

For further details with respect to this action, see the application for amendment dated October 15, 1999, as supplemented by letters dated December 4, 1997, April 12, 1999, and June 10, 1999, and the licensee's letter dated July 16, 1999, 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 Richland Public Library, 955 Northgate Street, Richland, Washington 99352.

Dated at Rockville, MD, this 4th day of August 1999.

For the Nuclear Regulatory Commission.

Jack Cushing,

Project Manager, Section 2, Project Directorate IV & Decommissioning, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 99-21055 Filed 8-12-99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-298]

Nebraska Public Power District; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Nebraska Public Power District to withdraw its August 6, 1998, application for proposed amendment to Facility Operating License No. DPR-46 for the Cooper Nuclear Station, located in Nemaha County, Nebraska.

The proposed amendment would have revised the Updated Safety Analysis Report to reflect the as-built configuration of the reactor building isolation dampers.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on August 26, 1998 (63 FR 45526). However, by letter dated August 2, 1999, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated August 6, 1998, and the licensee's letter dated August 2, 1999, 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 Auburn Memorial Library, 1810 Courthouse Avenue, Auburn, NE 68305.

Dated at Rockville, Maryland, this 6th day of August 1999.

For The Nuclear Regulatory Commission
S. Patrick Sekerak,
Project Manager, Section 1, Project Directorate IV & Decommissioning, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-277 and 50-278]

PECO Energy Co., Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. DPR-44 and DPR-56, issued to PECO Energy Company (the licensee), for operation of the Peach Bottom Atomic Power Station (PBAPS) Units 2 and 3, located in York County, Pennsylvania.

The proposed amendments would revise the Technical Specifications (TSs) contained in Appendix A to the Operating Licenses to incorporate a note into the TSs which will permit a one-time exemption, until September 30, 1999, from the 90 °F limit stated in Surveillance Requirement (SR) 3.7.2.2. This SR currently requires that the average water temperature of the normal heat sink be less than or equal to 90 °F as demonstrated on a 24-hour frequency. As stated in the proposed TS note, during the time period between approval and September 30, 1999, the average water temperature of the normal heat sink will be limited to less than or equal to 92 °F.

The licensee requested that these proposed amendments be processed as an exigent request pursuant to 10 CFR 50.91(a)(6) to permit implementation during this summer. The licensee's basis for the exigent request is as follows: "On August 1, 1999 at approximately 1500 hours, the normal heat sink temperature for the intake of Units 2 and 3 reached 89 °F. Based on the current and projected low rainfall conditions, above normal atmospheric temperatures, and below normal precipitation, the Conowingo Pond (Normal Heat Sink)

temperature is expected to approach and/or exceed 90 °F on a periodic basis resulting in the failure to meet Technical Specification SR 3.7.2.2. This would require PBAPS, Units 2 and 3 to enter into Mode 3 [hot shutdown] operation within 12 hours and Mode 4 [cold shutdown] operation within 36 hours.

On July 18, 1999, the normal heat sink temperature reached 86 °F, which is four (4) degrees below the TS limit of 90 °F. At that time, PBAPS Engineering began to identify the design basis impacts of the increased cooling water temperatures, analyze the environmental conditions that impact the normal heat sink temperature, and develop the analysis which would support continued safe plant operation at elevated cooling water temperatures. Throughout this period, up to the submittal of this exigent license change, significant resources have been committed to performing engineering analysis and preparing related documents, reviews of the analysis by on-site and off-site review groups, and preparation of the license amendment package itself.

Shutdown of the plants would cause undue stress on the regional electrical grid which could potentially destabilize power flow to all customers and to the PBAPS offsite sources. During two periods in the month of July (July 6 and 19, 1999), energy demands resulted in voltage reduction situations. Loss of the PBAPS, Units 2 and 3, capacity during a period in which energy is needed most, could result in a load shedding situation. Additionally, the unforeseen weather conditions resulting in the recent abnormally high normal heat sink temperature did not permit the submittal of this change under the normal license amendment process." 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.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment requests involve 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 amendments 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