

A. Timing and Location of Evidentiary Hearing

The evidentiary hearing will commence on the afternoon of March 10, 2003, at 1:30 p.m. in Hearing Room One, located on the first floor of the Connecticut Department of Public Utility Control Building, at Ten Franklin Square, New Britain, Connecticut.

The hearing will continue from day to day until concluded. At the conclusion of each day, the Board will announce when the hearing will reconvene, which will generally be at 9 a.m. each day (although the hearing may not start until 10 a.m. on Wednesday, March 12). Hearings will extend until approximately 5 p.m. each day (except that on Friday, March 14, the hearing will likely adjourn at approximately 12 noon). The Board may make changes in the schedule, lengthening or shortening each day's session or canceling a session as deemed necessary or appropriate to allow for witnesses' availability and other matters arising during the course of the proceeding.

Members of the public are encouraged to attend any and all sessions of the evidentiary hearing, but should note that these sessions are adjudicatory proceedings open to the public for observation only. Those who wish to participate are invited to offer limited appearance statements as provided in Section B, below.

B. Participation Guidelines for Oral Limited Appearance Statements

On the evening of March 11, 2003, starting at 6 p.m. and continuing until 9 p.m. as necessary, in the same location as the evidentiary hearing, any persons who are not parties to the proceeding will be permitted to make oral statements setting forth their positions on matters of concern relating to this proceeding. Although these statements do not constitute testimony or evidence, they may nonetheless help the Board and/or the parties in their consideration of the issues in this proceeding.

The time allotted for each statement will normally be no more than five minutes, but may be further limited depending on the number of written requests to make oral statements that are submitted in accordance with section C below, and/or on the number of persons present the evening of March 11, 2003. Persons who submit timely written requests to make oral statements will be given priority over those who have not filed such requests. If all scheduled and unscheduled speakers present have made their oral statements prior to 9

p.m., the Licensing Board may terminate the session before 9 p.m.

C. Submitting Requests To Make an Oral Limited Appearance Statements

To be considered timely, a written request to make an oral statement must be mailed, faxed, or sent by e-mail so as to be received by close of business (4:30 p.m. EST) on Friday, February 28, 2003. Written requests should be submitted to:

Mail: Office of the Secretary,
Rulemakings and Adjudications Staff,
U.S. Nuclear Regulatory Commission,
Washington, DC 20555-0001.

Fax: (301) 415-1101 (verification (301) 415-1966).

E-mail: hearingdocket@nrc.gov.

In addition, using the same method of service, a copy of the written request to make an oral statement should be sent to the Chair of this Licensing Board as follows:

Mail: Administrative Judge Ann
Marshall Young, Atomic Safety and
Licensing Board Panel, Mail Stop T-
3F23, U.S. Nuclear Regulatory
Commission, Washington, DC 20555-
0001.

Fax: 301/415-5599 (verification 301/415-7550).

E-mail: AMY@nrc.gov.

D. Submitting Written Limited Appearance Statements

A written limited appearance statement may be submitted at any time. Such statements should be sent to the Office of the Secretary using any of the methods prescribed above, with a copy to the Licensing Board Chair by the same method.

E. Availability of Documentary Information Regarding the Proceeding

Documents relating to this proceeding are available for public inspection at the NRC Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland; or electronically through the publicly available records component of the NRC Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible through the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. The PDR and many public libraries have terminals for public access to the Internet. Persons who do not have access to ADAMS or who encounter problems in obtaining access to the documents located in ADAMS may contact the NRC PDR reference staff by telephone at 1-800/397-4209 or 301/415-4737, or by e-mail to pdr@nrc.gov.

Dated in Rockville, Maryland, on January 27, 2003.

For the Atomic Safety and Licensing Board.

Ann Marshall Young,

Chair, Administrative Judge.

[FR Doc. 03-2311 Filed 1-30-03; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-369 and 50-370]

Duke Energy Corporation, McGuire Nuclear Station, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering the re-issuance of an exemption from certain requirements of its regulations for Facility Operating License Nos. NPF-9 and NPF-17, issued to the Duke Power Company (the licensee), for operation of the McGuire Nuclear Station (McGuire), Units 1 and 2, located in Mecklenburg County, North Carolina.

Environmental Assessment

Identification of Proposed Action

The proposed action would continue to authorize an exemption that was granted to the licensee on July 31, 1997, from the requirements of 10 CFR 70.24, which requires a monitoring system that will energize clear audible alarms if accidental criticality occurs in each area in which special nuclear material is handled, used, or stored. The proposed action would also continue to exempt the licensee from the requirements to maintain emergency procedures for each area in which this licensed special nuclear material is handled, used, or stored to ensure that all personnel withdraw to an area of safety upon the sounding of the alarm, to familiarize personnel with the evacuation plan, and to designate responsible individuals for determining the cause of the alarm, and to place radiation survey instruments in accessible locations.

The proposed action is in response to the licensee's application for an exemption from 10 CFR 70.24 dated February 4, 1997, as supplemented by letter dated March 19, 1997, and reflects the licensee's letters dated April 18, August 7 and October 9, 2002, and January 15, 2003, wherein the licensee revised a portion of the technical basis supporting its request for the exemption.

The Need for the Proposed Action

The purpose of 10 CFR 70.24 is to ensure that, if a criticality were to occur