

For the Nuclear Regulatory Commission.  
**George Kalman**,  
*Senior Project Manager, Project Directorate IV-1, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.*  
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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-346]

### Toledo Edison Company, Centerior Service Company and the Cleveland Electric Illuminating Company (Davis-Besse Nuclear Power Station, Unit No. 1); Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Toledo Edison Company, Centerior Service Company, and The Cleveland Electric Illuminating Company (the licensees) to withdraw their June 6, 1994, application, as supplemented by letters dated July 20, 1994, November 11, 1994, April 12, 1995, September 19, 1995, September 27, 1995, and October 30, 1995, for proposed amendment to Facility Operating License No. NPF-3 for the Davis-Besse Nuclear Power Station, Unit No. 1, located in Ottawa County, Ohio. The September 19, 1995, submittal included a request for license transfer pursuant to 10 CFR 50.80.

The proposed amendment would have revised the license to reflect the proposed merger of Toledo Edison Company into The Cleveland Electric Illuminating Company.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on July 6, 1994, (59 FR 34669) and an Environmental Assessment published in the **Federal Register** on July 20, 1994 (59 FR 37059). However, by letter dated October 9, 1996, the licensee withdrew the proposed changes, including the request for license transfer.

For further details with respect to this action, see the licensees' application for amendment dated June 6, 1994, as supplemented by letters dated July 20, 1994, November 11, 1994, April 12, 1995, September 19, 1995, September 27, 1995, and October 30, 1995, and the licensees' letter dated October 9, 1996, which withdrew the application for license amendment and the request for license transfer. The above documents are 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 University of Toledo, William Carlson Library, Government Documents Collection, 2801 West Bancroft Avenue, Toledo, Ohio 43606.

Dated at Rockville, Maryland, this 16th day of April 1997.

For the Nuclear Regulatory Commission.  
**Allen G. Hansen**,

*Project Manager, Project Directorate III-3, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

[Docket 70-7001]

### Notice of Amendment to Certificate of Compliance GDP-1 for the U.S. Enrichment Corporation, Paducah Gaseous Diffusion Plant, Paducah, KY

The Director, Office of Nuclear Material Safety and Safeguards, has made a determination that the following amendment request is not significant in accordance with 10 CFR 76.45. In making that determination, the staff concluded that: (1) There is no change in the types or significant increase in the amounts of any effluents that may be released offsite; (2) there is no significant increase in individual or cumulative occupational radiation exposure; (3) there is no significant construction impact; (4) there is no significant increase in the potential for, or radiological or chemical consequences from, previously analyzed accidents; (5) the proposed changes do not result in the possibility of a new or different kind of accident; (6) there is no significant reduction in any margin of safety; and (7) the proposed changes will not result in an overall decrease in the effectiveness of the plant's safety, safeguards or security programs. The basis for this determination for the amendment request is shown below.

The NRC staff has reviewed the certificate amendment application and concluded that it provides reasonable assurance of adequate safety, safeguards, and security, and compliance with NRC requirements. Therefore, the Director, Office of Nuclear Material Safety and Safeguards, is prepared to issue an amendment to the Certificate of Compliance for the Paducah Gaseous Diffusion Plant. The staff has prepared a Compliance Evaluation Report which provides details of the staff's evaluation.

The NRC staff has determined that this amendment satisfies the criteria for

a categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for this amendment.

USEC or any person whose interest may be affected may file a petition, not exceeding 30 pages, requesting review of the Director's Decision. The petition must be filed with the Commission not later than 15 days after publication of this **Federal Register** Notice. A petition for review of the Director's Decision shall set forth with particularity the interest of the petitioner and how that interest may be affected by the results of the Decision. The petition should specifically explain the reasons why review of the Decision should be permitted with particular reference to the following factors: (1) The interest of the petitioner; (2) how that interest may be affected by the Decision, including the reasons why the petitioner should be permitted a review of the Decision; and (3) the petitioner's areas of concern about the activity that is the subject matter of the Decision. Any person described in this paragraph (USEC or any person who filed a petition) may file a response to any petition for review, not to exceed 30 pages, within 10 days after filing of the petition. If no petition is received within the designated 15-day period, the Director will issue the final amendment to the Certificate of Compliance without further delay. If a petition for review is received, the Decision on the amendment application will become final in 60 days, unless the Commission grants the petition for review or otherwise acts within 60 days after publication of this **Federal Register** Notice.

A petition for review must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, 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.

For further details with respect to the action see (1) the application for amendment and (2) the Commission's Compliance Evaluation Report. These items are 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.

Date of amendment request: December 23, 1996.

Brief description of amendment: The amendment changes the Technical Safety Requirement surveillance for the