

Dated: February 24, 2004.

Susanne E. Bolton,

Committee Management Officer.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 70-143-MLA-3 and ASLBP No. 04-820-05-MLA]

Nuclear Fuel Services, Inc.; Designation Of Presiding Officer

Pursuant to delegation by the Commission, *see* 37 FR 28710 (December 29, 1972), and the Commission's regulations, *see* 10 CFR 2.1201, 2.1207, notice is hereby given that (1) a single member of the Atomic Safety and Licensing Board Panel is designated as Presiding Officer to rule on petitions for leave to intervene and/or requests for hearing; and (2) upon making the requisite findings in accordance with 10 CFR 2.1205(h), the Presiding Officer will conduct an adjudicatory hearing in the following proceeding: Nuclear Fuel Services, Inc., Erwin, Tennessee, (Material License Amendment-3).

The hearing will be conducted pursuant to 10 CFR part 2, subpart L, of the Commission's regulations, "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings." This proceeding concerns two requests for hearing submitted on February 2, 2004, one from Friends of the Nolichucky River Valley, Inc., the State of Franklin Group of the Sierra Club, the Oak Ridge Environmental Peace Alliance, and the Tennessee Environmental Council, and the second from Kathy Helms-Hughes. These petitions were filed in response to an NRC staff December 17, 2003, notice of receipt of a request by Nuclear Fuel Services, Inc. (NFS) to amend its 10 CFR part 70 license to authorize processing operations in the Oxide Conversion Building and the Effluent Processing Building at the NFS Blended Low-Enriched Uranium Complex in Erwin, Tennessee. The notice of receipt of amendment request and opportunity for a hearing were published in the **Federal Register** on December 24, 2003 (68 FR 74653).

The Presiding Officer in this proceeding is Administrative Judge Alan S. Rosenthal. Pursuant to the provisions of 10 CFR 2.722, 2.1209, Administrative Judge Richard F. Cole has been appointed to assist the Presiding Officer in taking evidence and

in preparing a suitable record for review.

All correspondence, documents, and other materials shall be filed with Judges Rosenthal and Cole in accordance with 10 CFR 2.1203. Their addresses are:

Administrative Judge Alan S. Rosenthal,
Presiding Officer,
Atomic Safety and Licensing Board
Panel,
U.S. Nuclear Regulatory Commission,
Washington, DC 20555-0001
Administrative Judge Richard F. Cole,
Special Assistant,
Atomic Safety and Licensing Board
Panel.

U.S. Nuclear Regulatory Commission,
Washington, DC 20555-0001

Issued in Rockville, Maryland, this 24th day of February, 2004.

G. Paul Bollwerk III,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. E4-432 Filed 2-27-04; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No 50-255]

Nuclear Management Company, LLC; Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-20, issued to Nuclear Management Company, LLC (the licensee), for operation of the Palisades Plant located in Covert Township, Van Buren County, Michigan.

The proposed amendment would add a paragraph to Section 2C of the operating license authorizing the licensee to update the final safety analysis report (FSAR) to reflect a change in the licensing basis for the handling of heavy loads using the main hoist of the fuel pool building crane (L-3 crane). The revised licensing basis is based upon the upgrading or re-evaluation of the lifting capacity of the L-3 crane main hoist, bridge, trolley, and the supporting structure from 100 tons to 110 tons, and the incorporation and crediting of single-failure-proof technology meeting the requirements of NUREG-0554, "Single-Failure-Proof Cranes for Nuclear Power Plants" and NUREG-0612, "Control of Heavy Loads at Nuclear Power Plants." (NUREG-0612 requires analyses of postulated load drop accidents from spent fuel pool

area cranes unless the handling system is designed to be single failure proof). The modified L-3 crane is the single-failure-proof crane designed by Ederer Incorporated in accordance with the NRC-approved report, EDR-1, "Generic Licensing Topical Report." The upgrade, with its increased lifting capacity, will provide for use of a new, heavier dry fuel storage cask system which, due to dimensional changes, results in elimination of the impact limiting pad previously installed in the spent fuel pool to protect the pool structure from postulated transfer cask drop accidents during dry fuel storage operations. The 15-ton auxiliary hoist of the spent fuel pool crane is not upgraded to be single-failure-proof and continues to be bounded by existing cask drop accident analyses in Section 14.11 of the FSAR.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

Within 60 days after the date of publication of this notice, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating 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 request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition 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. Interested persons should consult a current copy of 10 CFR 2.309, which is available at the Commission's PDR, located at One White Flint North, Public File Area 01F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible 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/doc-collections/cfr/>. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.