

2. In particular, such requests must comply with the requirements set forth in 10 CFR 2.1306, and should address the considerations contained in 10 CFR 2.1308(a). Untimely requests and petitions may be denied, as provided in 10 CFR 2.1308(b), unless good cause for failure to file on time is established. In addition, an untimely request or petition should address the factors that the Commission will also consider, in reviewing untimely requests or petitions, set forth in 10 CFR 2.1308(b)(1)–(2).

Requests for a hearing and petitions for leave to intervene should be served upon (1) Mark J. Wetterhahn, counsel for NMPC, at Winston & Strawn, 1400 L Street, NW, Washington, DC 20005 (tel: 202-371-5703; fax: 202-371-5950; e-mail: [mwetterh@winston.com](mailto:mwetterh@winston.com)); (2) Samuel Behrends IV, counsel for NYSEG, at LeBoeuf, Lamb, Greene & MacRae, L.L.P., 1875 Connecticut Avenue, NW, Suite 1200, Washington, DC 20009-5728 (tel: 202-986-8018; fax: 202-986-8102; e-mail: [sbehrend@llgm.com](mailto:sbehrend@llgm.com)); (3) Kevin P. Gallen, counsel for AmerGen, at Morgan, Lewis & Bockius LLP, 1800 M Street, NW, Washington, DC 20036-5869 (tel: 202-467-7462; fax: 202-467-7176; e-mail: [Kpgallen@mlb.com](mailto:Kpgallen@mlb.com)); (4) the General Counsel, US Nuclear Regulatory Commission, Washington, DC 20555 (e-mail address for license transfer cases only: [ogclt@nrc.gov](mailto:ogclt@nrc.gov)); and (5) the Secretary of the Commission, US Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, in accordance with 10 CFR 2.1313.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the **Federal Register** and served on the parties to the hearing.

As an alternative to requests for hearing and petitions to intervene, by November 1, 1999, persons may submit written comments regarding the application for transfer of licenses, as provided for in 10 CFR 2.1305. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted to the Secretary, US Nuclear Regulatory Commission, Washington, DC 20555-001, Attention: Rulemakings and Adjudications Staff, and should cite the publication date and page number of this **Federal Register** notice.

For further details with respect to this action, see the application dated September 10, 1999, 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 Reference and Documents Department, Penfield Library, State University of New York, Oswego, New York 13126.

Dated at Rockville, Maryland, this 24th day of September 1999.

For the Nuclear Regulatory Commission.

**Elinor G. Adensam,**

*Director, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 99-25473 Filed 9-29-99; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Peco Energy Company

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

### Notice of Withdrawal of Application for Amendments to Facility Operating Licenses

The US Nuclear Regulatory Commission (the Commission) has granted the request of PECO Energy Company (the licensee) to withdraw its application dated August 6, 1999, for proposed amendments to Facility Operating License Nos. DPR-44 and DPR-56 for the Peach Bottom Atomic Power Station, Units 2 and 3, located in York County, Pennsylvania.

The proposed exigent amendments would have temporarily revised Technical Specification Surveillance Requirement 3.7.2.2, for the normal heat sink. The revision would have allowed a temporary increase to the limit for the average water temperature of the normal heat sink from less than or equal to 90 °F to less than or equal to 92 °F.

The Commission had previously issued a Notice of Consideration of Issuance of Amendments published in the **Federal Register** on August 13, 1999 (64 FR 44243). However, by letter dated September 23, 1999, the licensee withdrew the proposed amendment application.

For further details with respect to this action, see the application for amendments dated August 6, 1999, and the licensee's letter dated September 23, 1999, which withdrew the application for license amendments. 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 Government Publications Section, State Library of Pennsylvania, (Regional Depository) Walnut Street and Commonwealth Avenue, Harrisburg, PA.

Dated at Rockville, Maryland, this 24th day of September 1999.

For the Nuclear Regulatory Commission.

**Bartholomew C. Buckley,**

*Sr. Project Manager, Section 2, Project Directorate 1, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 99-25472 Filed 9-29-99; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-387 and 50-388]

### PP&L, INC., (Susquehanna Steam Electric Station, Units 1 and 2); Exemption

#### I

PP&L, Inc., (PP&L or the licensee) is the holder of Facility Operating License Nos. NPF-14 and NPF-22, which authorize operation of the Susquehanna Steam Electric Station, Units 1 and 2 (SSES 1 & 2 or the facilities) at power levels not to exceed 3441 megawatts thermal. The facilities consist of two boiling-water reactors located at the licensee's site in Salem Township, Luzerne County, Pennsylvania. The licenses provide, among other things, that the licensee is subject to all rules, regulations, and orders of the Nuclear Regulatory Commission (NRC, the Commission) now or hereafter in effect.

#### II

Section IV.F.2.b of Appendix E to 10 CFR part 50 requires each licensee at each site to conduct an exercise of its onsite emergency plan every 2 years and indicates the exercise may be included in the full-participation biennial exercise required by paragraph 2.c. Paragraph 2.c requires offsite plans for each site to be exercised biennially with full participation by each offsite authority having a role under the plan. During such biennial full-participation exercises, the NRC evaluates onsite emergency preparedness activities and the Federal Emergency Management Agency (FEMA) evaluates offsite emergency preparedness activities. PP&L successfully conducted a full-participation exercise for SSES during the week of October 28, 1997. By letter dated January 29, 1999, as supplemented by letter dated May 24, 1999, the licensee requested an

exemption from Sections IV.F.2.b and c of Appendix E regarding the conduct of a full-participation exercise originally scheduled for November 15, 1999. This one-time change in the exercise schedule would increase the interval in this one instance between full-participation exercises from the current 2 years to 3 years.

The Commission, pursuant to 10 CFR 50.12(a)(1), may grant exemptions from the requirements of 10 CFR part 50 that are authorized by law, will not present an undue risk to public health and safety, and are consistent with the common defense and security. The Commission, however, pursuant to 10 CFR 50.12(a)(2), will not consider granting an exemption unless special circumstances are present. Under 10 CFR 50.12(a)(2)(v), special circumstances are present whenever the exemption would provide only temporary relief from the applicable regulation and the licensee or applicant has made good faith efforts to comply with the regulation.

### III

The licensee requests a one-time change in the schedule for the next full-participation exercise for the SSES facilities. Subsequent full-participation exercises for the facilities would be scheduled at no greater than two year intervals in accordance with 10 CFR part 50 Appendix E, Section IV.F.2.c. Accordingly, the exemption would provide only temporary relief from that regulation.

As indicated in the licensee's request for an exemption of January 29, 1999, the licensee had originally scheduled a full-participation exercise for the week of November 15, 1999. As further set forth in that letter, however, FEMA indicated that schedule conflicts precluded their participation in such an exercise in November 1999, and requested that the exercise be rescheduled. In a letter dated March 11, 1999, FEMA documented its position and noted that the affected Pennsylvania jurisdictions do not object to changing the date of the exercise. In addition, the NRC concurred with FEMA's request, and asked that the exercise be scheduled in the year 2000 to relieve resource demands. Accordingly, the licensee made a good faith effort to comply with the schedule requirements of Appendix E for full-participation exercises.

The staff completed its evaluation of the licensee's request for an exemption and the licensee's proposed compensatory measures that it would take to maintain the level of emergency preparedness over the third year. These

compensatory measures include training for on-site emergency response organization personnel; on-site health physics drills; off-site emergency response training and plan preparation and drills involving county and municipal volunteers (with critique from trained licensee employees); and routine testing of emergency sirens and notification systems. The staff considered that these measures are adequate to maintain the level of emergency preparedness over the third year. The staff, having considered the schedule and resource issues within FEMA Region III and Region I of the Commission and the proposed licensee compensatory measures, believes that the request should be granted.

### IV

The Commission has determined that, pursuant to 10 CFR part 50, appendix E, this exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. Further, the Commission has determined, pursuant to 10 CFR 50.12(a), that special circumstances of 10 CFR 50.12(a)(v) are applicable in that the exemption would provide only temporary relief from the applicable regulation and the licensee has made good faith efforts to comply with the regulation. Therefore, the Commission hereby grants the exemption from Section IV.F.2.b and c of Appendix E to 10 CFR part 50.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant impact on the quality of the human environment (64 FR 33326).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 24th day of September 1999.

For the Nuclear Regulatory Commission.

**John A. Zwolinski,**

*Director, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 99-25467 Filed 9-29-99; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-341]

### Detroit Edison Company, Fermi 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-

43, issued to the Detroit Edison Company (the licensee) for operation of Fermi 2, located in Monroe County, Michigan.

### Environmental Assessment

#### Identification of the Proposed Action

The proposed amendment would replace the current Technical Specifications (CTS) in their entirety with Improved Technical Specifications (ITS) based on the guidance provided in NUREG-1433, Revision 1, "Standard Technical Specifications, General Electric Plants BWR/4," dated April 1995. The proposed action is in accordance with the licensee's application for amendment dated April 3, 1998, as supplemented by letters dated September 28, October 19, and December 10, 1998, and January 8, January 26, February 24, March 30, April 8, April 30, May 7, June 2, June 24, June 30, July 7, July 13, July 26, August 4, August 17, August 25, and September 8, 1999.

#### The Need for the Proposed Action

It has been recognized that nuclear safety in all plants would benefit from improvement and standardization of Technical Specifications (TSs). The "NRC Interim Policy Statement on Technical Specification Improvements for Nuclear Power Reactors" (52 FR 3788) contained proposed criteria for defining the scope of TSs. Later, the "NRC Final Policy Statement on TS Improvement for Nuclear Power Reactors" (58 FR 39132) incorporated lessons learned since publication of the interim policy statement and formed the basis for a revision to 10 CFR 50.36. The "Final Rule" (60 FR 36953) codified criteria for determining the content of TSs. To facilitate the development of standard TSs, each reactor vendor owners group and the NRC staff developed standard TSs (STS). The NRC Committee to Review Generic Requirements reviewed the STS, made note of their safety merits, and indicated its support of conversion by operating plants to the STS. For Fermi 2, the STS are NUREG-1433, Revision 1, "Standard Technical Specifications, General Electric Plants BWR/4," dated April 1995. This document formed the basis for the Fermi 2 ITS conversion.

#### Description of the Proposed Change

The proposed revision of the CTS is based on NUREG-1433, and on guidance provided in the Final Policy Statement. Its objective is to completely rewrite, reformat, and streamline the CTS. Emphasis is placed on human factors principles to improve clarity and