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WM-10

MEMORANDUM FOR: Linda Underwood
Resource Management
MNBB-12217

FROM: Robert J. Wright
BWIP Project Manager
High-Level Waste Technical
Development
Division of Waste Management

WM Record File

101

WM Project WM-10

Docket No. _____

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SUBJECT: HANFORD BASALT WASTE ISOLATION PROJECT (BWIP) MATERIAL
FOR COMMISSIONER GILINSKY

As promised in telephone conversation of November 18, 1982, the following summarizes the status of the BWIP project. This project is currently the leading site, from a schedule point of view, in the DOE high-level waste repository site characterization program.

Present Status

- o Site Characterization Report was received from DOE on November 12.
- o Review and analysis of SCR is now underway by NRC staff.
- o NRC staff Draft Site Characterization Analysis is expected to be released for public comment about April 1, 1983.
- o Construction of an exploratory shaft at BWIP is expected to be started in February 1983.

Institutional Relations

- o Briefing to the Washington High-Level Nuclear Waste Management Task Force was given by the Division of Waste Management on November 15.
- o Similar briefing to the Yakima Indian Tribal Council was presented on November 16.

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Federal Register Notices

- ° The attached notices by DOE and by NRC describe issuance and receipt respectively of the Site Characterization Report. The NRC notice also provides a brief description of the pre-licensing SCR review process.



Robert J. Wright
BWIP Project Manager
High-Level Waste Technical
Development
Division of Waste Management

Enclosures:
Notices

OFC	: WMHT:jsk	: WMHT	:	:	:	:	:
NAME	: R.J.Wright	: H. Miller	:	:	:	:	:
DATE	: 82/11/22	: 11/22/82	:	:	:	:	:

Document Control, Washington, D.C. 20555, Attention: Publications Unit.

Dated at Bethesda, Maryland, this 5th day of November 1982.

For the Nuclear Regulatory Commission.
Thomas V. Wambach,
Acting Chief, Operating Reactors Branch No. 5, Division of Licensing.

[FR Doc. 82-31678 Filed 11-17-82; 8:45 am]
BILLING CODE 7590-01-M

[Docket No. 50-245]

**Northeast Nuclear Energy Co., et al.;
Notice of Issuance of Amendment to
Provisional Operation License**

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 86 to Provisional Operating License No. DPR-21, to the Connecticut Light and Power Company, the Hartford Electric Light Company, Western Massachusetts Electric Company, and Northeast Nuclear Energy Company (the licensees), which revised the Technical Specifications for operation of the Millstone Nuclear Power Station, Unit 1 (the facility), located in the town of Waterford, Connecticut. The amendment is effective on its date of issuance.

The amendment modifies the Appendix A Technical Specifications to incorporate revised operating limits associated with the modifications to the Scram Discharge Volume (SDV) for improved hydraulic coupling, which replaces the interim license conditions imposed by the Commission's Order of October 2, 1980, issued by the Office of Inspection and Enforcement.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated October 16, 1980, and supplements thereto dated December 9, 1981, March 9, October 15 and November 2, 1982, (2) Amendment No. 86 to License No. DPR-21, including its transmittal letter, and (3) the Commission's related Safety Evaluation, including the Technical Evaluation Report, dated August 31, 1982, prepared by the Commission's contractor, Franklin Research Center. All of these

items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555, and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford Connecticut. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 12th day of November, 1982.

For the Nuclear Regulatory Commission.
Dennis M. Crutchfield,
Chief Operating Reactors Branch No. 5, Division of Licensing.

[FR Doc. 82-31677 Filed 11-17-82; 8:45 am]
BILLING CODE 7590-01-M

[Project WM-10]

**Receipt of a Site Characterization
Report From the U.S. Department of
Energy**

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of receipt of a Site Characterization Report From the U.S. Department of Energy.

SUMMARY: The U.S. Department of Energy (DOE) has filed with the Nuclear Regulatory Commission (Commission) a Site Characterization Report (SCR) for a candidate high-level waste repository on the Hanford Reservation in the State of Washington. This SCR was received by the Commission November 12, 1982, and has been designated as Project WM-10.

FOR FURTHER INFORMATION CONTACT: Mr. Hubert J. Miller, Chief, High-Level Waste Technical Development Branch, Division of Waste Management, Nuclear Regulatory Commission, Washington, DC 20555.

SUPPLEMENTARY INFORMATION: The submission of an SCR is pursuant to the Commission's procedural rule regarding disposal of high-level radioactive wastes in geologic repositories. The rule is codified at 10 CFR Part 60 and was published February 25, 1981 (46 FR 13971). In accordance with § 60.11, "As early as possible after commencement of planning for a particular geologic repository operations area, and prior to site characterization, the DOE shall submit . . . a Site Characterization Report.

The NRC staff review of this SCR is not a licensing proceeding, but an ongoing pre-application process. This process is designed to enable DOE to gather the information it needs to decide whether to apply for a license—or more specifically, an NRC authorization to

construct a repository at a particular site. The SCR review process is intended to be a vehicle for identifying at an early stage what the specific potential licensing issues are at a site based on what is known from investigations to date. It permits an opportunity for consultation between the DOE and NRC, with public involvement, on the site characterization and data gathering programs that the DOE plans in order to be able to address and resolve identified issues. To ensure continuous review of DOE activities at each site, DOE is required by NRC regulations to submit semiannual reports on the progress of site characterization.

It should also be noted that under 10 CFR Part 51, § 51.40(d), DOE is required to characterize at least three sites representing two geologic media, one of which is not salt, as "the minimum necessary to satisfy the requirements of NEPA (the National Environmental Policy Act)." DOE has informed NRC that it has ongoing studies at Yucca Mountain at the Nevada Test Site (NTS), as well as salt sites in the Gibson Dome area of Utah's Paradox Basin, the Texas Panhandle area of the Permian Basin, and four salt domes in the Gulf Interior Region in Louisiana, Mississippi, and Texas. DOE has not notified NRC of any final decision as to which of the sites it will characterize.

The specific requirements for contents of the SCR are contained in § 60.11(a). Further guidance on preparing an SCR is contained in NRC Regulatory Guide 4.17, "Standard Format and Content of Site Characterization Reports for High-Level Waste Geologic Repositories." Copies of Reg. Guide 4.17 are available from NRC/CPO Sales Program, Division of Technical Information and Document Control, Nuclear Regulatory Commission, Washington, DC 20555.

In accordance with § 60.11(d), the Director of NRC's Office of Nuclear Material Safety and Safeguards (Director) will, over the next several months, prepare a Draft Site Characterization Analysis (Draft SCA) of the information provided in the SCR. A notice announcing the availability of this analysis and inviting the public to comment will be published in the Federal Register. A period not less than 90 days will be allowed for public comments on the Draft SCA. The Director will then prepare a final site characterization analysis issuing an opinion that the Director has either no objection to DOE's site characterization program, if such an opinion is appropriate, or specific objections to DOE's proceeding with characterization of the named site. In addition, the

Director may make specific recommendations to DOE on matters relating to its site characterization activities. This SCA will be a critique of the plans of the DOE contained in the SCR. Readers of the SCA interested in detailed aspects of the DOE site characterization program will have to consult the SCR. Therefore, to be in the best position to review the NRC SCA when it is issued, it is advised that copies of the SCR be obtained now (see the last paragraph below).

Subpart C of 10 CFR Part 60 states that requests for consultation may be made in writing by representatives of state, Indian tribal, and local governments and may include, among other things, a review of NRC regulations, licensing procedures, potential schedules, and the type and scope of state activities in the future licensing review process as permitted by law. For further information regarding Subpart C of 10 CFR 60, please refer to this portion of the Code of Federal Regulations or to the Federal Register Notice dated February 25, 1981 (46 FR 13971).

A copy of the SCR for the Hanford site is available for public inspection at the Nuclear Regulatory Commission, Public Document Room, 1717 H Street, Washington, DC 20555. Copies of the SCR are available from the U.S. Department of Energy, Richland Operations Office, ATTN: Mr. Lee Olson, P.O. Box 550, Richland, WA 99352. Telephone (509) 376-7334 or FTS 444-7334.

Dated at Silver Spring, Maryland, this 12th day of November 1982.

For the Nuclear Regulatory Commission,
Robert E. Browning,
Deputy Director, Division of Waste Management.

[FR Doc. 82-31679 Filed 11-17-82; 8:45 am]
BILLING CODE 7590-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 12806; (811-3333)]

Maxim Growth Fund, Inc.; Filing of Application

November 12, 1982.

Notice is hereby given that Maxim Growth Fund, Inc., ("Applicant"), 1675 Broadway, Denver, CO 80202, registered under the Investment Company Act of 1940 ("Act") as an open end, diversified, management investment company, filed an application on September 17, 1982, for an order of the Commission pursuant to Section 8(f) of the Act declaring that Applicant has ceased to be an

investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant a Maryland corporation, states that on January 19, 1982, it filed a registration statement pursuant to Section 8 of the Act. Applicant states that its registration statement under the Securities Act of 1933 was never declared effective. Applicant represents that it has not made a public offering of its securities and does not have more than 100 securityholders for purposes of section 3(c)(1) of the Act.

Applicant states that Maxim Account C of Insuramerica Corporation, a unit investment trust registered under the Act, serves as a vehicle for investment in Applicant. However, according to the application, Applicant has never engaged in any business activities other than its initial registration and does not propose to engage in any activities other than those necessary to wind up its affairs.

Applicant represents that it has no debts or other outstanding liabilities; it has no securityholders; and it is not a party to any litigation or administrative proceeding.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission, on its own motion or upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the effectiveness of such order, the registration of such company under the Act shall cease to be in effect.

Notice is further given that any interested person may, not later than December 7, 1982, at 5:30 p.m., submit to the Commission in writing, a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, DC 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. An order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon its own motion. Persons who

request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-31598 Filed 11-17-82; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 12804; (812-5286)]

NEL Equity Fund, Inc., et al.; Filing of Application

November 10, 1982.

Notice is hereby given that NEL Equity Fund, Inc., NEL Retirement Equity Fund, Inc., NEL Growth Fund, Inc., NEL Income Fund, Inc., NEL Tax Exempt Bond Fund, Inc. and NEL Cash Management Trust (collectively, the "Funds"), each of which is a registered, open-end, management investment company, and NEL Equity Services Corporation ("NELESCO"; together with the Funds, the "Applicants"), 501 Boylston Street, Boston, Massachusetts 02117, filed an application on August 23, 1982, and an amendment thereto on October 27, 1982, pursuant to Section 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting Applicants from the provisions of Section 22(d) of the Act and Rule 22d-1 thereunder to the extent necessary to permit sales of the shares of the Funds at net asset value to certain Affiliated Employees (as defined below). The application also requests that the relief provided by the order extend to any additional "open-end management companies" as may in the future be described in a registration statement filed pursuant to Section 8 of the Act as a NEL Fund or a member of the NEL group of funds ("Future NEL Funds"). All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below. Such persons are also referred to the Act for the complete text of the provisions thereof from which an exemption is being sought.

According to the application, NELESCO, a Massachusetts corporation and a registered broker-dealer under the Securities Exchange Act of 1934, serves as principal underwriter for each of the Funds. NELESCO is a wholly-owned subsidiary of New England Mutual Life Insurance Company ("New England