

proven, would entitle the petitioner to relief. 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.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to William D. Beckner, Director, Project Directorate IV-1: petitioner's name and telephone number, date petition was mailed, plant name, and publication date and page number of this **Federal Register** notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Jack R. Newman, Esq., Newman & Holtzinger, P.C., 1615 L Street, NW., Washington, DC 20036, attorney for the licensee.

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 presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated March 1, 1995, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Wharton County Junior College, J.M. Hodges Learning Center, 911 Boling Highway, Wharton, Texas 77488.

Dated at Rockville, Maryland, this 7th day of March 1995.

For the Nuclear Regulatory Commission.

**Thomas W. Alexion,**

*Project Manager, Project Directorate IV-1, Division of Reactor Projects III/IV, Office of Nuclear Reactor Regulation.*

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**[Docket No. 50-220]**

**Niagara Mohawk Power Corp.; Nine Mile Point Nuclear Station Unit No. 1; Notice of Partial Withdrawal of Application for Amendment to Facility Operating License**

The United States Nuclear Regulatory Commission (the Commission) has granted the request by the Niagara Mohawk Power Corporation (NMPC) to withdraw a portion of their July 21, 1994, application, for a proposed amendment to Facility Operating License DPR-63 for the Nine Mile Point Nuclear Station Unit No. 1, located in Oswego County, New York.

The proposed amendment would have revised Technical Specifications (TSs) 2.1.2 (Fuel Cladding Integrity), 3.1.7 (Fuel Rods), 3.6.2/4.6.2 (Protective Instrumentation), and the associated Bases to allow the use of Range 10 on the Intermediate Range Neutron Flux Monitors (IRMs) with the Reactor Protection System low pressure trip for main steam line isolation valve closure not in bypass. Changes were also proposed to TS Tables 3.6.2.a/4.6.2a (Instrumentation that Initiates Scram) and TS Tables 3.6.2g/4.6.2g (Instrumentation that Initiates Control Rod Withdrawal Block) to extend the calibration frequency of the Source Range Neutron Flux Monitors (SRMs) and the IRMs from prior to startup and shutdown to once per operating cycle. The proposed change would have also changed the Instrument Channel Test

interval for the SRMs and IRMs from prior to startup and shutdown to once per week. Associated changes to TSs Setpoints, Bases, References, and Notes for TSs 2.1.2, 3.1.7, and 3.6.2/4.6.2 were also proposed.

By letter dated February 1, 1995, NMPC requested to withdraw that portion of the proposed amendment associated with the extension of the calibration frequency for the SRMs and IRMs.

The Commission has previously issued a Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing which was published in the **Federal Register** on August 31, 1994 (59 FR 45028).

For further details with respect to this action, see the application for amendment dated July 21, 1994, as supplemented on December 5, 1994, December 14, 1994, and January 11, 1995, and the licensee's letter dated February 1, 1995, which withdrew the portion of the application for license amendment associated with the extension of the calibration frequency for the SRMs and IRMs. The above documents are available for public inspection at the Commission's Public Document Room, 2120 L Street, NW., Washington, DC, and at the local public document room located at Reference and Documents Department, Penfield Library, State University of New York, Oswego, New York.

Dated at Rockville, Maryland, this 3rd day of March 1995.

For the Nuclear Regulatory Commission.

**Donald S. Brinkman,**

*Senior Project Manager, Project Directorate I-1, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*

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BILLING CODE 7590-01-M

**[Docket No. 50-305]**

**Wisconsin Public Service Corp., Wisconsin Power and Light Co., Madison Gas and Electric Co.; Notice of Withdrawal of Application for Amendment to Facility Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Wisconsin Public Service Corporation, Wisconsin Power and Light Company, and Madison Gas and Electric Company, (the licensee) to withdraw its application dated April 21, 1994, for a proposed amendment to Facility Operating License No. DPR-43