

references to specific portions of the application (including the applicant's environmental report and safety report) that the requester/petitioner disputes and the supporting reasons for each dispute, or, if the requester/petitioner believes the application fails to contain information on a relevant matter as required by law, the identification of each failure and the supporting reasons for the requester's/petitioner's belief.

In addition, in accordance with 10 CFR 2.309(f)(2), contentions must be based on documents or other information available at the time the petition is to be filed, such as BWXT's May 2, 2007 application. Contentions may be amended or new contentions filed after the initial filing only with leave of the presiding officer.

Requesters/petitioners should, when possible, consult with each other in preparing contentions and combine similar subject matter concerns into a joint contention for which one of the co-sponsoring requesters/petitioners is designated the lead representative. Further, in accordance with 10 CFR 2.309(f)(3), any requester/petitioner that wishes to adopt a contention proposed by another requester/petitioner must do so in writing within ten days of the date the contention is filed, and designate a representative who shall have the authority to act for the requester/petitioner.

In accordance with 10 CFR 2.309(g), a request for hearing and/or petition for leave to intervene may also address the selection of the hearing procedures, taking into account the provisions of 10 CFR 2.310.

### III. Further Information

The application, and any information referenced in the application, may be made available pursuant to a protective order and subject to applicable security requirements upon a showing that the petitioner has an interest that may be affected by the proceeding.

Dated at Rockville, Maryland, this 21st day of June 2007.

For the Nuclear Regulatory Commission.

**Gary S. Janosko,**

*Deputy Director, Fuel Facility Licensing Directorate, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. E7-12786 Filed 7-2-07; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-400-LR, ASLBP No. 07-855-02-LR-BD01]

### Atomic Safety and Licensing Board

Before Administrative Judges: Ann Marshall Young, Chair, Dr. Peter S. Lam, Dr. Alice Mignerey.

In the Matter of Carolina Power & Light Company (Shearon Harris Nuclear Power Plant, Unit 1); Notice (Notice of Opportunity to Make Oral or Written Limited Appearance Statements)

June 26, 2007.

This proceeding involves the application of Carolina Power & Light Company to renew the operating license for the Shearon Harris Nuclear Power Plant, Unit 1, for an additional twenty-year period commencing in 2026. In response to a March 20, 2007, notice of opportunity for hearing on the proposed license renewal (72 Fed. Reg. 13,139), Petitioners North Carolina Waste Awareness and Reduction Network and the Nuclear Information and Resource Service filed, on May 18, 2007, a request for hearing and petition to intervene in accordance with 10 CFR 2.309. On May 25, 2007, the Secretary of the Commission referred the hearing request and intervention petition to the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel for appropriate action in accordance with 10 CFR 2.346(i), and on May 31 this Licensing Board was established to preside over the proceeding.

This Atomic Safety and Licensing Board hereby gives notice that, in accordance with 10 CFR 2.315(a), the Board will entertain oral limited appearance statements from members of the public in connection with this proceeding at the date, time, and location specified below.

#### A. Date, Time, and Location of Oral Limited Appearance Statement Session

The session will be held on the following date at the specified location and time:

*Date:* July 17, 2007.

*Time:* 5:30-7:30 p.m. EDT.

*Location:* Holiday Inn Brownstone Hotel & Conference Center, Sessions Room, 1707 Hillsborough Street, Raleigh, NC 27605.

#### B. Participation Guidelines for Oral Limited Appearance Statements

Members of the public will be permitted in this session to make short oral statements of approximately five (5) minutes or less on their positions on matters of concern relating to this proceeding. Although these statements

do not constitute testimony or evidence in the proceeding, they nonetheless may assist the Board and/or the parties in their consideration of the issues.

Oral limited appearance statements will be entertained during the hours specified above, or such lesser time as necessary to accommodate all speakers who are present.<sup>1</sup> If all scheduled and unscheduled speakers present at the session have spoken prior to the scheduled time to end the session, the Board may conclude the session before that time. In addition, if there is an unusually large group of persons wishing to speak, the time permitted for each speaker may be limited to a period of less than five (5) minutes, in order to allow all interested persons an opportunity to speak.

#### C. Submitting a Request to Make an Oral Limited Appearance Statement

Persons wishing to make an oral statement who have submitted a timely written request as specified below and who are present when their names are called will be given priority over those who have not filed such a request. To be considered timely, a written request to make an oral statement must be mailed, faxed, or sent by e-mail so as to be received by 5 p.m. EDT on *Friday, July 13, 2007*.

Written requests to make an oral statement should be submitted to:

*Mail:* Office of the Secretary, Rulemakings and Adjudications Staff, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

*Fax:* (301) 415-1101 (verification) (301) 415-1966.

*E-mail:* [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov).

In addition, using the same method of service, a copy of the written request to make an oral statement must be sent to the Chair of this Licensing Board as follows:

*Mail:* Administrative Judge Ann Marshall Young, c/o: Debra Wolf, Esq., Law Clerk, Atomic Safety and Licensing Board Panel, Mail Stop T-3 F23, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

*Fax:* (301) 415-5599 (verification) (301) 415-6094.

*E-mail:* [daw1@nrc.gov](mailto:daw1@nrc.gov).

<sup>1</sup> Members of the public who plan to attend the limited appearance session are advised that security measures may be employed at the entrance to the facility, including searches of hand-carried items such as briefcases, backpacks, packages, etc. In addition, although signs no larger than 18" by 18" will be permitted, they may not be waved, attached to sticks, held up, or moved about in the room. See Procedures for Providing Security Support for NRC Public Meetings/Hearings, 66 Fed. Reg. 31,719 (June 12, 2001).

#### D. Submitted Written Limited Appearance Statements

A written limited appearance statement may be submitted to the Board regarding this proceeding at any time, either in lieu of or in addition to any oral statement. Such statements should be sent to the Office of the Secretary using the methods prescribed above, with a copy to the Licensing Board Chair.

#### E. Availability of Documentary Information Regarding the Proceeding

Documents relating to this proceeding are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, or electronically from either the Electronic Hearing Docket or the publicly available records component of the NRC's document system (ADAMS). Both ADAMS and the Electronic Hearing Docket are accessible from the NRC Web site at <http://www.nrc.gov/reading-rm.html> (Electronic Reading Room). Persons who do not have access to ADAMS or the Electronic Hearing Docket, or who encounter problems in accessing the documents located on the NRC Web site, should contact the NRC PDR reference staff by telephone at (800) 397-4209 or (301) 415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

#### F. Scheduling Information Updates

To the extent updated or revised scheduling information exists regarding the limited appearance session, it can be found on the NRC Web site at [www.nrc.gov/public-involve/public-meetings/index.cfm](http://www.nrc.gov/public-involve/public-meetings/index.cfm) or by calling (800) 368-5642, extension 5036, or (301) 415-5036.

For the Atomic Safety and Licensing Board.

Rockville, Maryland

Dated: June 26, 2007<sup>2</sup>.

**Ann Marshall Young,**

*Chair, Administrative Judge.*

[FR Doc. 07-3224 Filed 7-2-07; 8:45 am]

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#### NUCLEAR REGULATORY COMMISSION

[Docket No. 50-440]

#### Firstenergy Nuclear Operating Company; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of FirstEnergy Nuclear Operating Company (the licensee), to withdraw its June 1, 2006, application for proposed amendment to Facility Operating License No. NPF-58 for the Perry Nuclear Power Plant, Unit No. 1, located in Lake County, Ohio.

The proposed amendment would have modified the facility technical specifications (TS) pertaining to TS 3.4.10, "Residual Heat Removal (RHR) Shutdown Cooling System—Cold Shutdown," by adding a default Condition to address situations when an RHR Shutdown Cooling subsystem becomes inoperable in MODE 4 and, within the Completion Time of 1 hour, an alternate method of decay heat removal cannot be verified to be available.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on August 15, 2006 (71 FR 46935). However, by letter dated June 19, 2007, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated June 1, 2006, and the licensee's letter dated June 19, 2007, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC'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 Systems (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 26th day of June 2007.

For the Nuclear Regulatory Commission.

**Stephen P. Sands,**

*Project Manager, Plant Licensing Branch III-2, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E7-12774 Filed 7-2-07; 8:45 am]

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#### NUCLEAR REGULATORY COMMISSION

[Docket No. 50-440]

#### Firstenergy Nuclear Operating Company; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of FirstEnergy Nuclear Operating Company (the licensee), to withdraw its June 1, 2006, application for proposed amendment to Facility Operating License No. NPF-58 for the Perry Nuclear Power Plant, Unit No. 1, located in Lake County, Ohio.

The proposed amendment would have revised the facility technical specifications (TS) pertaining to TS 3.4.9, "Residual Heat Removal (RHR) Shutdown Cooling System—Hot Shutdown," by adding a Note which suspends actions to be in Mode 4 (Cold Shutdown) to existing Required Action A.3.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on August 15, 2006 (71 FR 46936). However, by letter dated June 19, 2007, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated June 1, 2006, and the licensee's letter dated June 19, 2007, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC'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 Systems (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).

<sup>2</sup> Copies of this Notice were sent this date by Internet e-mail to counsel for: (1) Petitioners; (2) Carolina Power & Light Company; and (3) the NRC Staff.