

Pursuant to 10 CFR 2.705, an answer to this Notice may be filed by the licensee not later than twenty (20) days from the date of publication of this Notice in the FEDERAL REGISTER.

Required papers may be filed by mail or telegram addressed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, or by delivery to the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555. A copy of papers filed should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Pending further order of the Administrative Law Judge, parties are required to file, pursuant to the provisions of 10 CFR 2.708, an original and twenty (20) conformed copies of each such paper with the Commission. Pursuant to 10 CFR 2.785, the Commission authorizes an Atomic Safety and Licensing Appeal Board to exercise the authority and perform the review functions which would otherwise be exercised and performed by the Commission. The Appeal Board will be designated pursuant to 10 CFR 2.787, and notice as to membership will be published in the FEDERAL REGISTER.

Dated at Washington, D.C., this 14th day of November 1977.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK,
Secretary of the Commission.

[FR Doc.77-33233 Filed 11-16-77;8:45 am]

[7590-01]

[Docket No. 50-216]

POLYTECHNIC INSTITUTE OF NEW YORK Proposed Issuance of Order Authorizing Termination of Facility License

The Nuclear Regulatory Commission (the Commission) is considering issuance of an order authorizing the termination of Facility License No. R-107 issued to the Polytechnic Institute of New York (the licensee), for the AGN 201M Reactor, a research reactor located in University Heights, Bronx, N.Y., in accordance with the licensee's application dated July 1, 1977, as supplemented August 5, 1977.

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

By December 1, 1977, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the order in connection with the licensee's application. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of Section 2.714 of 10 CFR

Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application dated July 1, 1977, as supplemented August 5, 1977, which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 9th day of November 1977.

For the Nuclear Regulatory Commission.

ROBERT W. RED,
Chief, Operating Reactors
Branch No. 4, Division of
Operating Reactors.

[FR Doc.77-33167 Filed 11-16-77;8:45 am]

[7590-01]

REGULATORY GUIDE

Withdrawal

Regulatory Guide 4.10, "Irreversible and Irretrievable Commitments of Material Resources," has been withdrawn. This guide was issued in June 1975 to identify a report on material resources

that formed a basis that was acceptable to the NRC staff for discussions required by the National Environmental Policy Act (NEPA) of irreversible and irretrievable commitments of material resources involved in the construction of a 1,000 MWe pressurized water reactor. It has been determined by the NRC staff that using such detailed data as is called for in Regulatory Guide 4.10 is no longer necessary or useful. Consequently, discussions of the topic in environmental statements have become generalized, and although some applicants still submit detailed data, it is no longer needed.

Regulatory guides are developed to describe and make available to the public methods acceptable to the NRC staff for implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems. Guides may be withdrawn when they are superseded by the Commission's regulations, when equivalent recommendations have been incorporated in applicable and approved codes and standards, or when changing methods and techniques have made them obsolete.

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

Dated at Rockville, Md., this 9th day of November 1977.

For the Nuclear Regulatory Commission.

RAY G. SMITH,
Acting Director,
Office of Standards Development.

[FR Doc.77-33170 Filed 11-16-77;8:45 am]

[7590-01]

[Docket Nos. 50-500 and 50-501]

TOLEDO EDISON CO. ET AL

Notice of Reconstitution of Board

In the matter of the Toledo Edison Co., the Cleveland Electric Illuminating Co., Duquesne Light Co., Ohio Edison Co., and Pennsylvania Power Co., (Davis-Besse Nuclear Power Station, Units 2 and 3).

Dr. John R. Lyman was a member of the Atomic Safety and Licensing Board for the above proceeding. Because of illness, Dr. Lyman is unable to continue his service on this Board.

Accordingly, Dr. Cadet H. Hand, Jr., whose address is Bodega Marine Laboratory, University of California, P.O. Box 247, Bodega Bay, Calif. 94923, is appointed a member of this Board. Reconstitution of the Board in this manner is in accordance with section 2.721 of the Commission's Rules of Practice, as amended.

Dated at Bethesda, Md., this 11th day of November 1977.

JAMES R. YORE,
Atomic Safety and
Licensing Board Panel.

[FR Doc.77-33236 Filed 11-16-77;8:45 am]