

following general requirements: (1) The name, address and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also identify the specific contentions which the petitioner/requestor seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner/requestor shall provide a brief explanation of the bases for 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/requestor must also provide references to those specific sources and documents of which the petitioner/requestor is aware and on which the petitioner/requestor intends to rely to establish those facts or expert opinion. The petitioner/requestor 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/requestor to relief. A petitioner/requestor who fails to satisfy 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.

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.

Nontimely requests and/or petitions and contentions will not be entertained absent a determination by the Commission or the presiding officer of the Atomic Safety and Licensing Board that the petition, request and/or the contentions should be granted based on a balancing of the factors specified in 10 CFR 2.309(c)(1)(i)-(viii).

A request for a hearing or a petition for leave to intervene must be filed by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; (2) courier, express mail, and expedited delivery services: Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff; (3) E-mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, [HEARINGDOCKET@NRC.GOV](mailto:HEARINGDOCKET@NRC.GOV); or (4) facsimile transmission addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC, Attention: Rulemakings and Adjudications Staff at (301) 415-1101, verification number is (301) 415-1966. A copy of the request for hearing and petition for leave to intervene should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and it is requested that copies be transmitted either by means of facsimile transmission to 301-415-3725 or by e-mail to [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov). A copy of the request for hearing and petition for leave to intervene should also be sent to A. H. Gutterman, Esq., Morgan, Lewis & Bockius, 1111 Pennsylvania Avenue, NW., Washington, DC 20004, attorney for the licensee.

For further details with respect to this action, see the application for amendment dated December 20, 2006, which is available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC web site <http://www.nrc.gov/reading-rm.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by

telephone at 1-800-397-4209, or 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 22nd day of December 2006.

For the Nuclear Regulatory Commission.

**Mohan C. Thadani,**

*Senior Project Manager, Plant Licensing Branch IV, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards; Meeting Notice

In accordance with the purposes of Sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards (ACRS) will hold a meeting on February 1-3, 2007, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Wednesday, November 15, 2006 (71 FR 66561).

#### Thursday, February 1, 2007, Conference Room T-2B3, Two White Flint North, Rockville, Maryland

*8:30 A.M.-8:35 A.M.: Opening Remarks by the ACRS Chairman (Open)*—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

*8:35 A.M.-11:15 A.M.: Final Review of the Power Uprate Application for the Browns Ferry Nuclear Plant, Unit 1 (Open/Closed)*—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and Tennessee Valley Authority (TVA) regarding the 5% power uprate application for Browns Ferry Nuclear Plant, Unit 1 and the associated NRC staff's final Safety Evaluation.

[**Note:** A portion of this session will be closed to protect information that is proprietary to General Electric, TVA, and their contractors pursuant to 5 U.S.C. 552b(c)(4).]

*12:45 P.M.-3:30 P.M.: Final Review of the License Renewal Application for the Oyster Creek Generating Station (Open)*—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and AmerGen Energy Company, LLC. regarding the license renewal application for the Oyster Creek Generating Station and the associated NRC staff's final Safety Evaluation Report.

3:45 P.M.–5:15 P.M.: *Development of TRACE Thermal-Hydraulic Code* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the progress made by the staff in developing the TRACE thermal-hydraulic system analysis code and related matters.

5:30 P.M.–7 P.M.: *Preparation of ACRS Reports* (Open)—The Committee will discuss proposed ACRS reports on matters considered during this meeting.

**Friday, February 2, 2007, Conference Room T-2B3, Two White Flint North, Rockville, Maryland**

8:30 A.M.–8:35 A.M.: *Opening Remarks by the ACRS Chairman* (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 A.M.–10 A.M.: *Proposed Revision to 10 CFR 50.46 LOCA Criteria for Fuel Cladding Materials* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding proposed revision to 10 CFR 50.46 loss-of-coolant accident (LOCA) criteria for fuel cladding materials.

10:15 A.M.–11:15 A.M.: *Draft Final Revision 1 to Regulatory Guide 1.189 (DG-1170), "Fire Protection for Nuclear Power Plants," and SRP Section 9.5.1, "Fire Protection Program"* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding draft final revision 1 to Regulatory Guide 1.189 (DG-1170) and Standard Review Plan (SRP) Section 9.5.1, as well as resolution of public comments.

11:15 A.M.–11:30 A.M.: *Subcommittee Report* (Open)—Report by and discussions with the Chairman of the ACRS Subcommittee on Reliability and Probabilistic Risk Assessment (PRA) regarding the Economic Simplified Boiling Water Reactor (ESBWR) PRA that was discussed during a meeting on December 14, 2006.

1 P.M.–2 P.M.: *Wolf Creek Pressurizer Weld Flaws* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the Wolf Creek Pressurizer Weld Flaws, including description, current status, and future actions.

2 P.M.–2:30 P.M.: *Proposed Revisions to Regulatory Guides and SRP Sections in Support of New Reactor Licensing* (Open)—The Committee will consider proposed revisions to Regulatory Guides and SRP Sections that are

being made in support of new reactor licensing.

2:45 P.M.–3:30 P.M.: *Future ACRS Activities/Report of the Planning and Procedures Subcommittee* (Open)—The Committee will discuss the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the full Committee during future meetings. Also, it will hear a report of the Planning and Procedures Subcommittee on matters related to the conduct of ACRS business, including anticipated workload and member assignments.

3:30 P.M.–3:45 P.M.: *Reconciliation of ACRS Comments and Recommendations* (Open)—The Committee will discuss the responses from the NRC Executive Director for Operations to comments and recommendations included in recent ACRS reports and letters.

4 P.M.–7 P.M.: *Preparation of ACRS Reports* (Open)—The Committee will discuss proposed ACRS reports.

**Saturday, February 3, 2007, Conference Room T-2B3, Two White Flint North, Rockville, Maryland**

8:30 A.M.–12:30 P.M.: *Preparation of ACRS Reports* (Open)—The Committee will continue discussion of proposed ACRS reports.

12:30 P.M.–1 P.M.: *Miscellaneous* (Open)—The Committee will discuss matters related to the conduct of Committee activities and 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 ACRS meetings were published in the **Federal Register** on October 2, 2006 (71 FR 58015). In accordance with those procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Electronic recordings will be permitted only during the open portions of the meeting. Persons desiring to make oral statements should notify the cognizant ACRS staff named below five days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during the meeting may be limited to selected portions of the meeting as determined by the Chairman.

Information regarding the time to be set aside for this purpose may be obtained by contacting the cognizant ACRS staff prior to the meeting. In view of the possibility that the schedule for ACRS

meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with the cognizant ACRS staff if such rescheduling would result in major inconvenience.

In accordance with Subsection 10(d) of the Government in the Sunshine Act, I have determined that it will be necessary to close a portion of this meeting noted above to discuss information that is proprietary to General Electric, the Tennessee Valley Authority, and their contractors pursuant to 5 U.S.C. 552b(c)(4).

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, as well as the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting Mr. Sam Duraiswamy, cognizant ACRS staff (301-415-7364), between 7:30 a.m. and 4 p.m., (ET).

ACRS meeting agenda, meeting transcripts, and letter reports are available through the NRC Public Document Room at [pdr@nrc.gov](mailto:pdr@nrc.gov), or by calling the PDR at 1-800-397-4209, or from the Publicly Available Records System (PARS) component of NRC's document system (ADAMS) which is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> or <http://www.nrc.gov/reading-rm/doc-collections/> (ACRS meeting schedules/agendas).

Videoteleconferencing service is available for observing open sessions of ACRS meetings. Those wishing to use this service for observing ACRS meetings should contact Mr. Theron Brown, ACRS Audio Visual Technician (301-415-8066), between 7:30 a.m. and 3:45 p.m., (ET), at least 10 days before the meeting to ensure the availability of this service. Individuals or organizations requesting this service will be responsible for telephone line charges and for providing the equipment and facilities that they use to establish the videoteleconferencing link. The availability of videoconferencing services is not guaranteed.

Dated: December 22, 2006.

**Andrew L. Bates,**

*Advisory Committee Management Officer.*

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