

Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Dated at Rockville, Maryland, this December 18, 1995.

For the Nuclear Regulatory Commission.
Singh S. Bajwa,

Acting Director, Non-Power Reactors and Decommissioning Project Directorate, Division of Reactor Program Management, Office of Nuclear Reactor Regulation.

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[Docket No. 50-344]

Portland General Electric Company; Trojan Nuclear Power Station; Consideration of Issuance of an Order Authorizing Decommissioning a Facility and Opportunity for a Hearing

A. Introduction

Pursuant to 10 CFR 2.105(a)(9), the U.S. Nuclear Regulatory Commission ("the Commission") hereby gives notice that it is considering issuance of an order under 10 CFR 50.82(e) to the Portland General Electric Company ("PGE," the licensee), for the Trojan Nuclear Power Station ("Trojan NPS"), located near Ranier, Oregon. The order would involve approval of the Trojan NPS decommissioning plan as it relates to the decommissioning of the remaining portions of the Trojan NPS.

On October 12, 1995, the Commission issued a Memorandum and Order, CLI-95-13, in which it announced that it would issue a Notice of Opportunity for a Hearing on the licensee's decommissioning plan and the application of that plan to the completion of the decommissioning of the Trojan NPS. The Commission also announced in CLI-95-13 that it would "direct an expedited hearing process in this case."

The licensee is the holder of facility Possession Only License No. NPF-1, which was issued on May 5, 1993. All spent fuel has been removed from the reactor and placed in the plant's spent fuel pool. In addition, the pressurizer and the four steam generators have been removed from the reactor containment and shipped to a low level waste disposal facility.

By issuance of this order, the licensee would be authorized to complete the decommissioning of the Trojan NPS facility in accordance with its proposed decommissioning plan, submitted on January 25, 1995, as supplemented. Under that plan, PGE intends to dismantle the Trojan facility using the DECON decommissioning alternative as defined in NUREG-0586, "Final Generic Environmental Impact Statement on

Decommissioning of Nuclear Facilities," (1988).

The licensee has proposed to precede the DECON decommissioning and dismantlement period with a five-year transition period. Proposed activities during the transition period, which began with the permanent shutdown of the facility in January 1993, include the removal and disposal of selected components, the licensing and construction of an Independent Spent Fuel Storage Installation (ISFSI), and the transfer of the spent fuel, currently in the spent fuel pool, to the ISFSI. Licensing of the ISFSI will be the subject of a separate Notice of Opportunity for a Hearing and will not be a part of the proceeding to approve the Decommissioning Plan.

Once the spent fuel has been transferred to the ISFSI the DECON phase will begin. The DECON phase will consist of the major disassembly and dismantlement of structures systems and components that are radioactive. Low level radioactive waste resulting from decommissioning activities will be shipped to a licensed waste disposal site for burial. The DECON phase will end with the site, except for the ISFSI, being released for unrestricted use.

B. Requests for Hearing and Petitions for Leave To Intervene

By January 22, 1996, the licensee may file a request for a hearing with respect to issuance of the order to the subject facility. During that same period, any other person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file both a written request for a hearing and a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2, and the special instructions provided in this notice.

This notice provides a brief overview of the requirements in 10 CFR 2.714. However, the fact that a requirement is not addressed in this notice does not excuse compliance with that requirement. Each person seeking to participate in this proceeding is responsible for complying with all applicable requirements. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW. (Lower Level), Washington, DC 20555, or the NRC Local Public Document Room, located at the

Bandford Price Millar Library, Portland State University, 934 S.W. Harrison Street (P.O. Box 1151), Portland Oregon 97207.

If a request for hearing or a petition for leave to intervene is filed by the above date, either the Commission or an Atomic Safety and Licensing Board, designated by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition, and either the Secretary of the Commission or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, both a request for hearing and a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of that proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in 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 the petitioner wishes to intervene.

C. Filing of Contentions

The Commission has determined to take several steps to expedite this proceeding. The first step toward expediting this proceeding is to require that all contentions be filed at the same time as petitions for leave to intervene. Accordingly, any person who files a request for hearing and a petition for leave to intervene shall, at the same time, submit a supplement to the petition for leave to intervene which must include a list of contentions which are sought to be litigated in the proceeding. The Commission will issue additional directions to expedite this proceeding where appropriate in the future.

Potential petitioners should not be prejudiced by this requirement because the documents which would give rise to potential disputes are already in existence and in the public domain. For example, the most important document for consideration in the formation of contentions is the licensee's proposed decommissioning plan, which has been in the public domain since January 25, 1995. The NRC Staff has now prepared