

Dr. Richard F. Cole, Special Assistant,
Atomic Safety and Licensing Board
Panel, U.S. Nuclear Regulatory
Commission, Washington, D.C. 20555

Issued at Rockville, Maryland, this 16th
day of June 1998.

B. Paul Cotter, Jr.,

*Chief Administrative Judge, Atomic Safety
and Licensing Board Panel.*

[FR Doc. 98-16639 Filed 6-22-98; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-315]

Indiana Michigan Power Company; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory
Commission (the Commission) has
granted the request of Indiana Michigan
Power Company (the licensee) to
withdraw its August 4, 1995,
application for proposed amendment to
Facility Operating License No. DPR-58,
for the Donald C. Cook Nuclear Plant,
Unit Nos. 1, located in Berrien County,
Michigan.

The proposed amendment would
have revised the technical specifications
to allow for repair of hybrid expansion
joint sleeved steam generator tubes.

The Commission had previously
issued a Notice of Consideration of
Issuance of Amendment published in
the **Federal Register** on January 29,
1997 (62 FR 4351). However, by letter
dated January 6, 1998, the licensee
withdrew the proposed change.

For further details with respect to this
action, see the application for
amendment dated August 4, 1995, and
the licensee's letter dated January 6,
1998, which withdrew the application
for license amendment. 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 Maud Preston Palenske
Memorial Library, 500 Market Street, St.
Joseph, MI 49085.

Dated at Rockville, Maryland, this 15th day
of June 1998.

For the Nuclear Regulatory Commission.

John F. Stang,

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

[FR Doc. 98-16650 Filed 6-22-98; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-315 and 50-316]

Indiana Michigan Power Company; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory
Commission (the Commission) has
granted the request of Indiana Michigan
Power Company (the licensee) to
withdraw its November 16, 1994
application for proposed amendment to
Facility Operating License Nos. DPR-58
and DPR-74, for the Donald C. Cook
Nuclear Plant, Unit Nos. 1 and 2,
located in Berrien County, Michigan.

The proposed amendment would
have revised the technical specifications
to reduce the decay time required before
refueling operations could begin.

The Commission had previously
issued a Notice of Consideration of
Issuance of Amendment published in
the **Federal Register** on December 21,
1994 (59 FR 65816). However, by letter
dated January 27, 1998, the licensee
withdrew the proposed change.

For further details with respect to this
action, see the application for
amendment dated November 16, 1994,
and the licensee's letter dated January
27, 1998, which withdrew the
application for license amendment. 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 Maud
Preston Palenske Memorial Library, 500
Market Street, St. Joseph, MI 49085.

Dated at Rockville, Maryland, this 15th day
of June 1998.

For the Nuclear Regulatory Commission.

John F. Stang,

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

[FR Doc. 98-16651 Filed 6-22-98; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 030-31174, License No. 07-
28386-01, EA NO. 98-061]

Koch Engineering Company, Inc., Newark, Delaware; Order Imposing a Civil Monetary Penalty

I

Koch Engineering Company, Inc.
(Licensee) is the holder of Byproduct
Materials License No. 07-28386-01

(License) issued by the Nuclear
Regulatory Commission (NRC or
Commission) on July 24, 1989, and most
recently renewed by the NRC on August
28, 1995. The License authorizes the
Licensee to possess and use certain
byproduct materials in accordance with
the conditions specified therein at its
facilities in Newark, Delaware, Canton,
Michigan, and temporary job sites
anywhere in the United States where
the U.S. Nuclear Regulatory
Commission maintains jurisdiction.

II

A special inspection of the Licensee's
activities was conducted on September
15, 1997, to review the circumstances
associated with an event involving the
shipment of a package of radioactive
material (3 cesium-137 sources) via
Federal Express from the Licensee's
facility in Newark, Delaware to
Wilmington, North Carolina. The
package was empty upon arrival in
North Carolina, and the sources were
later found at a Federal Express facility
in Memphis, Tennessee. The NRC
inspection was continued in the Region
I office on January 20, 1998, to review
evaluations of doses received by Federal
Express workers as a result of the event.
The results of this inspection indicated
that the Licensee had not conducted its
activities in full compliance with NRC
requirements. A written Notice of
Violation and Proposed Imposition of
Civil Penalty (Notice) was served upon
the Licensee by letter dated March 13,
1998. The Notice states the nature of the
violations, the provisions of the NRC
requirements that the Licensee violated,
and the amount of the civil penalty
proposed for the violation.

The Licensee responded to the Notice
in letters, dated April 8 and 9, 1998. In
its responses, the Licensee admits the
violations, but disputes the Severity
Level of the violation that resulted in
the issuance of the civil penalty and
requests that the proposed penalty of
\$4,400 be reconsidered.

III

After consideration of the Licensee's
response and the statements of fact,
explanation, and argument contained
therein, the NRC staff has determined,
as set forth in the Appendix to this
Order, that the Licensee has not
provided an adequate basis for reducing
the Severity Level of the violation or for
withdrawal of the civil penalty
associated with this violation.
Therefore, a civil penalty in the amount
of \$4,400 should be imposed.