

9. *Date:* January 12, 2001.  
*Time:* 9:00 a.m. to 5:00 p.m.  
*Room:* 315.

*Program:* This meeting will review applications for Fellowship Programs at Independent Research Institutions in Collaborative Research, submitted to the Division of Research Programs at the September 1, 2000 deadline.

**Laura S. Nelson,**

*Advisory Committee Management Officer.*

[FR Doc. 00-33059 Filed 12-27-00 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-400]

### Carolina Power & Light Company; Notice of Issuance of Amendment to Facility Operating License and Final Determination of No Significant Hazards Consideration

The U.S. Nuclear Regulatory Commission (Commission) has issued Amendment No. 103 to Facility Operating License No. NPF-63 issued to Carolina Power & Light Company (CP&L, the licensee), which revised the Technical Specifications (TS) for operation of the Shearon Harris Nuclear Power Plant, Unit 1 (HNP), located in Wake and Chatham Counties, North Carolina. The amendment is effective as of the date of issuance.

The amendment modified the TS to support a modification to HNP to increase the spent fuel storage capacity by adding rack modules to spent fuel pools (SFPs) C and D and placing the pools in service. Specifically, the amendment consists of: (1) A revision to TS 5.6 to identify pressurized water reactor fuel burnup restrictions, boiling water reactor fuel enrichment limits, pool capacities, heat load limitations, and nominal center-to-center distances between fuel assemblies in the racks to be installed in SFPs C and D; (2) an alternative plan in accordance with the requirements of 10 CFR 50.55a to demonstrate an acceptable level of quality and safety in completion of the component cooling water (CCW) and SFPs C and D cooling and cleanup system piping; and (3) an unreviewed safety question for additional heat load on the CCW system.

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 to Facility Operating License and Opportunity for a Hearing in connection with this action was published in the **Federal Register** on January 13, 1999 (64 FR 2237). A request for a hearing was filed on February 12, 1999, by the Board of Commissioners of Orange County, North Carolina (BCOC).

On July 12, 1999, the Atomic Safety and Licensing Board (ASLB) ruled that BCOC had standing and had submitted two admissible contentions. The two contentions related to (1) whether General Design Criterion 62 allows the use of administrative controls to prevent criticality (TC-2); and (2) the adequacy of the licensee's proposed alternative plan for the cooling system piping (TC-3). On July 29, 1999, the ASLB granted CP&L's request to hold the hearing in accordance with the hybrid hearing procedures of 10 CFR Part 2, Subpart K. On January 4, 2000, all parties filed written summaries and on January 21, 2000, the ASLB heard oral arguments related to the two admitted contentions. On May 5, 2000, the ASLB issued a decision in favor of CP&L, stating that "(1) there is no genuine and substantial dispute of fact or law that can only be resolved with sufficient accuracy by the introduction of evidence in an evidentiary hearing; and (2) contentions TC-2 and TC-3 are disposed of as being resolved in favor of CP&L."

On January 31, 2000, BCOC filed four late-filed environmental contentions that challenged the adequacy of the staff's December 21, 1999, environmental assessment related to CP&L's amendment request. On March 3, 2000, the NRC and CP&L responded to the late-filed contentions, and on March 13, 2000, BCOC submitted its reply to the responses. On August 7, 2000, the ASLB issued its Ruling on Late-filed Environmental Contentions. In its ruling, the ASLB admitted one environmental contention (EC-6) regarding the probability of occurrence of BCOC's postulated accident scenario. On November 20, 2000, all parties filed written summaries and on December 7, 2000, the ASLB heard oral arguments related to EC-6.

Under its regulations, the Commission may issue and make an amendment immediately effective, notwithstanding the pendency before it of a request for a hearing from any person, in advance of the holding or completion of any required hearing, where it has determined that no significant hazards considerations are involved.

The Commission has applied the standards of 10 CFR 50.92 and has made a final determination that the amendment involves no significant hazards considerations. The basis for this determination is contained in the Safety Evaluation related to this action. Accordingly, as described above, the amendment has been issued and made immediately effective and any hearing will be held after issuance.

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 the amendment will not have a significant effect on the quality of the human environment (64 FR 71514).

For further details with respect to the action see (1) the application for amendment dated December 23, 1998, as supplemented on March 15, April 5, April 30, June 14, July 23, September 3, October 15, and October 29, 1999, and April 14, and July 19, 2000, (2) Amendment No. 103 to License No. NPF-63, (3) the Commission's related Safety Evaluation, and (4) the Commission's Environmental Assessment. All of these items are available for public inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>).

Dated at Rockville, Maryland, this 21st day of December 2000.

For the Nuclear Regulatory Commission.

**Richard P. Correia,**

*Chief, Section 2, Project Directorate II, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 00-33152 Filed 12-27-00; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-305]

### Nuclear Management Company, LLC; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Nuclear Management Company, LLC (the licensee) to withdraw the June 7, 1999, as supplemented February 4, and

September 26, 2000, application for proposed amendment to Facility Operating License No. DPR-43 for the Kewaunee Nuclear Power Plant, located in Kewaunee County, Wisconsin. .

The proposed amendment would have revised the Kewaunee Nuclear Power Plant Technical Specifications for the facility's reactor pressure vessel Pressure-Temperature limit curves.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on November 15, 2000 (65 FR 69061). However, by letter dated December 18, 2000, the licensee withdrew the proposed amendment change, but the licensee did not withdraw the exemption requests in the submittals dated June 7, 1999, as supplemented February 4, September 26, and December 18, 2000. The exemption requests are being processed separately.

For further details with respect to this action, see the application for amendment dated June 7, 1999, as supplemented February 4, and September 26, 2000, and the licensee's letter dated December 18, 2000, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>).

Dated at Rockville, Maryland, this 21st day of December 2000.

For the Nuclear Regulatory Commission.

**John G. Lamb,**

*Project Manager, Section 1, Project Directorate III, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 00-33151 Filed 12-27-00; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-272 and 50-311]

### In the Matter of PSEG Nuclear LLC, Philadelphia Electric Company, (PECO Energy Company), Delmarva Power and Light Company, Atlantic City Electric Company, (Salem Nuclear Generating Station, Units 1 and 2); Supplemental Order Regarding Approval of Transfer of Licenses and Conforming Amendments

#### I

PSEG Nuclear LLC, Philadelphia Electric Company (PECO Energy Company), Delmarva Power and Light Company (DP&L), and Atlantic City Electric Company (ACE) are the joint owners of the Salem Nuclear Generating Station, Unit Nos. 1 and 2 (Salem), located in Salem County, New Jersey. They hold Facility Operating Licenses Nos. DPR-70 and DPR-75, issued by the U.S. Nuclear Regulatory Commission (NRC or Commission) on August 13, 1976, and May 20, 1981, respectively, pursuant to Part 50 of Title 10 of the Code of Federal Regulations (10 CFR Part 50). Under these licenses, PSEG Nuclear LLC (currently owner of 42.59 percent of each Salem unit) is authorized to possess, use, and operate the Salem units. The current combined nonoperating ownership interests of DP&L and ACE are 14.82 percent of each Salem unit. They own 7.41 percent of each Salem unit individually.

#### II

By an application dated December 20, 1999, as supplemented February 11, and February 25, 2000, PSEG Nuclear LLC, DP&L, and ACE requested approval by the NRC of the transfer to PSEG Nuclear LLC of the Salem licenses, to the extent held by DP&L and ACE, in conjunction with the proposed acquisition of DP&L's and ACE's combined ownership interests in the Salem units by PSEG Nuclear LLC. DP&L and ACE are both subsidiaries of Conectiv. In response to that request, the NRC staff published a notice of the license transfer application, the related conforming amendment request included in the application, and an opportunity for a hearing in the **Federal Register** on February 18, 2000 (65 FR 8452). No hearing requests were filed. The NRC approved the transfer request by an Order dated April 21, 2000. That Order, which contained several conditions of approval, was based in part on the premise that the DP&L and ACE interests would be transferred concurrently as a combined interest. In

a supplemental application dated October 10, 2000, DP&L and ACE indicated that due to certain delays in receiving other necessary regulatory approvals, their interests in the Salem licenses need to be transferred independently in two phases to PSEG Nuclear LLC, namely the DP&L interest would be transferred first, followed by the transfer of the ACE interest. They asked that the effectiveness of the Order approving the license transfers be extended until December 31, 2001, due to the delays in receiving the other regulatory approvals, and that any necessary actions be taken to allow the transfers to occur in two phases.

PSEG Nuclear LLC also requested approval of conforming license amendments, modified from the amendments previously approved to reflect the transfers as they may occur in two phases. The amendments would still delete references to DP&L and ACE to reflect the transfer of each of their interests, as they occur, in the licenses to PSEG Nuclear LLC.

Approval of the transfers, as they may now occur in two phases, and corresponding modified conforming license amendments was requested pursuant to 10 CFR 50.80 and 50.90. The NRC staff determined that the supplemental application dated October 10, 2000, related only to schedular matters and did not involve any material changes to the underlying basis for the transfer approval Order dated April 21, 2000. Therefore, the supplemental application was within the scope of the February 18, 2000, **Federal Register** notice and did not require renoticing or a new opportunity for a hearing.

Pursuant to 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. After reviewing the information submitted in the October 10, 2000, submittal and other information before the Commission, the NRC staff has determined that its previous findings set forth in the Order dated April 21, 2000, remain valid notwithstanding the transfers occurring in two phases, namely, PSEG Nuclear LLC is qualified to hold the license for each Salem unit to the same extent the licenses are now held by DP&L and ACE, and that the transfer of the licenses, as previously described herein, is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission, subject to the conditions described herein. The NRC staff has further found that the