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 amendments dated March 22, 1999, 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 Byron Public Library District, 109 N. Franklin, P.O. Box 434, Byron, Illinois 61010 (for Byron) and the Wilmington Public Library, 201 S. Kankakee Street, Wilmington, Illinois 60481 (for Braidwood).

Dated at Rockville, Maryland, this 23rd day of March 1999.

For the Nuclear Regulatory Commission.

John B. Hickman,

Project Manager, Project Directorate III–2, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 99–7601 Filed 3–26–99; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 72–20]

Department Of Energy, Idaho Operations Office Notice of Issuance of Materials License SNM–2508 for TMI–2 Independent Spent Fuel Storage Installation

The U.S. Nuclear Regulatory Commission (NRC or the Commission) has issued a Materials License under the provisions of Title 10 of the Code of Federal Regulations, Part 72 (10 CFR Part 72), to the Department of Energy, Idaho Operations Office (DOE–ID), authorizing receipt and storage of spent fuel in an independent spent fuel storage installation (ISFSI) located at the Idaho National Engineering and Environmental Laboratory (INEEL), within the Idaho Nuclear Technology and Engineering Center (INTEC) site in Scoville, Idaho, as described in its application dated October 31, 1996, and Safety Analysis Report (SAR).

The function of the ISFSI is to provide interim storage of radioactive material from the Three Mile Island Unit 2 (TMI–2) reactor core damaged by the March 28, 1979, reactor accident, including the remains of 177 Babcock and Wilcox 15x15 fuel assemblies, 61 control rod assemblies, and miscellaneous irradiated core and core basket material. The material is contained within 265 fuel canisters, 12 knockout canisters, and 67 filter canisters which are used to confine the TMI–2 core debris in the absence of intact fuel assembly cladding. The cask that is authorized for use is the NUHOMS–12T designed by Transnuclear West, Inc. The license for an ISFSI under 10 CFR Part 72 is issued for 20 years, but the licensee may seek to renew the license, if necessary, prior to its expiration.

The Commission's Office of Nuclear Material Safety and Safeguards (NMSS) has completed its environmental, safeguards, and safety reviews in support of issuance of this license.

Following receipt of the application dated October 31, 1996, a ''Notice of Consideration of Issuance of a Materials License for the Storage of Spent Fuel and Notice of Opportunity for a Hearing'' was published in the **Federal Register** on January 13, 1997 (62 FR 1782). The ''Final Environmental Impact Statement (FEIS) Related to the Construction and Operation of the TMI–2 Independent Spent Fuel Storage Installation,'' NUREG–1626, was issued and noticed in the **Federal Register** (63 FR 13077) on March 17, 1998, in accordance with 10 CFR Part 51. The scope of the FEIS included the construction and operation of an ISFSI on the INEEL site.

The staff has completed its safety review of the TMI–2 ISFSI site application and SAR. Materials License SNM–2508 and the NRC staff's ''Safety Evaluation Report for the TMI–2 Independent Spent Fuel Storage Installation'' were issued on March 19, 1999. Materials License SNM–2508, the staff's Environmental Impact Statement, Safety Evaluation Report, and other documents related to this action are available for public inspection and for copying for a fee at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW, Washington, DC 20555, and at the Local Public Document Room at the INEEL Technical Library, 1776 Science Center Drive, Idaho Falls, ID 83402.

Dated at Rockville, Maryland, this 19th day of March 1999.

For the Nuclear Regulatory Commission.

E. William Brach,

Director, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 99–7600 Filed 3–26–99; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–275 and 50–323]

Pacific Gas and Electric Company; Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License Nos. NPF–80 and 82, issued to Pacific Gas and Electric Company (PG&E or the licensee), for operation of the Diablo Canyon Power Plant, Units 1 and 2 (DCPP), located in San Luis Obispo County, California.

The initial notice of consideration of issuance of amendment to facility operating license and opportunity for hearing was originally published in the **Federal Register** (63 FR 55152) on October 14, 1998. The information included in the supplemental letters indicates that the original notice, that included 13 proposed beyond-scope issues (BSIs) to the Improved Technical Specifications (ITS) conversion, needs to be expanded (to add 15 new BSIs) and revised (to delete 8 previous BSIs) to include a total of 20 BSIs. This notice supercedes the previous notice.

The proposed amendment, requested by the licensee in a letter dated June 2, 1997, as supplemented by letters dated January 9, June 25, August 5, August 28, September 25, October 16, October 23, November 25, December 4, December 17, and December 30, 1998, and February 24 and March 10, 1999, would represent a full conversion from the current Technical Specifications (CTS) to a set of ITS based on NUREG–1431, ''Standard Technical Specifications, Westinghouse Plants,'' Revision 1, dated April 1995. NUREG–1431 has been developed by the Commission's staff through working groups composed of both NRC staff members and industry representatives, and has been endorsed by the staff as part of an industry-wide initiative to standardize and improve the Technical Specifications (TSs) for nuclear power plants. As part of this submittal, the licensee has applied the criteria contained in the Commission's ''Final Policy Statement on Technical Specification Improvements for Nuclear Power Reactors (Final Policy Statement),'' published in the **Federal Register** on July 22, 1993 (58 FR 39132), to the CTS, and, using NUREG–1431 as a basis, proposed an ITS for DCPP. The criteria in the Final Policy Statement were subsequently added to 10 CFR 50.36, ''Technical Specifications,'' in a rule change that was published in the **Federal Register** on July 19, 1995 (60 FR 36953) and became effective on August 18, 1995.

This conversion is a joint effort in concert with three other utilities: Texas Utilities Electric for Comanche Peak Steam Electric Station, Units 1 and 2 (Docket Nos. 50–445 and 446); Union Electric Company for Callaway Plant (Docket No. 50–483); and Wolf Creek Nuclear Operating Corporation for Wolf Creek Generating Station (Docket No. 50–482). This joint effort includes a common methodology for the licensees in marking-up the CTS and NUREG–1431 Specifications, and the NUREG–1431 Bases, that has been accepted by the staff. This includes the convention that, if the words in a CTS specification are not the same as the words in the ITS specification but they mean the same or have the same requirements as the words in the ITS specification, the licensees do not indicate or describe a change to the CTS.

This common methodology is discussed at the end of Enclosure 2, ''Mark-Up of Current TS''; Enclosure 5a, ''Mark-Up of NUREG–1431 Specifications''; and Enclosure 5b, ''Mark-Up of NUREG–1431 Bases'', for each of the 14 separate ITS sections that were submitted with the licensee's application. For each of the 14 ITS sections, there is also the following: Enclosure 1, the cross reference table, sorted by CTS and ITS Specifications; Enclosure 3, the description of the changes to the CTS section and the comparison table showing which plants (of the four licensees in the joint effort) that each change applies to; Enclosure 4, the no significant hazards consideration (NSHC) of 10 CFR 50.91 for the changes to the CTS with generic NSHCs for administrative, more restrictive, relocation, and moving-out-of-CTS changes, and individual NSHCs for less restrictive changes and with the organization of the NSHC evaluation discussed in the beginning of the enclosure; and Enclosure 6, the descriptions of the differences from NUREG–1431 specifications and the comparison table showing which plants (of the four licensees in the joint effort) that each difference applies to. Another convention of the common methodology is that the technical justifications for the less restrictive changes are included in the NSHCs.

The licensee has categorized the proposed changes to the CTS into four general groupings. These groupings are characterized as administrative changes, relocated changes, more restrictive changes and less restrictive changes.

Administrative changes are those that involve restructuring, renumbering, rewording, interpretation and complex rearranging of requirements and other changes not affecting technical content or substantially revising an operating requirement. The reformatting, renumbering and rewording process reflects the attributes of NUREG–1431 and does not involve technical changes to the existing TSs. The proposed changes include: (a) Providing the appropriate numbers, etc., for NUREG–1431 bracketed information (information that must be supplied on a plant-specific basis, and which may change from plant to plant), (b) identifying plant-specific wording for system names, etc., and (c) changing NUREG–1431 section wording to conform to existing licensee practices. Such changes are administrative in nature and do not impact initiators of analyzed events or assumed mitigation of accident or transient events.

Relocated changes are those involving relocation of requirements and surveillances for structures, systems, components, or variables that do not meet the criteria for inclusion in the TSs. Relocated changes are those current TSs requirements that do not satisfy or fall within any of the four criteria specified in the Commission's policy statement and may be relocated to appropriate licensee-controlled documents.

The licensee's application of the screening criteria is described in Attachment 2 to its June 2, 1997, submittal, which is entitled, ''General Description and Assessment.'' The affected structures, systems, components or variables are not assumed to be initiators of analyzed events and are not assumed to mitigate accident or transient events. The requirements and surveillances for these affected structures, systems, components, or variables will be relocated from the TS to administratively controlled documents such as the quality assurance program, the Final Safety Analysis Report (FSAR), the ITS Bases, the Equipment Control Guidelines (EGC) that is incorporated by reference in the FSAR, the Core Operating Limits Report (COLR), the Offsite Dose Calculation Manual (ODCM), the Inservice Testing (IST) Program, or other licensee-controlled documents. Changes made to these documents will be made pursuant to 10 CFR 50.59 or other appropriate control mechanisms, and may be made without prior NRC review and approval. In addition, the affected structures, systems, components, or variables are addressed in existing surveillance procedures that are also subject to 10 CFR 50.59. These proposed changes will not impose or eliminate any requirements.

More restrictive changes are those involving more stringent requirements compared to the CTS for operation of the facility. These more stringent requirements do not result in operation that will alter assumptions relative to the mitigation of an accident or transient event. The more restrictive requirements will not alter the operation of process variables, structures, systems, and components described in the safety analyses. For each requirement in the CTS that is more restrictive than the corresponding requirement in NUREG–1431 that the licensee proposes to retain in the ITS, they have provided an explanation of why they have concluded that retaining the more restrictive requirement is desirable to ensure safe operation of the facility because of specific design features of the plant.

Less restrictive changes are those where CTS requirements are relaxed or eliminated, or new plant operational flexibility is provided. The more significant ''less restrictive'' requirements are justified on a case-by-case basis. When requirements have been shown to provide little or no safety benefit, their removal from the TSs may be appropriate. In most cases, relaxations previously granted to individual plants on a plant-specific basis were the result of (a) generic NRC actions, (b) new NRC staff positions that have evolved from technological advancements and operating experience, or (c) resolution of the Owners Groups' comments on the Improved Standard Technical Specifications. Generic relaxations contained in NUREG–1431 were reviewed by the staff and found to be acceptable because they are consistent with current licensing practices and NRC regulations. The licensee's design will be reviewed to determine if the specific design basis and licensing basis are consistent with the technical basis for the model requirements in NUREG–1431, thus providing a basis for these revised TS, or if relaxation of the requirements in the current TS is warranted based on the justification provided by the licensee.

These administrative, relocated, more restrictive, and less restrictive changes to the requirements of the CTS do not result in operations that will alter assumptions relative to mitigation of an analyzed accident or transient event.

In addition to the proposed changes solely involving the conversion, there are also changes proposed that are differences to the requirements in both the CTS and the Improved Standard Technical Specifications (NUREG–1431). The first five BSIs were included in the previous (superceded notice) and still apply to the conversion, however there are fourteen additional BSIs. The additional beyond-scope issues (BSIs) are discussed in the licensee's response to requests for additional information (RAIs) from the NRC staff. These proposed BSIs to the ITS conversion are as follows:

1. ITS 3.1.7. Adds a new action for more than one digital rod position indicator (DRPI) per group inoperable.

2. ITS Surveillance Requirements (SR) 3.2.1.1 and 3.2.1.2. Changes the frequency to allow 24 hours for verifying that the axial heat flux hot channel factor is within limit after achieving equilibrium conditions.

3. ITS SR 3.6.3.7. A note is added to not require leak rate test of containment purge valves with resilient seals when penetration flow path is isolated by test-tested blank flange.

4. ITS 3.1.3 and 5.6.5. Adds moderator temperature coefficient to the core operating limits report.

5. ITS 3.9.1 and 5.6.5. Adds refueling boron concentration to the core operating limits report.

The format for the fifteen BSIs listed below is the associated change number, RAI number, RAI response submittal date, and description of the change.

6. Change 2–17–LS–1 (CTS 6.0) in the application and difference 5.5–14 to the Improved Standard Technical Specifications (ITS 5.0), question Q5.5–2, response letter dated September 25, 1998. The proposed change adds an allowance to CTS SR 6.8.4.i for the reactor coolant pump flywheel inspection program (ITS 5.5.7) to permit an exception to the examination requirements specified in the CTS SR (i.e., regulatory position C.4.b of NRC Regulatory Guide (RG) 1.14, Revision 1) that is consistent with WCAP–14535, ''Topical Report on Reactor Coolant Pump Flywheel Inspection Elimination.''

7. Change 1–22–M (CTS 3/4.3), question Q3.3–49, response letter dated December 4, 1998. The proposed change is a revision to the original application. Quarterly channel operational tests (COTs) would be added to CTS Table 4.3–1 for the power range neutron flux-low and intermediate range neutron flux. The CTS only require a COT prior to startup for these functions. New Note 19 would be added to require that the new quarterly COT be performed within 12 hours after reducing power below P–10 for the power range and intermediate range instrumentation (P–10 is the dividing point marking the applicability for these trip functions), if not performed within the previous 92 days. New Note 20 would be added to state that the P–6 and P–10 interlocks are verified to be in their required state during all COTs on the power range neutron flux-low and intermediate range neutron flux trip functions.

8. Change 1–9–A (CTS 6.0), question Q5.2–1, response letter dated September 25, 1998. A new administrative change is added. The CTS 6.2.2.f requirements concerning overtime would be replaced by a reference to administrative procedures for the control of working hours.

9. Change 1–15–A (CTS 6.0), question Q5.2–1, response letter dated September 25, 1998. A new administrative change is added. The proposed change would revise CTS 6.2.4 to eliminate the title of Shift Technical Advisor. The engineering expertise is maintained on shift, but a separate individual would not be required as allowed by a Commission Policy Statement.

10. Change 2–18–A (CTS 6.0), question Q5.2–1, response letter dated September 25, 1998. A new administrative change is added. The dose rate limits in CTS 6.8.4.g on the Radioactive Effluent Controls Program for releases to areas beyond the site boundary would be revised to reflect 10 CFR Part 20 requirements.

11. Change 2–22–A (CTS 6.0), question Q5.2–1, response letter dated September 25, 1998. A new administrative change is added. The requirements in CTS 6.8.4.g on the Radioactive Effluents Controls Program would be revised to include clarification statements denoting that the provisions of CTS 4.0.2 and 4.0.3, which allow extensions to surveillance frequencies, are applicable to these activities.

12. Change 3–11–A (CTS 6.0), question Q5.2–1, response letter dated September 25, 1998. The proposed change is a revision to the original application. CTS 6.12, which provides high radiation area access control alternatives pursuant to 10 CFR 20.203(c)(2), would be revised to meet the current requirements in 10 CFR Part 20 and the guidance in NRC RG 8.38, ''Control of Access to High and Very High Radiation Areas in Nuclear Power Plants,'' on such access controls.

13. Change 3–18–LS–5 (CTS 6.0), question Q5.2–1, response letter dated September 25, 1998. A new less restrictive change is added. The CTS 6.9.1.7 requirement to provide documentation of all challenges to the power operated relief valves (PORVs) and safety valves on the reactor coolant system would be deleted. This is based on NRC Generic Letter 97–02, ''Revised Contents of the Monthly Operating Report,'' which reduced the requirements for submitting such information to the NRC. The GL did not include these valves for information to be submitted.

14. Change 4–8–LS–34 (CTS 3/4.4), question Q3.4.11–2, response letter dated September 25, 1998. The proposed change was requested in the original application. The proposed change would limit the CTS SRs 4.4.4.1.a and 4.4.4.2 requirements to perform the 92-day surveillance of the pressurizer PORV block valves and the 18-month surveillance of the pressurizer PORVs (i.e., perform one complete cycle of each valve) to only Modes 1 and 2.

15. Change 4–9–LS–36 (CTS 3/4.4), question Q3.4.11–4, response letter dated September 25, 1998. The proposed change is added. The proposed change would limit the CTS 4.4.4.2 requirement to perform the 92-day surveillance of the pressurizer PORV block valves in that the SR would not be performed if the PORV block valve is closed to meet Action a of CTS LCO 3.4.4. Action a is for an PORV being inoperable, but capable of being cycled.

16. Change 1–60–A (CTS 3/4.3), question TR 3.3–007, followup items letter dated December 30, 1998. A new administrative change (identified as TR 3.3–007 on the marked up pages) is added to be identified as Change 1–60–A to the CTS. The change would revise the frequency for performing the trip actuating device operational test (TADOT) in CTS Table 4.3–1 for the turbine trip (Functional units 17.a and 17.b) to be consistent with the modes for which the surveillance is required. This would add a footnote to the TADOT that states ''Prior to exceeding the P–9 interlock whenever the unit has been in Mode 3.''

17. Change 1–18–LS–11 (CTS 3/4.8). The proposed change was requested in the original application and addressed in Q3.8.1–18 of the March 10, 1999 letter. The change would revise the diesel generator (DG) loading requirements for the load rejection test in CTS SR 4.8.1.1.2.b.4 to specify a range of acceptable loads in kW without tripping instead of specifying only a single minimum acceptable kW load. The CTS require that the minimum load for the load rejection test in SR 4.8.1.1.2.b.4 is 2484 kW and the proposed range of loads is ≥2370 kW and ≤ 2610 kW.

18. Change 1–27–LS–9 (CTS 3/4.8). The proposed change was requested in the original application and addressed in Q3.8.1–18 of the March 10, 1999,

letter. The change would increase the maximum allowable DG voltage following load rejection in CTS SR 4.8.1.1.2.b.4 from 4580 to 6200 volts.

19. Change 1–76–LS–29 (CTS 3/4.8). The proposed change is added and addressed in Q3.8.1–33 of the March 10, 1999, letter. The change would remove the wording ''during shutdown'' from the frequency of CTS SR 4.8.1.1.1.b.1 for manual bus transfers, SR 4.8.1.1.2b.4 for emergency diesel generator (EDG) full load testing, and SR 4.8.1.1.2.b.8 for the EDG 24-hour load run testing. The change will facilitate post maintenance testing of an EDG without requiring a plant shutdown.

20. Change 1–3–LS1, (CTS 3/4.3), question Q 1–B GEN, response letter dated December 4, 1998. The proposed change would incorporate WCAP 13632–P–A, ''Eliminate Response Time Testing of Pressure Sensors,'' into CTS SR 4.3.1.2 and SR 4.3.2.2, to state that the function shall be ''verified'' rather than ''demonstrated.'' This changes the Bases for ITS SR 3.3.1.16 and SR 3.3.2.10 to allow the elimination of pressure sensor response time testing.

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

By April 28, 1999, the licensee may file a request for a hearing with respect to issuance of the amendments to the subject facility operating licenses 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 California Polytechnic State University, Robert E. Kennedy Library, Government Documents and Maps Department, San Luis Obispo, California 93407. 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 a 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.

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 Christopher J. Warner, Esq., Pacific Gas & Electric Company, P.O. Box 7442, San Francisco, California 94120, 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).

If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated June 2, 1997, and supplemental letters dated January 9, June 25, August 5, August 28, September 25, October 16, October 23, November 25, December 4, December 17, and December 30, 1998, and February 24 and March 10, 1999, which 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 California Polytechnic State University, Robert E. Kennedy Library, Government Documents and Maps Department, San Luis Obispo, California 93407.

Dated at Rockville, Maryland, this 23rd day of March 1999.

For the Nuclear Regulatory Commission.

Steven D. Bloom,

Project Manager, Project Directorate IV–2, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 99–7595 Filed 3–26–99; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–482]

Wolf Creek Nuclear Operating Corporation; Notice of Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (Commission) has issued Amendment No. 122 to Facility Operating License No. NPF–42 issued to the Wolf Creek Nuclear Operating Corporation (WCNOC or the licensee), which revised the technical specifications for operation of the Wolf Creek Generating Station (WCGS) located in Coffey County, Kansas.

The amendment is effective as of the date of issuance.

The amendment revises Technical Specification (TS) 4.7.3b., ''Plant Systems—Component Cooling Water System—Surveillance Requirements,'' by deleting the requirement to perform the specified surveillances during shutdown.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment and Opportunity for Hearing in connection with this action was published in the **Federal Register** on October 5, 1998 (63 FR 53471), February 26, 1999 (64 FR 9546), and March 1, 1999 (64 FR 10028). No request for a hearing or petition for leave to intervene was filed following these notices.

The Commission has prepared an Environmental Assessment related to the action and has determined not to prepare an environmental impact statement. Based upon the environmental assessment, the Commission has concluded that the issuance of this amendment will not have a significant effect on the quality of the human environment.

For further details with respect to the action see (1) the application for amendment dated May 15, 1997, as supplemented by letters dated June 30, August 5, August 28, September 24, October 16, October 23, November 24, December 2, December 17, and December 21, 1998 and January 15, 1999, (2) Amendment No. 122 to Facility Operating License No. NPF–42, and (3) the Commission's related Safety Evaluation and Environmental Assessment. All of 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 rooms located at the Emporia State University, William Allen White Library, 1200 Commercial Street, Emporia, Kansas 66801, and Washburn University School of Law Library, Topeka, Kansas 66621. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C., 20555, Attention: Director, Division of Licensing Project Management.

Dated at Rockville, Maryland, this 23rd day of March 1999.

For the Nuclear Regulatory Commission.

Kristine M. Thomas,

Project Manager, Project Directorate IV–2, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 99–7599 Filed 3–26–99; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–269, 50–270, and 50–287]

Duke Energy Corporation; Oconee Nuclear Station, Units 1, 2, and 3 Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Section 50.60 and Appendix G to the Duke Energy Corporation (the licensee) for operation of the Oconee Nuclear Station, Units 1, 2, and 3, located in Oconee County, South Carolina.

Environmental Assessment

Identification of the Proposed Action

The proposed action would exempt the licensee from the provisions in 10 CFR Part 50, Section 50.60 and Appendix G. The NRC has established requirements in 10 CFR Part 50 to protect the integrity of the reactor coolant pressure boundary (RCPB) in nuclear power plants. As part of these requirements, 10 CFR Part 50, Appendix G requires that pressure-temperature (P–T) limits be established for reactor pressure vessels (RPVs) during normal operating and hydrostatic, or leak rate, testing conditions. Specifically, 10 CFR Part 50, Appendix G states that ''[t]he appropriate requirements on * * * the pressure-temperature limits and minimum permissible temperature must be met for all conditions.'' Pressurized water reactor licensees have installed cold overpressure mitigation systems/low temperature overpressure protection (LTOP) systems in order to protect the RCPBs from being operated outside of the boundaries established by the P–T limit curves and to provide pressure relief of the RCPBs during low temperature overpressurization events. The licensee is required by the Oconee Units 1, 2, and 3 Technical Specifications (TSs) to update and submit the changes to its LTOP setpoints whenever the licensee is requesting approval for amendments to the P–T limit curves in the Oconee Units 1, 2, and 3 TSs.

As a result, to approve its amendments to the TS P–T limit curves, the licensee requested in its submittal dated October 15, 1998, that the staff exempt Oconee Units 1, 2, and 3 from the application of specific requirements of 10 CFR Part 50, Section 50.60 and Appendix G and substitute use of the American Society of Mechanical Engineers (ASME) Code Case N–514, ''Low Temperature Overpressure Protection Section XI, Division 1.'' This would permit setting the pressure setpoint of the facility's LTOP such that the P–T limits required by 10 CFR Part 50, Appendix G could be exceeded by 10 percent during a low temperature pressure transient. The submittal was supplemented by letters dated December 15, 1998, and January 11 and 21, 1999.

The Need for the Proposed Action

The licensee has noted in its submittal of October 15, 1998, that the underlying purpose of the regulations is to establish limits to protect the RPVs from brittle failure during low temperature operation and that the LTOP provides a physical means of protecting these limits. As a means of determining the LTOP enable temperature, the licensee proposed to use the ASME Code Case N–514 to permit setting the pressure setpoint of the facility's LTOP such that the P–T limits required by 10 CFR Part 50, Appendix G could be exceeded by 10 percent during a low temperature pressure transient. The use of this Code