers'' and subsequent requests for additional information that requested licensees to submit plans and schedules for resolving the Thermo-Lag issue. The NRC staff has obtained and reviewed all licensees' corrective plans and schedules. The staff is concerned that some licensees may not be making adequate progress toward resolving the plant-specific issues, and that some implementation schedules may be either too tenuous or too protracted. For example, several licensees informed the NRC staff that their completion dates had slipped by 6 months to as much as 3 years.

SNC has committed to complete final implementation of Thermo-Lag 330–1 fire barriers corrective actions at both Hatch units by startup of Unit 2 from the fall 1998 refueling outage. The NRC staff has concluded that this schedule is reasonable based on the amount of installed Thermo-Lag and the complexity of the plant-specific fire barrier configurations and issues. In order to remove compensatory measures, such as fire watches, it has been determined the resolution of the Thermo-Lag corrective actions by SNC must be completed in accordance with the current SNC schedule. By letter dated April 29, 1998, the NRC staff notified SNC of its plan to incorporate SNC's schedule commitment into a requirement by issuance of an order and requested consent from the licensee. By letter dated June 2, 1998, the licensee provided its consent to issuance of a Confirmatory Order.

III

The licensee's commitment as set forth in its letter of June 2, 1998, is acceptable and is necessary for the NRC to conclude that public health and safety are reasonably assured. To preclude any schedule slippage and to assure public health and safety, the NRC staff has determined that the licensee's commitment in its June 2, 1998, letter be confirmed by this Order. The licensee has agreed to this action. Based on the above, and the licensee's consent, this Order is immediately effective upon issuance.

IV

Accordingly, pursuant to Sections 103, 161b, 161i, 161o, 182, and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR Part 50, *It is hereby ordered*, effective immediately, that:

SNC shall complete final implementation of Thermo-Lag 330–1 fire barrier corrective actions at Plant Hatch Units 1 and 2, described in the SNC submittal to the NRC dated December 13, 1994, March 28, 1995, and May 11, 1998 (HL–5632), by startup of Unit 2 from the fall 1998 refueling outage.

The Director, Office of Nuclear Reactor Regulation, may relax or rescind, in writing, any provisions of this Confirmatory Order upon a showing by the licensee of good cause.

V

Any person adversely affected by this Confirmatory Order, other than the licensee, may request a hearing within 20 days of its issuance. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and include a statement of good cause for the extension. Any request for a hearing shall be submitted to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Attention: Rulemaking and Adjudications Staff, Washington, DC 20555–0001. Copies of the hearing request shall also be sent to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, to the Deputy Assistant General Counsel for Enforcement at the same address, to the Regional Administrator, NRC Region II, P.O. Box 2257, Atlanta, Georgia 30303–3415, and to the licensee. If such a person requests a hearing, that person shall set forth with particularity the manner in which his/her interest is adversely affected by this Order and shall address criteria set forth in 10 CFR 2.714(d).

If a hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any such hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section IV above shall be final 20 days from the date of this Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section IV shall be final when the extension expires if a hearing request has not been received. An answer or a request for hearing shall not stay the immediate effectiveness of this Order.

Dated at Rockville, Maryland, this 24th day of June 1998.

For the Nuclear Regulatory Commission.

Samuel J. Collins,

Director, Office of Nuclear Reactor Regulation.

[FR Doc. 98–17351 Filed 6–29–98; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Nuclear Waste; Notice of Meeting

The Advisory Committee on Nuclear Waste (ACNW) will hold its 102nd meeting on July 20–22, 1998, 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:

Monday, July 20, 1998—8:30 A.M. until 6:00 p.m.

Tuesday, July 21, 1998—8:30 A.M. until 6:00 p.m.

Wednesday, July 22, 1998—8:30 A.M. until 4:00 p.m.

A. Planning For and Meeting With the Nuclear Regulatory Commission

The Committee will prepare for and meet with the Commission to discuss items of mutual interest. Topics will include the ACRS Plans and Priorities list and past Committee reports on the interim guidance in support of the final rule on radiological criteria for license termination, NRC waste-related research, and risk-informed, performance-based regulation. Observations will also be presented on the recent two-day working group discussions on the near-field environment and the performance of engineered barriers in the Yucca Mountain Repository. The Committee is currently scheduled to meet with the Commission on July 21, 1998 at 1:30 p.m.

B. Yucca Mountain Regulatory Framework

The Committee will be briefed by the staff on the status and content of the site-specific regulatory framework to be used to judge the acceptability of DOE's license application for disposal of high-level waste at the proposed Yucca Mountain, NV site. Topics might include a discussion of the proposed relevant 10 CFR Part 63, the Issue Resolution Status Report (IRSR) on Total System Performance Assessment (TSPA) and a description of important measures developed by the staff for application to the proposed repository as well as other waste disposal facilities.

C. Generic LLW Disposal Facility Criticality Issues

The Committee will review recent staff papers on the potential for criticality and the need to continue research on post-disposal criticality at low-level radioactive waste disposal facilities.

D. Development of a Standard Review Plan (SRP) for Decommissioning

The Committee will be briefed by the staff on its plans to develop an SRP for use by the NRC in reviewing and evaluating nuclear facility decommissioning plans.