a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By July 23, 1998, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's ''Rules of Practice for Domestic Licensing Proceedings'' in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available 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 Osterhout Free Library, Reference Department, 71 South Franklin Street, Wilkes-Barre, PA 18701. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if 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 the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, 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 20555–0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and to Jay Silberg, Esquire, Shaw, Pittman, Potts and Trowbridge, 2300 N Street NW., Washington, DC 20037, 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 June 17, 1998, 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 Osterhout Free Library, Reference Department, 71 South Franklin Street, Wilkes-Barre, PA 18701.

Dated at Rockville, Maryland, this 18th day of June 1998.

For the Nuclear Regulatory Commission.

Victor Nerses,

Senior Project Manager, Project Directorate I–2, Division of Reactor Projects, Office of Nuclear Reactor Regulation.

[FR Doc. 98–16652 Filed 6–22–98; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–498/499; License Nos. NPF–76, 80 EA 97–341]

STP Nuclear Operating Company; STP Nuclear Generating Station; Confirmatory Order Modifying License (Effective Immediately)

I

STP Nuclear Operating Company (STP or the Licensee) is an NRC Licensee and the holder of Facility Operating License Nos. NPF–76 and NPF–80, issued by the Nuclear Regulatory Commission (NRC or

Commission) pursuant to 10 CFR Part 50 on March 22, 1988 and March 28, 1989 respectfully . The licenses authorize operation of the STP Electric Generating Station (the Station or facility) in accordance with the conditions specified in the license. The facility is located on the Licensee's site in Wadsworth, Texas.

II

NRC Office of Investigations (OI) Report Nos. 4–96–035 and 4–96–059 concluded that STP had subjected four employees to a hostile work environment created by the former Electrical/Instrumentation & Controls (E/I&C) division manager in retaliation for the employees' having engaged in protected activities, and had thus violated the Employee Protection requirements, 10 CFR 50.7. The NRC staff, by letter dated January 8, 1998, invited the Licensee to a predecisional enforcement conference (PEC) to discuss the apparent violation, which was fully detailed in that letter. On February 26, 1998, a PEC was held at the NRC offices of NRC Region IV in Arlington, Texas. By letter dated March 12, 1998, the Licensee submitted additional data and information requested by the NRC staff during the PEC.

The Licensee maintains that no violation of 10 CFR 50.7 occurred, and that it took prompt and effective corrective action in response to concerns raised by its employees regarding the behavior of the E/I&C division manager, including discipline in accordance with the STP Constructive Discipline Policy, appropriate reflection in annual performance appraisals of the E/I&C division manager, the provision of peer and management counseling to the E/I&C division manager and assistance from industrial psychologists. The actions culminated in the resignation of the E/I&C division manager from STP in mid-1996. In addition, the Licensee states that it took a number of specific steps to address concerns which arose in the E/I&C Division in 1996. These included the STP President's meetings with division personnel, similar meetings conducted by the Vice President, Nuclear Engineering, and the Design Engineering Department Manager, as well as one-on-one meetings between the new division manager and all division personnel. In these meetings, and in station-wide communications, the Licensee advised employees that it had settled the claims filed by four facility employees with the United States Department of Labor (DOL), which claim alleged violations of the Employee Protection requirements of Section 211 of the Energy Reorganization Act, and the fact that the NRC was considering escalated enforcement action. The Licensee states that it intends to keep station personnel apprised of the results of the NRC's consideration of this matter.

The Licensee maintains that employees have not been deterred from reporting safety concerns as a result of events in the E/I&C division. Specifically, the Licensee states that a 1994 Climate Assessment of employee attitudes in the E/I&C division does not suggest that employees were subject to harassment or are reluctant to use the routine systems for reporting concerns. The Licensee also maintains that annual surveys conducted between 1993 and 1997, both facility-wide and by department, by Behavioral Consultant Services, Inc., do not suggest the existence of a hostile work environment in the E/I&C division. In addition, the Licensee states that implementation of its new Corrective Action Program was reviewed by a team of NRC inspectors in early 1996. Specifically, the NRC team reviewed a sample of Condition Reports and interviewed various engineers regarding their roles and responsibilities to determine whether significant issues were being identified and corrected in a timely fashion and how those problems were documented. The NRC team found that all the interviewed engineers were aware of when and how to document identified problems. See NRC Inspection Report 50–498/96–11; 50–499/96–11 (April 12, 1996).

III

The Licensee has planned additional actions to assess the station environment and to enhance safety-consciousness, as described in Attachment D to the March 12, 1998, submission. Specifically, the Licensee plans: (1) ''Comprehensive Cultural Assessments'' to be performed by an independent consultant at 18 to 24 month intervals, and intermediate ''mini'' surveys in selected areas; (2) annual ratings of supervisors and managers by employees via the Licensee's ''Leadership Assessment Tool'; and (3) a mandatory continuing training program for all supervisors and managers. The training program will have the objectives of reinforcing the importance of maintaining a safety-conscious work environment and of assisting managers and supervisors in dealing with conflicts in the work place in the context of a safety-conscious work environment. The training program will also include a specific course entitled ''Safety Speaking.'' During a telephone conversation with the NRC staff on May 29, 1998, the Licensee agreed to include in its mandatory training for all supervisors and managers training on the requirements of 10 CFR 50.7, including, but not limited to, what constitutes protected activity and what constitutes discrimination, and appropriate responses to the raising of safety concerns by employees.

IV

Since the Licensee settled the four employee protection complaints prior to an evidentiary hearing before, and prior to a finding that discrimination had occurred by, the United States Department of Labor; since the Licensee took corrective actions as outlined above; and since the Licensee has planned actions to monitor the safety environment and to promote an atmosphere conducive to the raising of safety concerns by employees without fear of retaliation, the NRC staff is satisfied that its concerns regarding employee protection at South Texas Project Electric Generating Station can be resolved by confirming the Licensee's plans for further corrective action by this Order. Accordingly, the staff is exercising its enforcement discretion pursuant to Section VII B.6 of the NRC Enforcement Policy and will not pursue a Notice of Violation or a civil penalty in this case.

By letter dated May 29, 1998, the Licensee consented to issuance of this Order with the commitments described in Section V, below, and to waive its right to a hearing on this Order. The Licensee further consented to the immediate effectiveness of this Order.

I find that the Licensee's commitments, as set forth in Section V, below, are acceptable and necessary and conclude that with these commitments, the Licensee's process for addressing employee protection and safety concerns will be enhanced. In view of the foregoing, I have determined that public health and safety require that the Licensee's commitments be confirmed by this Order. Based on the above and the Licensee's consent, this Order is immediately effective upon issuance.

V

Accordingly, pursuant to sections 103, 161b, 161i, 161o, 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR Part 50, *It Is Hereby Ordered, Effective Immediately, That License Nos. NPF–76 and NPF–80 Are Modified As Follows:*

1. Beginning in 1998, the STP Nuclear Operating Company will integrate into

its overall program for enhancing the work environment and safety culture at the facility a ''Comprehensive Cultural Assessment'', as described in Attachment D to the Licensee's March 12, 1998, submission, to be performed by an independent contractor. The Cultural Assessment will include both a written survey of employees (including supervision and management) and baseline contractors, and confidential interviews of selected individuals. The first assessment is scheduled for the second quarter of 1998 and will be performed at least three more times at intervals of 18 to 24 months. Annual ''mini'' surveys will be conducted and shall include, but not be limited to, annual surveys through at least the year 2002. Before conducting each mini-survey, the Licensee will identify to the NRC Regional Administrator the departments and divisions to be surveyed. The Licensee will submit to the NRC for review all Cultural Assessment results, including all intermediate ''mini'' surveys. Within 60 days of receipt of the survey results, the Licensee will provide to the NRC Regional Administrator any plans necessary to address issues raised by the survey results.

2. The STP Nuclear Operating Company will conduct annual ratings of supervisors and managers by employees via the ''Leadership Assessment Tool'', as described in Attachment D to the Licensee's March 12, 1998, submission, through at least the year 2002.

3. The STP Nuclear Operating Company will conduct a mandatory continuing training program for all supervisors and managers. This program will include:

(a) Scheduled training on building positive relationships, as outlined in Attachment D to the Licensee's March 12, 1998, submission. The training program will have the objective of reinforcing the importance of maintaining a safety-conscious work environment and assisting managers and supervisors in dealing with conflicts in the work place in the context of a safety-conscious work environment. The training program also will include a course entitled ''Safely Speaking,'' as described in Attachment D to the Licensee's March 12, 1998, submission; and

(b) Annual training on the requirements of 10 CFR 50.7, through at least the year 2002, including, but not limited to, what constitutes protected activity and what constitutes discrimination, and appropriate responses to the raising of safety concerns by employees. Such training shall stress the freedom of employees in the nuclear industry to raise safety concerns without fear of retaliation by their supervisors or managers.

4. The licensee shall issue a site-wide publication to inform its employees and contractor employees of this Confirmatory Order as well as their rights to raise safety concerns to the NRC and their management without fear of retaliation.

The Regional Administrator, Region IV, may relax or rescind, in writing, any of the above conditions upon a showing by the Licensee of good cause.

VI

Any person adversely affected by this Confirmatory Order, other than the Licensee, may request a hearing within 20 days of its issuance. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and include a statement of good cause for the extension. Any request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Chief, Rulemaking and Adjudications Staff, Washington, D.C. 20555. Copies of the hearing request shall also be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington D.C. 20555, to the Deputy Assistant General Counsel for Enforcement at the same address, to the Regional Administrator, NRC Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, TX 76011–8064, and to the Licensee. If such a person requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).

If the hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section IV above shall be final 20 days from the date of this Order without further order or proceeding. If an extension of time requesting a hearing has been approved, the provisions specified in Section IV shall be final when the extension expires if a hearing request has not been received. AN ANSWER OR A REQUEST FOR A HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

Dated at Rockville, Maryland this 9th day of June 1998.

For the U.S. Nuclear Regulatory Commission.

Ashok A. Thadani,

Deputy Executive Director for Regulatory Effectiveness.

[FR Doc. 98–16649 Filed 6–22–98; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–338]

Virginia Electric and Power Company; North Anna Power Station, Unit 1; Confirmatory Order Modifying License Effective Immediately

I

Virginia Electric and Power Company (VEPCO, the licensee) is the holder of Facility Operating License No. NPF–4, which authorizes operation of North Anna Power Station (NAPS), Unit 1, located in Louisa County, Viginia.

II

The staff of the U.S. Nuclear Regulatory Commission (NRC) has been concerned that Thermo-Lag 330–1 fire barrier systems installed by licensees may not provide the level of fire endurance intended and that licensees that use Thermo-Lag 330–1 fire barriers may not be meeting regulatory requirements. During the 1992 to 1994 timeframe, the NRC staff issued Generic Letter (GL) 92–08, ''Thermo-Lag 330–1 Fire Barriers'' and subsequent requests for additional information that requested licensees to submit plans and schedules for resolving the Thermo-Lag issue. The NRC staff has obtained and reviewed all licensees' corrective plans and schedules. The staff is concerned that some licensees may not be making adequate progress toward resolving the plant-specific issues, and that some implementation schedules may be either too tenuous or too protracted. For example, several licensees informed the NRC staff that their completion dates had slipped by 6 months to as much as 3 years. For NAPS, Unit 1, that had corrective action scheduled beyond 1997, the NRC reviewed with VEPCO the schedule of Thermo-Lag corrective actions described in the VEPCO submittal to the NRC dated December 18,1997. Based on the information submitted by VEPCO, the NRC staff has concluded that the schedules presented are reasonable. This conclusion is based