Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, D.C. 20024. Telephone (202) 707–8380 or Telefax (202) 707–8366.

SUPPLEMENTARY INFORMATION: Under the cable compulsory license, section 111 of the title 17, United States Code, a cable operator may carry the signal of a television station classified as a specialty station at the base rate rather than at the higher 3.75% rate that is usually incurred for the carriage of a non-permitted signal. 37 CFR 256.2(c). Specialty station status is determined by reference to the former regulations of the Federal Communications Commission (FCC) which defined a specialty station as ''a commercial television broadcast station that generally carries foreign-language, religious, and/or automated programming in one-third of the hours of an average broadcast week and one-third of the weekly prime-time hours.'' 47 CFR 76.5(kk) (1981). The FCC no longer determines whether a station qualifies as a specialty station; however, the Copyright Office updates the list periodically, because the list remains relevant to the cable compulsory license scheme.

The Copyright Office published its first specialty station list in 1990 under a procedure which allowed the owner of the station to file an affidavit with the Office attesting to the fact that the station's programming comports with the 1981 FCC definition, and hence, qualifies it as a specialty station. 55 FR 40021 (October 1, 1990). The Office agreed at that time to update the list approximately every three years.

Accordingly, on August 4, 1998, the Copyright Office published a notice asking the owner, or a valid agent of the owner, to file a sworn affidavit with the Copyright Office stating that the station's programming satisfies the FCC's former requirements for specialty station status. 63 FR 41599 (August 4, 1998). In response to the notice, the Copyright Office received affidavits on behalf of forty-nine broadcast television stations. These stations are listed below. Any party that objects to another party's claim to specialty station status should submit specific and factual comments as to which station(s) he or she objects to, and why. A final annotated list of specialty stations including references to any objections filed against a particular station owner's claim will be published in the **Federal Register**.

Copyright Office licensing examiners shall refer to the final annotated list in examining a statement of account where a cable system operator claims specialty station status for a particular station. If a cable system operator claims specialty station status for a station not on the published final list, the examiner determines whether the owner of the station has filed an affidavit since publication of the list. Affidavits received after the publication of the final annotated list shall be kept on file in the Licensing Division of the Copyright Office. Any interested party may file an objection to any such late-filed affidavit and the objection shall be filed together with the corresponding affidavit.

List of Specialty Stations: Call Letters and Cities of License

CBAFT Moncton, New Brunswick, Canada
CBFT Montreal, Quebec, Canada
CBKFT Regina, Saskatchewan, Canada
CBOFT Ottawa, Ontario, Canada
CBUFT Vancouver, British Columbia, Canada
CBVT Quebec City, Quebec, Canada
CBWFT Winnipeg, Manitoba, Canada
CBXFT Edmonton, Alberta, Canada
CFCM–TV Quebec, Quebec, Canada
CFER–TV Rimouski, Quebec, Canada
CFTM–TV Montreal, Quebec, Canada
CHEM–TV Trois-Rivieres, Quebec, Canada
CHLT–TV Sherbrooke, Quebec, Canada
CJPM–TV Chicoutimi, Quebec, Canada
CKSH–TV Sherbrooke, Quebec, Canada
K30CE Austin, TX
K48AM Albuquerque, NM
K52AO Tucson, AZ
KABE–LP Bakersfield, CA
KCHF Santa Fe, NM
KDRX–LP Phoenix, AZ
KDTV–LP Santa Rosa, CA
KDTV(TV) San Francisco, CA
KFTV(TV) Hanford, CA
KLUZ–TV Albuquerque, NM
KMEX–TV Los Angeles, CA
KTSF(TV) San Francisco, CA
KTVW–TV Phoenix, AZ
KUVN–LP Fort Worth, TX
KUVN(TV) Garland, TX
KUVS(TV) Modesto, CA
KWEX–TV San Antonio, TX
KWHY–TV Los Angeles, CA
KXLN–TV Rosenberg, TX
W47AD Hartford, CT
W50BF–TV Sharon (Mercer County), PA
W63BF Aguadilla, Puerto Rico
WAQP–TV Saginaw, MI
WGBO–TV Joliet, IL
WINM–TV Angola, IN
WKBS–TV Johnstown/Altoona, PA
WLTV(TV) Miami, FL
WLXI–TV Greensboro, NC
WNYB–TV Jamestown, NY
WPCB–TV Greensburg/Pittsburgh, PA
WTCT–TV Marion, IL
WTLJ–TV Muskegon, MI
WXTV–LP Philadelphia, PA
WXTV(TV) Paterson, NJ

Dated: October 20, 1998.

David O. Carson,

General Counsel.

[FR Doc. 98–28514 Filed 10–22–98; 8:45 am]

BILLING CODE 1410–31–U

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–461]

Illinois Power Company; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF–62 issued to Illinois Power Company (IP, or the licensee) for operation of the Clinton Power Station (CPS), located in DeWitt County, Illinois.

The proposed amendment requests deferral of the next scheduled local leak rate test for valve 1MC–042 until the seventh refueling outage.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

(1) The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed change revises Technical Specification (TS) 5.5.13 to permit deferral of the leakage rate testing of primary containment penetration 1MC–042 until the seventh refueling outage. Analyzed accidents are considered to be initiated by the failure of plant structures, systems, or components. The potential for increased leakage through primary containment penetration 1MC–042 is not itself a condition that is or could lead to an initiator of any analyzed accident. The proposed change will not alter the operation of or otherwise increase the failure probability of any plant equipment whose failure could initiate an analyzed accident. As such, the probability of occurrence for a previously analyzed accident is not significantly increased.

The consequences of a previously analyzed accident are dependent on the initial conditions assumed for the analysis, the availability and successful functioning of the equipment assumed to operate in response to the analyzed accident, and the setpoints at which these actions are initiated. Primary containment penetration 1MC–042 forms part of the overall primary containment boundary which serves to provide a barrier to prevent the release of fission products to the environment in the event a previously analyzed accident should occur.

The only attributes of this change that could affect the consequences of a previously analyzed accident are the leakage characteristics pertaining to the primary containment isolation function of 1MC–042. The leakage acceptance criteria for penetration 1MC–042 are not being revised as a result of the proposed change. Since penetration 1MC–042 was successfully tested earlier during the current shutdown period, and since this penetration has an excellent leakage performance history, and because no significant degradation mechanisms have been present since it was last tested, there is adequate assurance that penetration 1MC–042 will continue to maintain adequate leak tightness throughout the next operating cycle. The proposed change for this one penetration is thus not expected to have any significant effect itself on the overall leak rate of the containment. Further, a conservative margin already exists with respect to the leakage assumed in the accident analyses due to the overall Type B and Type C leakage being limited by TS 5.5.13 to less than or equal to 0.6 La prior to unit restart. On this basis, the proposed change has no significant impact on the radiological analysis for the design basis accident(s) that assumes limited containment leakage. Based on this evaluation, there is no significant increase in the consequences of a previously analyzed accident.

Therefore, this change will not involve a significant increase in the probability or consequences of any accident previously evaluated.

(2) The proposed change would not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed change revises TS 5.5.13 to allow the primary containment leakage rate test of penetration 1MC–042 to be deferred until the seventh refueling outage. No new failure modes are introduced by the proposed change as it only concerns or potentially affects leakage already considered or accounted for with respect to primary containment penetrations. The proposed change does not change the operating characteristics, function, or mechanical design of penetration IMC–042. Likewise, there are no changes being made to any other equipment or structures. No new or different equipment is being installed, and no installed equipment whose failure might initiate an analyzed event is being operated in a different manner. The proposed change does not impact core reactivity or the manipulation of fuel bundles. There is no alteration to the parameters within which the plant is normally operated or in the setpoints that initiate protective or mitigative actions. There are no changes in the methods governing normal plant operation, nor are the methods utilized to respond to plant transients altered.

Therefore, based on the above, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

(3) The proposed change will not involve a significant reduction in the margin of safety.

The margin of safety is established through the design of the plant structures, systems, and components, the parameters within which the plant is operated, and the establishment of the setpoints for the actuation of equipment relied upon to respond to an event. The margin of safety potentially affected by the proposed change is associated with the postaccident offsite dose consequences associated with the integrity of the primary containment boundary. The proposed change revises TS 5.5.13 to permit deferral of the leakage rate testing of primary containment penetration 1MC–042 until the seventh refueling outage. The design of penetration 1MC–042 and its leakage performance criteria are not affected by this change. Deferral of the leakage rate test will not in and of itself create a condition such that there will be a significant loss of isolation capability of the subject penetration, nor will the proposed change affect the leakage characteristics of the other components and structures that form portions of the primary containment boundary. Based on the leakage rate test history of penetration 1MC–042 and the absence of any significant degradation mechanisms that could cause this penetration to experience a reduction in effectiveness as a primary containment boundary, the proposed change does not involve any significant impact on containment leakage, and therefore does not involve any significant impact on the dose analysis for which a maximum containment leakage is assumed.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days of the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 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 November 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 Vespasian Warner Public Library, 310 N. Quincy Street, Clinton, IL 61727. 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 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 20555–0001, 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 Leah Manning Stetzner, Vice President, General Counsel, and Corporate Secretary, 500 South 27th Street, Decatur, IL 62525, 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 October 5, 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 Vespasian Warner Public Library, 310 N. Quincy Street, Clinton, IL 61727.

Dated at Rockville, Maryland, this 19th day of October 1998.

For the Nuclear Regulatory Commission.

Jon B. Hopkins,

Senior Project Manager, Project Directorate III–2, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 98–28463 Filed 10–22–98; 8:45 am]

BILLING CODE 7590–01–P

OFFICE OF MANAGEMENT AND BUDGET

Cumulative Report on Rescissions and Deferrals

October 1, 1998.

This report is submitted in fulfillment of the requirement of section 1014(e) of the Congressional Budget and Impoundment Control Act of 1974 (Pub. L. 93–344). Section 1014(e) requires a monthly report listing all budget authority for the current fiscal year for which, as of the first day of the month, a special message had been transmitted to Congress.

This report gives the status, as of October 1, 1998, of one rescission proposal that is pending and was contained in a special message for FY 1998. This message was transmitted to Congress on July 24, 1998.

Rescissions (Attachments A and B)

As of October 1, 1998, one rescission proposal totaling $5.2 million had been transmitted to the Congress. Attachment B shows the status of the FY 1998 rescission proposals.

Information From Special Messages

The special message containing information on the rescission proposals and deferrals that are covered by this cumulative report are printed in the edition of the **Federal Register** cited below:

63 FR 41303, Monday, August 3, 1998

Jacob J. Lew,

Director.

Attachments