NUCLEAR REGULATORY COMMISSION

[Docket No. 72–8]

Calvert Cliffs Nuclear Power Plant; Notice of Docketing of the Materials License SNM–2505 Amendment Application for the Calvert Cliffs Independent Spent Fuel Storage Installation

By letter dated November 16, 2000, Calvert Cliffs Nuclear Power Plant (CCNPP) submitted an application to the Nuclear Regulatory Commission (NRC or the Commission) in accordance with 10 CFR Part 72 requesting an amendment of the Calvert Cliffs independent spent fuel storage installation (ISFSI) license (SNM–2505) for the ISFSI located in Calvert County, Maryland. CCNPP is seeking Commission approval to amend the materials license to reflect changes to License Conditions 9, 12, and 16. Changes to Conditions 9 and 12 involve eliminating references to certain documents. Changes to Condition 16 involve elimination of the helium leak test for the double-closure seal welds located at the bottom of the dry shielded canisters.

This application was docketed under 10 CFR part 72; the ISFSI Docket No. is 72–8 and will remain the same for this action. The amendment of an ISFSI license is subject to the Commission's approval.

The Commission may issue either a notice of hearing or a notice of proposed action and opportunity for hearing in accordance with 10 CFR 72.46(b)(1) or, if a determination is made that the amendment does not present a genuine issue as to whether public health and safety will be significantly affected, take immediate action on the amendment in accordance with 10 CFR 72.46(b)(2) and provide notice of the action taken and an opportunity for interested persons to request a hearing on whether the action should be rescinded or modified.

For further details with respect to this application, see the application dated November 16, 2000, which is available for public inspection at the Commission's Public Document Room, One White Flint North Building, 11555 Rockville Pike, Rockville, MD, or from the publically available records component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web Site at *http://www.nrc.gov/nrc/adams/index.html* (the Public Electronic Reading Room).

Dated at Rockville, Maryland, this 5th day of January 2001.

For the U.S. Nuclear Regulatory Commission.

E. William Brach,

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

[FR Doc. 01–1597 Filed 1–19–01; 8:45 am]

BILLING CODE 7590–01–P

NOTICE REGULATORY COMMISSION

[Docket No. 70–3098]

Notice of Opportunities for Hearings Related to Licensing the Mixed Oxide Fuel Fabrication Facility

Within the next several months, the U.S. Nuclear Regulatory Commission (NRC) expects to receive an application from Duke Cogema Stone & Webster (DCS) to construct and operate a mixed oxide (MOX) fuel fabrication facility to be located at the U.S. Department of Energy's Savannah River Site. The regulations in 10 CFR part 70 for a plutonium fuel fabrication plant contemplate two approvals—approval for construction (10 CFR 70.23(a)(7), (b)) and approval for operation (10 CFR 70.23(a)(8)). The regulations in 10 CFR part 70 do not, however, mandate a particular approval or hearing process. The appropriate approval and hearing process—one stage or two stage—will depend largely on the nature, level of detail and degree of completeness of the application. This notice is intended to inform the public of the staff's planned approach for possible hearing issues related to the MOX fuel fabrication facility.

Although the regulations do not require the applicant to submit a comprehensive and complete application covering both construction and operation before the Commission can approve commencement of construction, an applicant has the option of submitting a complete license application addressing both construction and operation at the outset. We understand, however, that DCS will be submitting an initial application (including the environmental report) focusing on siting matters and the design bases of the principal structures, systems, and components, leaving the balance of the information, including detailed design and safety evaluation issues and operating issues, to be addressed in a second submittal. In this case, a two-stage approval and hearing process is appropriate. NRC will be providing an opportunity for a hearing in connection with each of the two required approvals (approval for construction and approval for operation). Any NRC adjudicatory proceedings regarding the MOX facility would be subject to the procedural requirements of 10 CFR part 2, Subpart L.

The first hearing would encompass issues related to the construction approval, and would likely be limited to whether applicable NRC requirements have been met regarding the general design bases for the principal structures, systems, and components, the quality assurance program, and environmental issues. The second hearing would encompass all other issues related to the issuance of a 10 CFR part 70 license. Such issues would include whether operation of the MOX facility, as constructed, will adequately protect health, minimize danger to life or property, and control special nuclear material.

FOR FURTHER INFORMATION CONTACT: Timothy C. Johnson, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone: (301) 415–7299.

Dated at Rockville, Maryland, this 11th day of January 2001.

For the Nuclear Regulatory Commission.

Eric J. Leeds,

Chief, Special Projects Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 01–1598 Filed 1–19–01; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–354]

PSEG Nuclear LLC; Notice of Consideration of Issuance of Amendment To Facility Operating License No. NPF–57 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–57 issued to PSEG Nuclear LLC (the licensee) for operation of the Hope Creek Generating Station, located in Salem County, New Jersey.

The proposed amendment would revise the Technical Specifications (TS) to change the acceptance values for Core Spray subsystem flow contained in TS 4.5.1.b.1 from the current value of 6350 gallons per minute (gpm) to 6150 gpm.

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 changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed change specifies revised surveillance values for the Core Spray System and does not alter any system or modify any operating procedures. The Core Spray pumps will remain able to perform their required safety related function in order to provide cooling to the reactor core. The revised surveillance value will not increase the consequences of accidents previously evaluated in the SAR [Safety Analysis Report].

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

The proposed change specifies revised surveillance requirements of the core spray system and makes no changes to the physical plant or operating procedures. No new accident scenarios, failure mechanisms or limiting single failures are created as a result of the proposed change in the core spray system surveillance value. The change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. The proposed change does not involve a significant reduction in a margin of safety.

The proposed change specifies surveillance requirements for the core spray system. Analyses have determined that for operation at the new surveillance limit, fuel cladding oxidation and hydrogen generation remain within previously analyzed limits. There will not be a significant increase in peak cladding temperature resulting from this change and that the limits specified in 10CFR50.46 continue to be met.

10CFR50.46 (b)(1) Peak cladding temperature. The calculated maximum fuel element cladding temperature shall not exceed 2200° F.

(2) Maximum cladding oxidation. The calculated total oxidation of the cladding shall nowhere exceed 0.17 times the total cladding thickness before oxidation.

(3) Maximum hydrogen generation. The calculated total amount of hydrogen generated from the chemical reaction of the cladding with water or steam shall not exceed 0.01 times the hypothetical amount that would be generated if all of the metal in the cladding cylinders surrounding the fuel, excluding the cladding surrounding the plenum volume, were to react.

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing plant operation. Thus, the proposed change, which revises the surveillance limit for the core spray system, 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 after 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. 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.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By February 21, 2001, 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, 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). 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, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 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 Mr. Jeffrie J. Keenan, Esquire, PSEG Nuclear—N21, P.O. Box 236, Hancocks Bridge, NJ 08038, 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 January 8, 2001, which is 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 16th day of January, 2001.

For the Nuclear Regulatory Commission.

Richard B. Ennis,

Project Manager, Section 2, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 01–1779 Filed 1–19–01; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–271]

Vermont Yankee Nuclear Power Corporation; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted a request by Vermont Yankee Nuclear Power Corporation (VYNPC, the licensee) to withdraw its December 21, 1999, as supplemented on September 12 and 19, 2000, application for an amendment to Facility Operating License No. DPR–28, for the Vermont Yankee Nuclear Power Station, located in Windham County, Vermont.

The proposed amendment would have revised the Technical Specifications (TS) to change the control rod block requirements consistent with the BWR/4 Standard Technical Specifications.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment on January 26, 2000 (65 FR 4291). However, by letter dated December 26, 2000, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated December 21, 1999, as supplemented on September 12 and 19, 2000, and the licensee's letter dated December 26, 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 12th day of January 2001.

For the Nuclear Regulatory Commission.

Robert M. Pulsifer,

Project Manager, Section 2, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 01–1601 Filed 1–19–01; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–29]

Yankee Atomic Electric Company; Notice of Withdrawal of Application for Amendment to the Possession Only License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Yankee Atomic Electric Company (the licensee) to withdraw its March 17, 1999, application for proposed amendment to the Possession Only License No. DPR–3 for the Yankee Nuclear Power Station, located in Rowe, Massachusetts.

The proposed amendment would have revised the Yankee Nuclear Power Station's Defueled Technical Specifications by transferring the administrative requirements to the Yankee Decommissioning Quality Assurance Program.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on April 7, 1999 (64 FR 17032). However, by letter dated