

7. *The estimated number of annual respondents:* NRC Form 136, 22; NRC Form 237, 22; NRC Form 277, 2.

8. *An estimate of the total number of hours needed annually to complete the requirement or request:* NRC Form 136, 40; NRC Form 237, 16; NRC Form 277, 1.

9. *An indication of whether Section 3507(d), Public Law 104-13 applies:* Not applicable.

10. *Abstract:* The NRC Form 136 affects the employees of licensees and contractors who have been granted an NRC access authorization. When access authorization is no longer needed, the completion of the form apprises the respondent of their continuing security responsibilities. The NRC Form 237 is completed by licensees, NRC contractors or individuals who require an NRC access authorization. The NRC Form 277 affects the employees of contractors who have been granted an NRC access authorization and require verification of that access authorization and need-to-know in conjunction with a visit to NRC or another facility.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. OMB clearance requests are available at the NRC worldwide web site (<http://www.nrc.gov>) under the FedWorld collection link on the home page tool bar. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer by July 2, 1998: Erik Godwin, Office of Information and Regulatory Affairs (3150-0049, 3150-0050, 3150-0051), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395-3084.

The NRC Clearance Officer is Brenda Jo. Shelton, 301-415-7233.

Dated at Rockville, Maryland, this 19th day of May 1998.

For the Nuclear Regulatory Commission.

**Brenda Jo. Shelton,**

*NRC Clearance Officer, Office of the Chief Information Officer.*

[FR Doc. 98-14520 Filed 6-1-98; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-410]

### Central Hudson Gas & Electric Corporation; Nine Mile Point Nuclear Station, Unit No. 2

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an Order approving, under 10 CFR 50.80, an application regarding a transfer of control of possessory rights held by Central Hudson Gas & Electric Corporation (Applicant) under the operating license for Nine Mile Point Nuclear Station, Unit No. 2 (NMP2). The transfer would be to a holding company, not yet named, to be created over Applicant in accordance with a New York State Public Service Commission order, issued and effective February 19, 1998 (Case 96-E-0909), and related documents entitled "Amended and Restated Settlement Agreement" dated January 2, 1998, and "Modifications to Amended and Restated Settlement Agreement" dated February 26, 1998 (see Exhibits G-G2 in the application). Applicant is licensed by the Commission to own and possess a 9 percent interest in NMP2.

By application dated April 8, 1998, Applicant informed the Commission of a proposed corporate restructuring under which Applicant would become a subsidiary of a newly formed holding company. The outstanding shares of Applicant's common stock will be exchanged on a share-for-share basis for common stock of the holding company, such that the holding company will own all of the outstanding common stock of Applicant. The holding company will own, directly or indirectly, the stock of any non-utility subsidiaries except that Applicant will continue to own one unregulated subsidiary. Under this restructuring, Applicant will sell at auction its fossil-fueled electric generation facilities at its Danskammer Steam Generating Plant and its partial interest in the Roseton Electric Generation Plant (hereafter, collectively referred to as "Generation Assets"). However, Applicant will continue to be an "electric utility" as defined in 10 CFR 50.2 engaged in the transmission, distribution and, in the case of NMP2, combustion turbine facilities, hydroelectric facilities, and (until structurally separated or divested), the Generation Assets, the generation of electricity. Applicant would retain its ownership interest in NMP2 and continue to be a licensee of NMP2. No direct transfer of the operating license or ownership interests in the station will

result from the proposed restructuring. The transaction would not involve any change to either the management organization or technical personnel of Niagara Mohawk Power Corporation, which is responsible for operating and maintaining NMP2.

Pursuant to 10 CFR 50.80, the Commission may approve the transfer of control of a license after notice to interested persons. Such approval is contingent upon the Commission's determination that the holder of the license following the transfer is qualified to hold the license and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders of the Commission.

For further details with respect to this proposed action, see the Applicant's application dated April 8, 1998, as supplemented April 22, 1998. These documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, DC, and at the local public document room located at the Penfield Library, State University of New York, Oswego, New York 13126.

Dated at Rockville, Maryland this 26th day of May 1998.

For the Nuclear Regulatory Commission.

**Darl S. Hood,**

*Senior Project Manager, Project Directorate I-1, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*

[FR Doc. 98-14517 Filed 6-1-98; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-219]

### GPU Nuclear Inc., et al., Oyster Creek Nuclear Generating Station; Confirmatory Order Modifying License; Effective Immediately

**I**

GPU Nuclear Inc., (GPUN or the Licensee) is the holder of Facility Operating License No. DRP-16, which authorizes operation of Oyster Creek Nuclear Generating Station, located in Ocean County, New Jersey.

**II**

The staff of the U.S. Nuclear Regulatory Commission (NRC) has been concerned that Thermo-Lag 330-1 fire barrier systems installed by licensees may not provide the level of fire endurance intended and that licensees that use Thermo-Lag 330-1 fire barriers may not be meeting regulatory

requirements. During the 1992 to 1994 timeframe, the NRC staff issued Generic Letter (GL) 92-08, "Thermo-Lag 330-1 Fire Barriers" and subsequent requests for additional information that requested licensees to submit plans and schedules for resolving the Thermo-Lag issue. The NRC staff has obtained and reviewed all licensees' corrective plans and schedules. The staff is concerned that some licensees may not be making adequate progress toward resolving the plant-specific issues, and that some implementation schedules may be either too tenuous or too protracted. For example, several licensees informed the NRC staff that their completion dates had slipped by 6 months to as much as 3 years. For plants that have completion action scheduled beyond 1997, the NRC staff has met with these licensees to discuss the progress of the licensees' corrective actions and the extent of licensee management attention regarding completion of Thermo-Lag corrective actions. In addition, the NRC staff discussed with licensees the possibility of accelerating their completion schedules.

GPUN was one of the licensees with which the NRC staff held a meeting. At this meeting, the NRC staff reviewed with GPUN the schedule of Thermo-Lag corrective actions. Subsequent to that meeting GPUN submitted by letter dated October 1, 1997, a supplement to their integrated schedule which changed the implementation schedule of Thermo-lag corrective actions. Based on the information submitted by GPUN, the NRC staff has concluded that the schedule presented by GPUN is reasonable. This conclusion is based on the (1) amount of installed Thermo-Lag, (2) the complexity of the plant-specific fire barrier configurations and issues, (3) the need to perform certain plant modifications during outages as opposed to those that can be performed while the plant is at power, and (4) integration with other significant, but unrelated issues that GPUN is addressing at its plant. In order to remove compensatory measures such as fire watches, it has been determined that resolution of the Thermo-Lag corrective actions by GPUN must be completed in accordance with the current GPUN schedule. By letter dated April 27, 1998, the NRC staff notified GPUN of its plan to incorporate GPUN's schedule commitment into a requirement by issuance of an order and requested consent from the Licensee. By letter dated May 11, 1998, the Licensee provided its consent to issuance of a Confirmatory Order.

### III

The Licensee's commitment as set forth in its letter of May 11, 1998, is acceptable and is necessary for the NRC to conclude that public health and safety are reasonably assured. To preclude any schedule slippage and to assure public health and safety, the NRC staff has determined that the Licensee's commitment in its May 11, 1998, letter be confirmed by this Order. The Licensee has agreed to this action. Based on the above, and the Licensee's consent, this Order is immediately effective upon issuance.

### IV

Accordingly, pursuant to sections 103, 161b, 161i, 161o, 182, and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR Part 50, *it is hereby ordered*, effective immediately, that:

GPUN shall complete final implementation of Thermo-Lag 330-1 fire barrier corrective actions at Oyster Creek Nuclear Generating Station described in the GPUN submittal to the NRC dated October 1, 1997. The scheduled completion date for all corrective actions is Refueling Outage 18. Overall work package closeout will be completed by December 31, 2000.

The Director, Office of Nuclear Reactor Regulation, may relax or rescind, in writing, any provisions of this Confirmatory Order upon a showing by the Licensee of good cause.

### V

Any person adversely affected by this Confirmatory Order, other than the Licensee, may request a hearing within 20 days of its issuance. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and include a statement of good cause for the extension. Any request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Attention: Chief, Rulemaking and Adjudications Staff, Washington, D.C. 20555. Copies of the hearing request shall also be sent to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, to the Deputy Assistant General Counsel for Enforcement at the same address, to the Regional Administrator, NRC Region I, U.S. Nuclear Regulatory Commission, 475 Allendale Rd., King of Prussia, PA 19406-1415, and to the Licensee. If such a person requests a hearing, that person

shall set forth with particularity the manner in which his/her interest is adversely affected by this Order and shall address criteria set forth in 10 CFR 2.714(d).

If a hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any such hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section IV above shall be final 20 days from the date of this Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section IV shall be final when the extension expires if a hearing request has not been received. An answer or a request for hearing shall not stay the immediate effectiveness of this Order.

Dated at Rockville, Maryland, this 22nd day of May 1998.

For the Nuclear Regulatory Commission.

**Samuel J. Collins,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 98-14518 Filed 6-1-98; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

Docket Nos. 50-220 and 50-410]

### Niagara Mohawk Power Corporation; 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 amendments to Facility Operating License Nos. DPR-63 and NPF-69 issued to Niagara Mohawk Power Corporation (the licensee or NMPC) for operation of the Nine Mile Point Nuclear Station, Unit 1 (NMP1) and Unit 2 (NMP2), respectively, located in the town of Scriba, Oswego County, New York.

The proposed amendments would change administrative sections of the Technical Specifications (TS) (Sections 6.1, "Responsibility"; 6.2, "Organization"; 6.5, "Review and Audit"; 6.6, "Reportable Occurrence Action"; and 6.7, "Safety Limit Violation") to reflect a restructuring of