Judge Alan S. Rosenthal, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

Issued at Rockville, Maryland, this 7th day of October 1999.

G. Paul Bollwerk III,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 99–26776 Filed 10–13–99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50–400–LA; ASLBP No. 99–762–02–LA]

In the Matter of Carolina Power & Light Company (Shearon Harris Nuclear Power Plant) ; Notice (Opportunity To Make Oral or Written Limited Appearance Statements)

October 7, 1999.

In accordance with 10 CFR 2.715(a), the Atomic Safety and Licensing Board will entertain oral limited appearance statements in connection with this proceeding regarding the December 23, 1998 request of Carolina Power & Light Company (CP&L) under 10 CFR 50.90 for a license amendment to increase the spent fuel storage capacity at its Shearon Harris Nuclear Power Plant (Harris), located in Wake and Chatham Counties, North Carolina. In its amendment request, CP&L seeks authorization to add rack modules to spent fuel pools ''C'' and ''D'' and place the pools in service.

A. Date, Time, and Location of Oral Limited Appearance Statement Sessions

The Board will hear oral limited appearance statements on the following dates at the specified locations and times:

Date: Tuesday, December 7, 1999.

Times: Afternoon Session—1:00 p.m. to 4:00 p.m.; Eastern Standard Time (EST); Evening Session—7:00 p.m. to 9:30 p.m. EST.

Location: Jane S. McKimmon Conference Center, North Carolina State University, Corner of Gorman Street and Western Avenue, Raleigh, North Carolina.

Date: Wednesday, December 8, 1999.

Times: Afternoon Session—1:00 p.m. to 4:00 p.m. EST; Evening Session—7:00 p.m. to 9:30 p.m. EST.

Location: Southern Human Resources Center, Main Meeting Room 2505 Homestead Road, Chapel Hill, North Carolina.

B. Participation Guidelines for Oral Limited Appearance Statements

Any person not a party to the proceeding will be permitted to make an oral statement setting forth his or her position on matters of concern relating to this proceeding. These statements do not constitute testimony or evidence, but may help the Board and/or the parties in their deliberations in connection with the issues to be considered in this proceeding.

Oral limited appearance statements will be entertained during the hours specified above, or during such lesser time as may be necessary to accommodate the speakers who are present. The time allotted for each statement normally will be no more than five minutes, but may be further limited depending on the number of written requests to make an oral statement that are submitted in accordance with section C below and/or the number of persons present at the designated times.

C. Submitting Request To Make an Oral Limited Appearance Statement

Persons wishing to make an oral statement who have submitted a timely written request to do so will be given priority over those who have not filed such a request. In order to be considered timely, a written request to make an oral statement must be mailed, faxed, or sent by e-mail so as to be received by close of business (4:30 p.m. EST) on *Monday, November 29, 1999.* The request must specify the date (Tuesday, December 7, or Wednesday, December 8) and the session on that day (afternoon or evening) during which the requester wishes to make an oral statement.

Written requests to make an oral statement should be submitted to: Mail: Office of the Secretary, Rulemakings and Adjudications Staff, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555–0001; Fax: (301) 415–1101 (verification (301) 415–1966); E-mail: hearingdocket@nrc.gov.

In addition, using the same method of service, a copy of the written request to make an oral statement should be sent to the Chairman of this Licensing Board as follows: Mail: Administrative Judge G. Paul Bollwerk, III, Atomic Safety and Licensing Board Panel, Mail Stop T–3F23, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555–0001; Fax: (301) 415–5599 (verification (301) 415–7550); E-mail: gpb@nrc.gov.

D. Submitting Written Limited Appearance Statements

As the Board has noted previously, a written limited appearance statement can be submitted at any time. Such a statement should be sent to the Office of the Secretary by mail at the address given in section C above, with a copy to the Licensing Board Chairman at the address given in section C.

Documents relating to this application currently are on file at the Cameron Village Regional Library, 1930 Clark Avenue, Raleigh, North Carolina 27605.

Rockville, Maryland, October 7, 1999.

For the Atomic Safety and Licensing Board.[1]

G. Paul Bollwerk III,

Administrative Judge.

[FR Doc. 99–26779 Filed 10–13–99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50–247]

Consolidated Edison Company of New York, Inc.; Notice of Consideration of Issuance of Amendment to Facility Operating License, 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. DPR–26 issued to Consolidated Edison Company of New York, Inc. (the licensee) for operation of the Indian Point Nuclear Generating Unit No. 2, located in Westchester County, New York.

The proposed amendment would allow a one-time extension of several calibrations and test of instrument channels from 30 months to 37 months. Specifically the proposed amendment would affect (a) reactor coolant flow transmitters; (b) containment sump level (discrete) Recirculation sump level (discrete); (c) Pressurizer level transmitters; (d) 480 volt undervoltage; (e) 6.9 kv undervoltage relays and 6.9 kv underfrequency relays; (f) Steam generator level—transmitters; (g) residual heat removal (RHR) flow calibration—transmitters; (h) Accumulator level transmitters; (i) Accumulator pressure transmitters; (j) Steam line pressure transmitters; (k) Containment sump, Recirculation sump, Reactor cavity level (continuous), and Containment sump (continuous); (l) Volume control tank level; (m) Fan

[1] Copies of this notice were sent this date by Internet e-mail transmission to counsel for (1) applicant CP&L; (2) intervenor Board of Commissioners of Orange County, North Carolina; and (3) the NRC staff.

cooler unit (FCU) cooling flow transmitters; (n) overpressure protection pressure transmitters (field) Pressurizer power operated relief valve's; (o) Pressurizer pressure—transmitters; (p) OT[Delta]T and OP[Delta]T setpoint generators. Exigent circumstances exist because the 30-month surveillance interval for some of these instruments expires on October 31, 1999.

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.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine 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) Does the proposed license amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

(A) The proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. A statistical analysis of uncertainties for the RCS [reactor coolant system] flow channels for a 30-month operating cycle was performed. A corresponding statistical evaluation of the projected drift over a 37-month operating cycle has also been performed. The drift and bias thus calculated has been evaluated with regard to RCS flow CSA [channel statistical allowance] versus the Safety Analysis limits and it has been determined that the drift can be accommodated within the existing related Safety Analysis limits. It has also been determined that there is no general impact upon any Technical Specification requirements or the related Safety Analysis limits.

The existing margin between the Technical Specification limits and the Safety Analysis limits provides assurance that plant protective functions will occur as required. It is therefore concluded that changing the surveillance interval from 24 months (plus 25%) to 37 months for the transmitter will not result in a significant increase in the probability or consequences of an accident previously evaluated.

(B) The proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. It has been concluded that there will be no impact upon any Technical Specification Requirement or Safety Analysis Limits. Of the surveillance anomalies identified since 1986, only one impacted an instrument channel. In this instance, level indication continued to be maintained due to redundancy.

As added assurance, the current Indian Point Unit 2 Technical Specifications require a channel check be performed every shift, providing a means to monitor the channels for gross failure.

The existing margin between the Technical Specification limits and the Safety Analysis limits remains unchanged and provides assurance that plant protective functions will occur as required. It is therefore concluded that changing the surveillance interval from 24 months (plus 25%) to 37 months for the channels will not result in a significant increase in the probability or consequences of an accident previously evaluated.

(C) The proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. A statistical analysis of channel uncertainty for a 30 month operating cycle was previously performed. A corresponding statistical evaluation of the projected drift of the transmitter over a 37-month operating cycle has currently been performed. Subsequently, when drift of the remainder of the channel (calibrated at the Technical Specification frequency of 24 months) is combined with the drift and bias of the transmitter projected at 37 months, the sum is accommodated by the channel uncertainty calculations. Therefore, the channel uncertainty derived for 30 months is valid for a 37-month operating cycle providing the rack is calibrated at the 24-month (plus 25%) frequency and the transmitter is calibrated at 37 months.

It can also be concluded that sufficient allowance exists between the existing Technical Specification limits and the licensing basis Safety Analysis limits to accommodate the channel statistical error resulting from a 37 month operating cycle (with a rack calibration at 24 months plus 25%).

The existing allowance between the Technical Specification limits and the Safety Analysis limits provides assurance that plant protective functions will occur as required. Thus, the Channel Statistical Allowance for 37 months can be accommodated without impacting the Incensing basis Safety Analysis.

It is therefore concluded that changing the surveillance interval from 24 months (plus 25%) to 37 months for the transmitter will not result in a significant increase in the probability or consequences of an accident previously evaluated.

(D) The proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. A statistical analysis of uncertainties for the 480 volt under voltage and degraded voltage relay channels for a 30-month operating cycle was performed. A corresponding statistical evaluation of the projected drift over a 37-month operating cycle has also been performed. The drift thus calculated has been evaluated with regard to the original CSA and has been found to be bounded by the CSA value. In addition, the relay setpoints have been compared with the Safety Analysis limits and it has been determined that the drift and bias can be accommodated within the existing related Safety Analysis limits. It has also been determined that there is no general impact upon any Technical Specification requirements or the related Safety Analysis limits.

The existing margin between the Technical Specification limits and the Safety Analysis limits provides assurance that plant protective functions will occur as required. It is therefore concluded that changing the surveillance interval from 24 months (plus 25%) to 37 months for the 480 volt under voltage and degraded voltage relays will not result in a significant increase in the probability or consequences of an accident previously evaluated.

(E) The proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. A statistical analysis of uncertainties for the 6.9 kV under voltage and Under Frequency relay channels for a 30-month operating cycle was performed. Corresponding statistical evaluations of the projected drifts over a 37-month operating cycle has also been performed. It has been confirmed that the drifts for 37 months will be no greater than the drifts projected for 30 months. The drifts thus calculated have been evaluated with regard to under voltage and under frequency set points versus the Safety Analysis limits and it has been determined that the drift can be accommodated within the existing related Safety Analysis limits with no decrease in margin. It has also been determined that there is no general impact upon any Technical Specification requirements of the related Safety Analysis limits.

The existing margin between the Technical Specification limits and the Safety Analysis limits provides assurance that plant protective functions will occur as required. It is therefore concluded that hanging the surveillance interval from 24 months (plus 25%) to 37 months for the under voltage and under frequency relays will not result in a significant increase in the probability or consequences of an accident previously evaluated.

(F) The proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. A statistical analysis of channel uncertainty for a 30 month operating cycle was previously performed. A corresponding statistical evaluation of the projected drift of the transmitters over a 37-month operating cycle has currently been performed. Subsequently, when drift of the remainder of the channel (calibrated at the Technical Specification frequency of 24 months) is combined with the drift and bias of the transmitter projected at 37 months, the sum does not exceed the original CSA at 30 months. Therefore, the channel uncertainty

derived for 30 months is valid for a 37-month operating cycle providing the rack is calibrated at the 24-month (plus 25%) frequency and the transmitter is calibrated at 37 months. It has been demonstrated that sufficient allowance exists between the existing Technical Specification limits and the licensing basis Safety Analysis limits to accommodate the channel statistical error resulting from a 37 month operating cycle (with a rack calibration at 24 months plus 25%).

The existing allowance between the Technical Specification limits and the Safety Analysis limits provides assurance that plant protective functions will occur as required. It is therefore concluded that changing the surveillance interval from 24 months (plus 25%) to 37 months for the transmitters will not result in a significant increase in the probability or consequences of an accident previously evaluated.

(G) The proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. A statistical analysis of channel uncertainty for a 30 month operating cycle was previously performed. A corresponding statistical evaluation of the projected drift of the transmitter over a 37-month operating cycle has currently been performed. Subsequently, when drift of the remainder of the channel (calibrated at the Technical Specification frequency of 24 months) is combined with the drift and bias of the transmitter projected at 37 months, the sum does not exceed the original projection at 30 months. Therefore, the channel uncertainty derived for 30 months is valid for a 37-month operating cycle providing the rack is calibrated at the 24-month (plus 25%) frequency and the transmitter is calibrated at 37 months.

The proposed change does not affect the existing Safety Analysis limit nor any Technical Specification limits. Plant equipment will function as before, in order to preserve Safety Analysis limits.

It is therefore concluded that changing the surveillance interval from 24 months (plus 25%) to 37 months for the transmitters will not result in a significant increase in the probability or consequences of an accident previously evaluated.

(H) The proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. A statistical analysis of uncertainties for the accumulator level channels for a 30-month operating cycle was performed. A corresponding statistical evaluation of the projected drift over a 37-month operating cycle has also been performed. It has been confirmed that the drift, including bias, for 37 months will be bounded by the CSA originally calculated for 30 months. The drift thus calculated has been evaluated with regard to level setpoints, versus the Safety Analysis limits and it has been determined that the drift, including bias, can be accommodated within the existing related Safety Analysis limits. It has also been determined that there is no general impact upon any Technical Specification requirements or the related Safety Analysis limits.

The existing margin between the Technical Specification limits and the Safety Analysis limits provides assurance that plant protective functions will occur as required. It is therefore concluded that changing the surveillance interval from 24 months (plus 25%) to 37 months for the transmitter will not result in a significant increase in the probability or consequences of an accident previously evaluated.

(I) The proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. A statistical analysis of uncertainties for the accumulator pressure channels for a 30-month operating cycle was performed. A corresponding statistical evaluation of the projected drift over a 37-month operating cycle has also been performed. It has been confirmed that the drift for 37 months will be no greater than the drift projected for 30 months. The drift thus calculated has been evaluated with regard to accumulator pressure setpoints versus the Safety Analysis limits and it has been determined that the drift can be accommodated within the existing related Safety Analysis limits. It has also been determined that there is no general impact upon any Technical Specification requirements or the related Safety Analysis limits.

The accumulators are passive engineered safety features since gas forces injection and no external source of power or signal transmission is needed to obtain fast-acting, high-flow capability when injection is required. One accumulator is attached to each of the four cold legs of the reactor coolant system.

The existing margin between the Technical Specification limits and the Safety Analysis limits provides assurance that plant protective functions will occur as required. It is therefore concluded that changing the surveillance interval from 24 months (plus 25%) to 37 months for the transmitter will not result in a significant increase in the probability or consequences of an accident previously evaluated.

(J) The proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. A statistical analysis of uncertainties for the steam line pressure channels for a 30-month operating cycle was performed. A corresponding statistical evaluation of the projected drift over a 37-month operating cycle has also been performed. It has been confirmed that the drift for 37 months will be no greater than the drift projected for 30 months. The drift thus calculated has been evaluated with regard to steam line pressure setpoints versus the Safety Analysis limits and it has been determined that the drift can be accommodated within the existing related Safety Analysis limits. It has also been determined that there is no general impact upon any Technical Specification requirements or the related Safety Analysis limits. The existing margin between the Technical Specification limits and the Safety Analysis limits provides assurance that plant protective functions will occur as required. It is therefore concluded that changing the surveillance interval from 24 months (plus 25%) to 37 months for the transmitter will not result in a significant increase in the probability or consequences of an accident previously evaluated.

(K) The proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. A statistical analysis of channel uncertainty for a 30 month operating cycle was previously performed. A corresponding statistical evaluation of the projected drift and bias of the transmitters over a 37-month operating cycle has currently been performed. Subsequently, when drift of the remainder of the channels (calibrated at the Technical Specification frequency of 24 months is combined with the drift and bias of the transmitters projected at 37 months, the sum does not exceed the original projections at 30 months. Therefore, the channel uncertainty derived for 30 months is valid for a 37-month operating cycle providing the rack is calibrated at the 24-month (plus 25%) frequency and the transmitters are calibrated at 37 months. The sump level indications are provided to the control room by both magnetic switch/float-type detectors (series of 5 lights provide discrete level indication) and differential pressure transmitter (continuous level indication) which encompasses redundancy and diversity associated with containment sump level monitoring.

The existing allowance between the Technical Specification limits and the Safety Analysis limits provides assurance that plant protective functions will occur as required. No change in these allowances has occurred due to the proposed revision in surveillance interval of the transmitters.

It is therefore concluded that changing the surveillance interval from 24 months (plus 25%) to 37 months for the transmitter will not result in a significant increase in the probability or consequences of an accident previously evaluated.

(L) The proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. A statistical analysis of channel uncertainty for a 30 month operating cycle was previously performed. A corresponding statistical evaluation of the projected drift of the channel over a 37-month operating cycle has currently been performed. It has been confirmed that the channel drift for a 37-month interval is bounded by the existing drift allowance used in the current uncertainty calculations. Therefore, the channel uncertainty derived for 30 months is valid for a 37-month operating cycle. There are no nominal setpoints within the Technical Specifications for the level of the Volume Control Tank nor are there any applicable Safety Analysis Limits. Thus, the Channel Statistical Allowance for 37 months can be accommodated without impacting the licensing basis Safety Analysis.

It is therefore concluded that changing the surveillance interval from 24 months (plus 25%) to 37 months for the transmitter will not result in a significant increase in the probability or consequences of an accident previously evaluated.

(M) The proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. A statistical analysis of uncertainties for the FCU [fan cooler unit] flow channels for a 30-month operating cycle was performed. A corresponding statistical evaluation of the projected drift of the transmitters over a 37-month operating cycle has also been performed. When drift of the remainder of the channel (calibrated at 24 months) is combined with the drift and bias of the transmitter at 37 months, the sum does not exceed the original projection at 30 months. Therefore, the channel uncertainty derived for 30 months is valid for a 37 month operating cycle providing the rack is calibrated at the 24 month (plus 25%) frequency and the transmitter is calibrated at 37 months. In addition, the flow controllers to the Fan Cooling Units have had their low flow setpoints raised to provide operators with earlier alarms associated with FCU system flow degradation.

It has been determined that there is no general impact upon any Technical Specification requirements or related Safety Analysis limits. The Indian Point Unit 2 Technical Specification does not specify a specific setpoint. It is therefore concluded that changing the surveillance interval from 24 months (plus 25%) to 37 months for the transmitter will not result in a significant increase in the probability or consequences of an accident previously evaluated.

(N) The proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. Statistical analyses of OPS [over pressure protection] pressure and PORV [power operated relief valve] channel uncertainties for a 30 month operating cycle were previously performed.

A corresponding statistical evaluation of the projected drift of the OPS pressure transmitter over a 37-month operating cycle has currently been performed. It has been confirmed that when the transmitter drift for a 37-month interval is determined it is bounded by the existing drift allowance used in the uncertainty calculations. Subsequently, when drift of the remainder of the channel (calibrated at the Technical Specification frequency of 24 months) is combined with the drift of the transmitter projected at 37 months, the sum does not exceed the original projection at 30 months. Therefore, the channel uncertainty derived for 30 months is valid for a 37-month operating cycle providing the rack is calibrated at the 24-month (plus 25%) frequency and the transmitter is calibrated at 37 months.

Similarly, a statistical evaluation of the projected drift of the PORV channel over a 37 month operating cycle has currently been performed. It has been confirmed that the channel drift for a 37-month interval is bounded by the existing drift allowance used in the current uncertainty calculations. Therefore, the channel uncertainty derived for thirty months is valid for a 37 month-operating cycle.

It can also be concluded that sufficient allowance exists between the existing Technical Specification limits and the licensing basis Safety Analysis limits to accommodate the channel statistical errors resulting from a 37 month operating cycle.

The existing allowance between the Technical Specification limits and the Safety Analysis limits provides assurance that plant protective functions will occur as required. It is therefore concluded that changing the surveillance interval from 24 months (plus 25%) to 37 months for the OPS pressure transmitter and the PORV channels will not result in a significant increase in the probability or consequences of any accident previously evaluated.

(O) The proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. A statistical analysis of channel uncertainty for a 30 month operating cycle was previously performed. A corresponding statistical evaluation of the projected drift of the transmitter over a 37-month operating cycle has currently been performed. Subsequently, when drift of the remainder of the channel (calibrated at the Technical Specification frequency of 24 months) is combined with the drift and bias of the transmitters projected at 37 months, the sum does not exceed the original projection at 30 months. Therefore, the channel uncertainty derived for 30 months is valid for a 37-month operating cycle providing the rack is calibrated at the 24-month (plus 25%) frequency and the transmitter is calibrated at 37 months. It can also be concluded that sufficient allowance exists between the existing Technical Specification limits and the licensing basis Safety Analysis limits to accommodate the channel statistical error resulting from a 37 month operating cycle (with a rack calibration at 24 months plus 25%).

The existing allowance between the Technical Specification limits and the Safety Analysis limits provides assurance that plant protective functions will occur as required. It is therefore concluded that changing the surveillance interval from 24 months (plus 25%) to 37 months for the transmitter will not result in a significant increase in the probability or consequences of an accident previously evaluated.

(P) The proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated. A statistical analysis of channel uncertainty for a 30 month operating cycle was previously performed. The OT[Delta]T/OP[Delta]T uncertainty calculations of record for Con Ed are derived from PC–R1A, PC–R1B, and PT–Q52. Of these, the quarterly surveillance performed via PT–Q52 provides the governing uncertainty allowances because it performs a functional check of the complete channel from rack input through output (bistable) every 90 days. This includes the R/E converters, E/I converters, I/I converters, OT[Delta]T setpoint generators, OP[Delta]T setpoint generators, OP[Delta]T impulse lag modules, and the bistables. If a problem is detected in PT–Q52, other procedures (PC–RIA, PC–RIB, PT–VIIA) are invoked to perform thorough evaluation and recalibration, as necessary. Therefore, the rack drift allowance incorporated in the OT[Delta]T and OP[Delta]T setpoint calculations are based on the performance of PT–Q52. Thus, continued performance of PT–Q52 on a quarterly basis, even in conjunction with the one time extension of PC–EM37, provides assurance that all modules are performing correctly.

Therefore, the channel uncertainty derived for 30 months is valid for a 37-month operating cycle since the rack components are checked on a quarterly frequency. It can also be concluded that sufficient margin exists between the existing Technical Specification limits and the licensing basis Safety Analysis limits to accommodate the channel statistical error resulting from a 37 month operating cycle (with a rack calibration at 24 months plus 25%).

The existing margin between the Technical Specification limits and the Safety Analysis limits provides assurance that plant protective functions will occur as required. It is therefore concluded that changing the surveillance interval from 24 months (plus 25%) to 37 months for the transmitter will not result in a significant increase in the probability or consequences of an accident previously evaluated.

(2) Does the proposed license amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

(A) The proposed license amendment does not create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not involve the addition of any new or different type of equipment, nor does it involve operating equipment required for safe operation of the facility in a manner that is different from that addressed in the Updated Final Safety Analysis Report. Also, the increased surveillance interval (one-time only) will not adversely affect the reactor coolant system flow instrumentation functions. The proposed change in operating cycle length due to an increased surveillance interval for the transmitters will not result in a channel statistical allowance which exceeds the current margin and therefore the margin between the existing Technical Specification limits and the Safety Analysis limits. Plant equipment, which will be nominally set at (or more conservatively than) Technical Specification limits, will provide protective functions to assure that Safety Analysis limits are not exceeded. This will prevent the possibility of a new or different kind of accident from any previously evaluated from occurring.

(B) The proposed license amendment does not create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not involve the addition of any new or different type of equipment, nor does it involve operating equipment required for safe operation of the facility in a manner that is different from that addressed in the Updated Final Safety Analysis Report. The increased surveillance interval (one-time only) will not adversely affect the Containment sump level and Recirculation Sump Level instrumentation functions. Plant equipment, which will be nominally set at (or more conservatively than) Technical Specification

limits, will provide protective functions to assure that Safety Analysis limits are not exceeded. This will prevent the possibility of a new or different kind of accident from any previously evaluated from occurring.

(C) The proposed license amendment does not create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not involve the addition of any new or different type of equipment, nor does it involve operating equipment required for safe operation of the facility in a manner that is different from that addressed in the Updated Final Safety Analysis Report. Also, the increased surveillance, interval (one-time only) will not adversely affect the Pressurizer Level instrumentation functions. The proposed change in operating cycle length due to an increased surveillance interval for the transmitters will not result in a channel statistical allowance which exceeds the current margin and therefore the margin between the existing Technical Specification limits and the Safety Analysis limits. Plant equipment, which will be nominally set at (or more conservatively than) Technical Specification limits, will provide protective functions to assure that Safety Analysis limits are not exceeded.

This will prevent the possibility of a new or different kind of accident from any previously evaluated from occurring.

(D) The proposed license amendment does not create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not involve the addition of any new or different type of equipment, nor does it involve operating equipment required for safe operation of the facility in a manner that is different from that addressed in the Updated Final Safety Analysis Report. Also, the increased surveillance interval (one-time only) will not adversely affect the 480 Volt under voltage or degraded voltage instrumentation functions. The proposed change in operating cycle length due to an increased surveillance interval for the relays will not result in a channel statistical allowance which exceeds the current margin and therefore the margin between the existing Technical Specification limits and the Safety Analysis limits. Plant equipment, which will be nominally set at (or more conservatively than) Technical Specification limits, will provide protective functions to assure that Safety Analysis limits are not exceeded. This will prevent the possibility of a new or different kind of accident from any previously evaluated from occurring.

(E) The proposed license amendment does not create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not involve the addition of any new or different type of equipment, nor does it involve operating equipment required for safe operation of the facility in a manner that is different from that addressed in the Updated Final Safety Analysis Report. The increased surveillance interval (one-time only) will not adversely affect the 6.9 kV Under Voltage and Under Frequency instrumentation functions. The proposed change in operating cycle length due to an increased surveillance interval for the relays will not result in a channel statistical allowance which reduces the margin between the existing Technical Specification limits and the Safety Analysis limits. Plant equipment, which will be nominally set at (or more conservatively than) Technical Specification limits, will provide protective functions to assure that Safety Analysis limits are not exceeded. This will prevent the possibility of a new or different kind of accident from any previously evaluated from occurring.

(F) The proposed license amendment does not create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not involve the addition of any new or different type of equipment, nor does it involve operating equipment required for safe operation of the facility in a manner that is different from that addressed in the Updated Final Safety Analysis Report. Also, the increased surveillance interval (one-time only) will not adversely affect the steam generator level instrumentation functions. The proposed change in operating cycle length due to an increased surveillance interval for the transmitter will not result in a channel statistical allowance which exceeds the current margin and therefore will not exceed the margin between the existing Technical Specification limits and the Safety Analysis limits. Plant equipment, which will be nominally set at (or more conservatively than) Technical Specification limits, will provide protective functions to assure that Safety Analysis limits are not exceeded. This will prevent the possibility of a new or different kind of accident from any previously evaluated from occurring.

(G) The proposed license amendment does not create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not involve the addition of any new or different type of equipment, nor does it involve operating equipment required for safe operation of the facility in a manner that is different from that addressed in the Updated Finial Safety Analysis Report. Also, the increased surveillance interval (one-time only) will not adversely affect the RHR [Residual Heat Removal] Flow instrumentation functions. The proposed change in operating cycle length due to an increased surveillance interval for the transmitter will not impact any Technical Specification limit or Safety Analysis limit. Plant protective functions will occur as designed.

This will prevent the possibility of a new or different kind of accident from any previously evaluated from occurring.

(H) The proposed license amendment does not create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not involve the addition of any new or different type of equipment, nor does it involve operating equipment required for safe operation of the facility in a manner that is different from that addressed in the Updated Final Safety Analysis Report. Also, the increased surveillance interval (one-time only) will not adversely affect the accumulator level instrumentation functions. The proposed change in operating cycle length due to an increased surveillance interval for the level transmitters will not result in a channel statistical allowance which exceeds the current margin and therefore the margin between the existing Technical Specification limits and the Safety Analysis limits. Plant equipment, which will be nominally set at (or more conservatively than) Technical Specification limits, will provide protective functions to assure that Safety Analysis limits are not exceeded. This will prevent the possibility of a new or different kind of accident from any previously evaluated from occurring.

(I) The proposed license amendment does not create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not involve the addition of any new or different type of equipment, nor does it involve operating equipment required for safe operation of the facility in a manner that is different from that addressed in the Updated Final Safety Analysis Report. Also, the increased surveillance interval (one-time only) will not adversely affect the accumulator pressure instrumentation functions. The proposed change in operating cycle length due to an increased surveillance interval for the transmitters will not result in a channel statistical allowance which exceeds the current margin and therefore the margin between the existing Technical Specification limits and the Safety Analysis limits. Plant equipment, which will be nominally set at (or more conservatively than) Technical Specification limits, will provide protective functions to assure that Safety Analysis limits are not exceeded. This will prevent the possibility of a new or different kind of accident from any previously evaluated from occurring.

(J) The proposed license amendment does not create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not involve the addition of any new or different type of equipment, nor does it involve operating equipment required for safe operation of the facility in a manner that is different from that addressed in the Updated Final Safety Analysis Report. Also, the increased surveillance interval (one-time only) will not adversely affect the steam line pressure instrumentation functions. The proposed change in operating cycle length due to an increased surveillance interval for the relays will not result in a channel statistical allowance which exceeds the current margin and therefore the margin between the existing Technical Specification limits and the Safety Analysis limits. Plant equipment, which will be nominally set at (or more conservatively than) Technical Specification limits, will provide protective functions to assure that Safety Analysis limits are not exceeded. This will prevent the possibility of a new or different kind of accident from any previously evaluated from occurring.

(K) The proposed license amendment does not create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not involve the addition of any new or different

type of equipment, nor does it involve operating equipment required for safe operation of the facility in a manner that is different from that addressed in the Updated Final Safety Analysis Report. The proposed change in operating cycle length due to an increased surveillance interval for the transmitters will not result in a channel statistical allowance which impacts the current margin between the existing Technical Specification limits and the Safety Analysis limits. Plant equipment, which will be nominally set at (or more conservatively than) Technical Specification limits, will provide protective functions to assure that Safety Analysis limits are not exceeded.

This will prevent the possibility of a new or different kind of accident from any previously evaluated from occurring.

(L) The proposed license amendment does not create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not involve the addition of any new or different type of equipment, nor does it involve operating equipment required for safe operation of the facility in a manner that is different from that addressed in the Updated Final Safety Analysis Report. There are no nominal setpoints within the Technical Specifications for the level of the Volume Control Tank nor are there any applicable Safety Analysis Limits. Thus, the Channel Statistical Allowance for 37 months can be accommodated without impacting the licensing basis Safety Analysis.

Other Plant equipment, which will be nominally set at (or more conservatively than) Technical Specification limits, will continue to provide protective functions to assure that Safety Analysis limits are riot exceeded. This will prevent the possibility of a new or different kind of accident from any previously evaluated from occurring.

(M) The proposed license amendment does not create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not involve the addition of any new or different type of equipment, nor does it involve operating equipment required for safe operation of the facility in a manner that is different from that addressed in the Updated Final Safety Analysis Report.

The proposed change in surveillance interval for the transmitter will not result in any impact upon existing Technical Specifications or Safety Analysis. Therefore, plant equipment will continue to provide protective functions to assure that Safety Analysis limits are not exceeded.

This will prevent the possibility a new or different kind of accident from any previously evaluated from occurring.

(N) The proposed license amendment does not create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not involve the addition of any new or different type of equipment, nor does it involve operating equipment required for safe operation of the facility in a manner that is different from that addressed in the Updated Final Safety Analysis Report. The increased surveillance interval (one-time only) will not adversely affect the PORV Actuation/Reclosure and Overpressure Protection System (OPS) instrumentation functions. The proposed change in operating cycle length due to an increased surveillance interval will not result in channel statistical allowance which exceeds current margins and therefore, the margins between existing Technical Specification limits and Safety Analysis limits. Plant equipment, which will be nominally set at (or more conservatively than) Technical Specification limits, will provide protective functions to assure that Safety Analysis limits are not exceeded. This will prevent the possibility of a new or different kind of accident from any previously evaluated from occurring.

(O) The proposed license amendment does not create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not involve the addition of any new or different type of equipment, nor does it involve operating equipment required for safe operation of the facility in a manner that is different from that addressed in the Updated Final Safety Analysis Report. Also, the increased surveillance interval (one-time only) will not adversely affect the Pressurizer Pressure channel instrumentation functions. The proposed change in operating cycle length due to an increased surveillance interval for the transmitter will not result in a channel statistical allowance which exceeds the current margin and therefore the margin between the existing Technical Specification limits and the Safety Analysis limits. Plant equipment, which will be nominally set at (or more conservatively than) Technical Specification limits, will provide protective functions to assure that Safety Analysis limits are not exceeded. This will prevent the possibility of a new or different kind of accident from any previously evaluated from occurring.

(P) The proposed license amendment does not create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not involve the addition of any new or different type of equipment, nor does it involve operating equipment required for safe operation of the facility in a manner that is different from that addressed in the Updated Final Safety Analysis Report. The increased surveillance interval (one-time only) will not adversely affect the OP/OT [Delta]T instrumentation functions since these loop functions are checked on a quarterly basis under PT–Q52. The proposed change in operating cycle length due to an increased surveillance interval for the setpoint generators will not result in a channel statistical allowance which exceeds the current margin. It can also be concluded that sufficient margin exists between the existing Technical Specification limits and the licensing basis Safety Analysis limits to accommodate the channel statistical error resulting from a 37 month operating cycle (with a rack calibration at 24 months plus 25%).

This will prevent the possibility of a new or different kind of accident from any previously evaluated from occurring.

(3) Does the proposed amendment involve a significant reduction in a margin of safety?

(A) The proposed license amendment does not involve a significant reduction in a margin of safety. Because the change in surveillance interval resulting from an increased operating cycle will not result in a channel statistical allowance which exceeds the margin which exists between the current Technical Specification limit and the licensing basis Safety Analysis limit, protective functions will occur so that Safety Analysis limits are not exceeded. Therefore, the proposed change for a one-time extension of the test interval does not adversely affect the performance of any safety related system, component or structure and does not result in increased severity of any of the accidents considered in the Updated Final Safety Analysis Report. Based on past test results, the one-time extension of the surveillance interval for the transmitters by seven months does not involve a significant reduction in a margin of safety.

(B) The proposed license amendment does not involve a significant reduction in a margin of safety. The surveillance anomalies noted did not render the level indication system non-operational. Therefore, based on the redundancy and the reliability of the system, extension of the surveillance interval for a maximum of seven months for these tests would have little affect on the reliability of the discrete level indication systems. The historical data supports the conclusion that the margin of safety will not be compromised by extending the interval between tests on a one-time basis to a maximum of 37 months. Based on past test results, the one-time extension of six months does not involve a significant reduction in a margin of safety.

(C) The proposed license amendment does not involve a significant reduction in a margin of safety. Because the change in surveillance interval resulting from an increased operating cycle will not result in a channel statistical allowance which exceeds any margin which exists between the current Technical Specification limit and the licensing basis Safety Analysis limit, protective functions will occur so that Safety Analysis limits are not exceeded. Thus, the Channel Statistical Allowance for 37 months can be accommodated without impacting the licensing basis Safety Analysis. Therefore, the proposed change for a one-time extension of the test interval does not adversely affect the performance of any safety related system, component or structure and does not result in increased severity of any of the accidents considered in the Updated Final Safety Analysis Report. Based on past test results, the one-time extension of the surveillance interval for the transmitters by six months does not involve a significant reduction in a margin of safety.

(D) The proposed license amendment does not involve a significant reduction in a margin of safety. Because the change in surveillance interval resulting from an increased operating cycle will not result in a channel statistical allowance which exceeds the margin which exists between the current Technical Specification limit and the licensing basis Safety Analysis limit, protective functions will occur so that Safety Analysis limits are not exceeded. Therefore, the proposed change for a one-time extension

of the test interval does not adversely affect the performance of any safety related system, component or structure and does not result in increased severity of any of the accidents considered in the Updated Final Safety Analysis Report. Based on past test results, the one'-time extension of six months does not involve a significant reduction in a margin of safety.

(E) The proposed license amendment does not involve a significant reduction in a margin of safety. Because the change in surveillance interval resulting from an increased operating cycle will not result in a channel statistical allowance which impacts the margin which exists between the current Technical Specification limit and the licensing basis Safety Analysis limit, protective functions will occur so that Safety Analysis limits are not exceeded. Therefore, the proposed change for a one-time extension of the test interval does not adversely affect the performance of any safety related system, component or structure and does not result in increased severity of any of the accidents considered in the Updated Final Safety Analysis Report. Based on past test results, the one-time extension of seven months does not involve a significant reduction in a margin of safety.

(F) The proposed license amendment does not involve a significant reduction in a margin of safety. Because the change in surveillance interval resulting from an increased operating cycle will not result in a channel statistical allowance which exceeds the margin which exists between the current Technical Specification limit and the licensing basis Safety Analysis limit, protective functions will occur so that Safety Analysis limits are not exceeded. Therefore, the proposed change for a one-time extension of the test interval does not adversely affect the performance of any safety related system, component or structure and does not result in increased severity of any of the accidents considered in the Updated Final Safety Analysis Report. Based on past test results, the one-time extension of the surveillance interval for the transmitters by seven months does not involve a significant reduction in a margin of safety.

(G) The proposed license amendment does not involve a significant reduction in a margin of safety. Because the change in surveillance interval resulting from an increased operating cycle will not result in a channel statistical allowance which affects the margin between any current Technical Specification limit and any licensing basis Safety Analysis limit, protective functions will occur so that Safety Analysis limits are not exceeded. Therefore, the proposed change for a one-time extension of the test interval does not adversely affect the performance of any safety related system, component or structure and does not result in increased severity of any of the accidents considered in the Updated Final Safety Analysis Report. In conclusion, based upon the recently completed 37 month drift value being less than the existing 24 month drift value, the one-time extension of the surveillance interval for the transmitter for seven months does not involve a significant increase in a margin of safety.

(H) The proposed license amendment does not involve a significant reduction in a margin of safety. Because the change in surveillance interval resulting from an increased operating cycle will not result in a channel statistical allowance which exceeds the margin which exists between the current Technical Specification limit and the licensing basis Safety Analysis limit, protective functions will occur so that Safety Analysis limits are not exceeded. Therefore, the proposed change for a one-time extension of the test interval does not adversely affect the performance of any safety related system, component or structure and does not result in increased severity of any of the accidents considered in the Updated Final Safety Analysis Report. Based on past test results, the one-time extension of the surveillance interval for the transmitter by seven months does not involve a significant reduction in a margin of safety.

(I) The proposed license amendment does not involve a significant reduction in a margin of safety. Because the change in surveillance interval resulting from an increased operating cycle will not result in a channel statistical allowance which exceeds the margin existing between the current Technical Specification limit and the licensing basis Safety Analysis limit, protective functions will occur so that Safety Analysis limits are not exceeded. Therefore, the proposed change for a one-time extension of the test interval does not adversely affect the performance of any safety related system, component or structure and does not result in increased severity of any of the accidents considered in the Updated Final Safety Analysis Report. Based on past test results, the one-time extension of the surveillance interval for the transmitter by seven months does not involve a significant reduction in a margin of safety.

(J) The proposed license amendment does not involve a significant reduction in a margin of safety. Because the change in surveillance interval resulting from an increased operating cycle will not result in a channel statistical allowance which exceeds the margin which exists between the current Technical Specification limit and the licensing basis Safety Analysis limit, protective functions will occur so that Safety Analysis limits are not exceeded. Therefore, the proposed change for a one-time extension of the test interval does not adversely affect the performance of any safety related system, component or structure and does not result in increased severity of any of the accidents considered in the Updated Final Safety Analysis Report. Based on past test results, the one-time extension of the surveillance interval for the transmitter by six months does not involve a significant reduction in a margin of safety.

(K) The proposed license amendment does not involve a significant reduction in a margin of safety. The change in surveillance interval resulting from an increased operating cycle will not result in a channel statistical allowance which impacts any margin which exits between the current Technical Specification limits and the licensing basis Safety Analysis Limits. Therefore, protective functions will continue to occur unchanged so that Safety Analysis limits are not exceeded. There is no reduction in the margin between any existing Technical Specification limit and its related Safety Analysis limit. Therefore, the proposed change for a one-time extension of the calibration and test interval does not adversely affect the performance of any safety related system, component or structure and does result in increased severity of any of the accidents considered in the Updated Final Safety Analysis Report. Based on past test results, the one-time extension of the surveillance frequency for the channel transmitters does not involve a significant reduction in a margin of safety.

(L) The proposed license amendment does not involve a significant reduction in a margin of safety. The change in surveillance interval resulting from an increased operating cycle will not result in a channel statistical allowance which impacts any Technical Specification limits nor any licensing basis Safety Analysis limit. Protective functions will continue to occur so that Safety Analysis limits are not exceeded. There are no nominal setpoints within the Technical Specifications for the level of the Volume Control Tank nor are there any applicable Safety Analysis Limits.

Therefore, the proposed change for a one-time extension of the test interval does not adversely affect the performance of any safety related system, component or structure and does not result in increased severity of any of the accidents considered in the Updated Final Safety Analysis Report. Based on past test results, the one-time extension of seven months for calibration of the channel does not involve a significant reduction in a margin of safety.

(M) The proposed license amendment does not involve a significant reduction in a margin of safety.

Because the change in surveillance interval resulting from an increased operating cycle will not impact the margin which exists between current Technical Specification limits and licensing basis Safety Analysis limits, protective functions will continue to occur so that Safety Analysis limits are not affected. In addition, the flow controllers to the Fan Cooling Units have had their low flow setpoints raised to provide operators with an earlier warning associated with FCU system flow degradation. Therefore, the proposed change for a one-time extension of the transmitter surveillance interval does not adversely affect the performance of any safety related system, component or structure and does not result in increased severity of any of the accidents considered in the Updated Final Safety Analysis Report.

(N) The proposed license amendment does not involve a significant reduction in a margin of safety. Because the change in surveillance interval resulting from an increased operating cycle will not result in a channel statistical allowance which exceeds the margin existing between the current Technical Specification limit and the licensing basis Safety Analysis limit, protective functions will occur so that Safety Analysis limits are not exceeded. Therefore, the proposed change for a one-time extension of the calibration intervals does not adversely

affect the performance of any safety related system, component or structure and does not result in increased severity of any of the accidents considered in the Updated Final Safety Analysis Report. Based on past test results, the one-time extension of seven months for the OPS transmitters and six months for PORV set point calibrations does not involve a significant reduction in a margin of safety.

(O) The proposed license amendment does not involve a significant reduction in a margin of safety. Because the change in surveillance interval resulting from an increased operating cycle will not result in a channel statistical allowance which exceeds the margin which exists between the current Technical Specification limit and the licensing basis Safety Analysis limit, protective functions will occur so that Safety Analysis limits are not exceeded. Therefore, the proposed change for a one-time extension of the test interval does not adversely affect the performance of any safety related system, component or structure and does not result in increased severity of any of the accidents considered in the Updated Final Safety Analysis Report. Based on past test results, the one-time extension of the surveillance interval for the transmitters by seven months does not involve a significant reduction in a margin of safety.

(P) The proposed license amendment does not involve a significant reduction in a margin of safety. Because the change in surveillance interval resulting from an increased operating cycle will not result in a channel statistical allowance which exceeds the margin which exists between the current Technical Specification limit and the licensing basis Safety Analysis limit, protective functions will occur so that Safety Analysis limits are not exceeded. Therefore, the proposed change for a one-time extension of the test interval does not adversely affect the performance of any safety related system, component or structure and does not result in increased severity of any of the accidents considered in the Updated Final Safety Analysis Report. The OP/OT [Delta]T instrumentation loop functions are checked on a quarterly basis under PT-Q52. Based on past test results, the one-time extension of six months 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 14 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 14-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 14-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. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

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

By November 15, 1999, 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, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the White Plains Library, 100 Martin Avenue, White Plains, New York 10610. 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, 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 Brent L. Brandenburg, Esq., 4 Irving Place, New York, New York 10003, 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 April 21, 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 White Plains Library, 100 Martine Avenue, White Plains, New York 10610.

Dated at Rockville, Maryland, this 7th day of October 1999.

For the Nuclear Regulatory Commission.

Jefferey F. Harold,

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

[FR Doc. 99–26780 Filed 10–13–99; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–155–ML and ASLBP No. 79–423–11–ML]

Consumers Power (Big Rock Point); Notice of Reconstitution

Pursuant to the authority contained in 10 CFR 2.721, the Atomic Safety and Licensing Board in the captioned 10 CFR part 2, Subpart G proceeding is hereby reconstituted by appointing Administrative Judge G. Paul Bollwerk, III, as Chairman in place of Administrative Judge Peter B. Bloch.

All correspondence, documents and other material shall be filed with the new Board Chairman in accordance with 10 CFR 2.701. The address of the new Chairman is: Administrative Judge G. Paul Bollwerk, III, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

Issued at Rockville, Maryland, this 7th day of October 1999.

G. Paul Bollwerk III,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 99–26772 Filed 10–13–99; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 40–8681-MLA–5; ASLBP No. 99–758–02–MLA]

International Uranium (USA) Corporation; Notice of Reconstitution

Pursuant to the authority contained in 10 CFR 2.721 and 2.1207, the Presiding Officer in the captioned 10 CFR part 2, Subpart L proceeding is hereby replaced by appointing Administrative Judge G. Paul Bollwerk, III as Presiding Officer in place of Administrative Judge Peter B. Bloch.

All correspondence, documents, and other material shall be filed with the Presiding Officer in accordance with 10 CFR 2.1203. The address of the new Presiding Officer is: Administrative Judge G. Paul Bollwerk, III, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

Issued at Rockville, Maryland, this 7th day of October 1999.

G. Paul Bollwerk III,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 99–26775 Filed 10–13–99; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 40–8794–MLA and 40–8778–MLA; ASLBP No. 99–769–08–MLA]

Molycorp, Inc.; Notice of Reconstitution

Pursuant to the authority contained in 10 CFR 2.721 and 2.1207, the Presiding Officer in the captioned 10 CFR Part 2, Subpart L proceeding is hereby replaced by appointing Administrative Judge Charles Bechhoefer as Presiding Officer in place of Administrative Judge Peter B. Bloch.

All correspondence, documents, and other material shall be filed with the Presiding Officer in accordance with 10 CFR 2.1203. The address of the new Presiding Officer is: Administrative Judge Charles Bechhoefer; Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555–0001.

Issued at Rockville, Maryland, this 7th day of October 1999.

G. Paul Bollwerk III,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 99–26774 Filed 10–13–99; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–344]

Portland General Electric Company, et al.; Trojan Nuclear Plant; Notice of Receipt, Availability for Comment, and Meeting To Discuss License Termination Plan

The Nuclear Regulatory Commission (NRC) is in receipt of and is making available for public inspection and comment the License Termination Plan (LTP) for the Trojan Nuclear Plant (TNP) located in Columbia County, Oregon, on the west bank of the Columbia River.

Portland General Electric Company (PGE, or the licensee) announced permanent cessation of power operations of TNP on January 4, 1993. In accordance with NRC regulations in effect at that time, PGE submitted a decommissioning plan for TNP to the NRC in January 1995, which was approved by the NRC on April 15, 1996.