



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

(Handwritten initials)

July 17, 1980

Energy Systems Group
D/798 Correspondence

ACTION	
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REMARKS	
ANDERSON R V	LB17
ANDERSON S H	LA03
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MC A B	LB14
M	NB02
MICHAEL	LA07
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HILLIARD	LA36
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WHEELER	LA21

Docket No. 50-147

Mr. M. E. Remley, Director
Health, Safety, & Radiation
Services
Energy Systems Group
Rockwell International Corporation
8900 De Soto Avenue
Canoga Park, CA 91304

RECEIVED
JUL 28 1980
Correspondence Dept.

Dear Mr. Remley:

The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Proposed Issuance of Order Terminating Facility License" in accordance with your application dated July 16, 1974, as supplemented April 30, 1980.

Sincerely,

Robert W. Reid
Robert W. Reid, Chief
Operating Reactors Branch #4
Division of Licensing

Enclosure: Notice

cc w/enclosure:
See next page

RECEIVED
JUL 29 1980
M.E. REMLEY

8986 ESG

W.J. Roberts
Egg/eston
J. Walter
R.P. Johnson
G.A. Steele
tele
McCurran
F.H. Badger

Rockwell International Corporation

cc w/enclosure(s):

Attorney General
555 Capitol Mall
Sacramento, CA 95814

Director
Energy Facilities Siting Division
Energy Resources Conservation &
Development Commission
1111 Howe Avenue
Sacramento, CA 95825

cc w/enclosure(s) and incoming dtd.:
07/16/74 & 04/30/80

California Department of Health
ATTN: Chief, Environmental
Radiation Control Unit
Radiologic Health Section
714 P Street, Room 498
Sacramento, CA 95814

UNITED STATES NUCLEAR REGULATORY COMMISSIONDOCKET NO. 50-147ROCKWELL INTERNATIONAL CORPORATIONNOTICE OF PROPOSED ISSUANCE OF ORDER TERMINATINGFACILITY LICENSE

The United States Nuclear Regulatory Commission (the Commission) is considering issuance of an Order Terminating Facility License No. CX-17, issued to Rockwell International Corporation (the licensee), for the Fast Critical Experimental Laboratory (FCEL) reactor, in accordance with the licensee's application dated July 16, 1974, as supplemented April 30, 1980.

Prior to issuance of any order, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By AUGUST 12 1980, the licensee may file a request for a hearing with respect to issuance of the Order Terminating Facility License and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written 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. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary 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, 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 the 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 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 fifteen (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 fifteen (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, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the order under consideration. 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.

A request for a hearing or a petition for leave to intervene shall be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Docketing and Service Section, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C. by the above date. A copy of the petition should also be sent to the Executive Legal Director; U.S. Nuclear Regulatory Commission, Washington, D. C. 20555, and to Mr. M. E. Remley, Director, Health, Safety & Radiation Services, Energy Systems Group, Rockwell International Corporation, 8900 De Soto Avenue, Canoga Park, California 91304.

Nontimely 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 Atomic Safety and Licensing Board designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be based upon a balancing of the factors specified in 10 CFR §2.714(a)(i)-(v) and §2.714(d).

For further details with respect to this action, see the application dated July 16, 1974, as supplemented April 30, 1980, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C.

Dated at Bethesda, Maryland, this 17th day of July 1980.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert W. Reid, Chief
Operating Reactors Branch #4
Division of Licensing

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MC
F → FCEL

in its review of applications for permits and licenses.

Revision 2 to Regulatory Guide 5.52,

Standard Format and Content of a Licensee Physical Protection Plan for Strategic Special Nuclear Material at Fixed Sites (Other than Nuclear Power Plants)," identified the information that should be included in a physical protection plan for strategic special nuclear material at fixed sites other than nuclear power plants and suggests a format for its presentation. This guide was revised to reflect recent changes to the Commission's physical protection regulations.

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. Copies of active guides may be purchased at the current Government Printing Office price. A subscription service for future in specific divisions is available through the Government Printing Office. Information on the subscription service and current prices may be obtained by writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Attention: Publications Sales Manager.

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

Dated at Rockville, Maryland this 16th day of July 1980.

For the Nuclear Regulatory Commission.

Robert B. Minogue,

Director, Office of Standards Development

(FR Doc. 80-22384 Filed 7-24-80; 8:45 am)

BILLING CODE 7590-01-M

(Docket No. 50-147)

**Rockwell International Corp.;
Proposed Issuance of Order
Terminating Facility License**

The United States Nuclear Regulatory Commission (the Commission) is considering issuance of an Order Terminating Facility License No. CX-17, issued to Rockwell International Corporation (the licensee), for the Fast Critical Experimental Laboratory (FCEL) reactor, in accordance with the licensee's application dated July 16, 1974, as supplemented April 30, 1980.

Prior to issuance of any order, the Commission will have made findings

required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By August 12, 1980, the licensee may file a request for a hearing with respect to issuance of the Order Terminating Facility License and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written 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. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary 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, 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 the 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 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 fifteen (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 fifteen (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, and the bases for each contention set forth with reasonable specificity. Contentions shall

be limited to matters within the scope of the order under consideration. 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.

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Nontimely 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 Atomic Safety and Licensing Board designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be based upon a balancing of the factors specified in 10 CFR 2.714(a)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application dated July 16, 1974, as supplemented April 30, 1980, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C.

Dated at Bethesda, Maryland, this 17th day of July 1980.

For the Nuclear Regulatory Commission.

Robert W. Reid,

Chief, Operating Reactors Branch No. 4,
Division of Licensing.

(FR Doc. 80-22380 Filed 7-24-80; 8:45 am)

BILLING CODE 7590-01-M