

at enrichments less than 5 weight percent U-235. Currently, each cylinder's liquid sample obtained in Russia or at PORTS is required to be analyzed at PORTS to confirm the uranium concentration and enrichment indicated by the shipper. The proposed amendment would allow analysis of UF<sub>6</sub> samples at PORTS at a lower rate which provides 99.9 percent confidence that a statistically significant shift in the mean uranium concentration will be detected for each Russian supplier with a valid historical database. It is noted that the proposed amendment only lowers the analytical measurement rate for Russian-origin UF<sub>6</sub> cylinders. The current 100 percent liquid sampling requirement and the 100 percent nondestructive analysis requirement will not be altered by this amendment.

#### **Basis for Finding of No Significance**

1. The proposed amendment will not result in a change in the types or significant increase in the amounts of any effluents that may be released offsite.

This amendment significantly reduces the destructive sample analytical requirement for 2.5-ton UF<sub>6</sub> cylinders obtained from three Russian facilities which have established historical bases to provide 99.9 percent confidence that a statistically significant shift in uranium concentration will be detected. As such, it would likely result in a reduction in the analytical handling of UF<sub>6</sub> samples. This would reduce the likelihood of any accidental releases of UF<sub>6</sub> during analytical operations. Therefore, this amendment will not result in a significant change in the types or significant increase in the amounts of any effluents that may be released offsite.

2. The proposed amendment will not result in a significant increase in individual or cumulative occupational radiation exposure.

For the reasons provided in the assessment of criterion 1, the proposed amendment will not result in a significant increase in individual or cumulative occupational radiation exposures.

3. The proposed amendment will not result in a significant construction impact.

The proposed amendment does not involve any construction, therefore, there will be no construction impacts.

4. The proposed amendment will not result in a significant increase in the potential for, or radiological or chemical consequences from, previously analyzed accidents.

For the reasons provided in the assessment of criterion 1, the proposed

amendment will not result in a significant increase in the potential for, or radiological or chemical consequences from, previously analyzed accidents.

5. The proposed amendment will not result in the possibility of a new or different kind of accident.

For the reasons provided in the assessment of criterion 1, the proposed amendment will not result in new or different kinds of accidents.

6. The proposed amendment will not result in a significant reduction in any margin of safety.

For the reasons provided in the assessment of criterion 1, the proposed amendment will not result in a significant reduction in any margin of safety.

7. The proposed amendment will not result in an overall decrease in the effectiveness of the plant's safety, safeguards, or security programs.

For the reasons provided in the assessment of criterion 1, the proposed amendment will not result in an overall decrease in the effectiveness of the plant's safety program.

The NRC staff has determined that the sampling and measurement plan as described in USEC's proposed amendment would provide an adequate systems performance capability for determining the uranium content of UF<sub>6</sub> cylinder receipts at PORTS from the three current Russian suppliers. The systems capability that would be provided by the proposed sampling rates, which would detect with a probability of over 0.99, a mean shift in concentration as small as one standard deviation. The resulting detection level would be of the same magnitude as the uncertainty associated with the PORTS analytical measurement system if the sampling plan is applied in a reasonably random way to assure the representativeness of data. Moreover, the proposed statistical approach is consistent with current commitments of other NRC licensees who receive low-enriched UF<sub>6</sub> cylinders of either domestic or foreign origin. It should be noted that this amendment only applies to those shippers of Russian material for whom a valid database has been established so as to provide 99.9 percent confidence that a statistically significant shift in the mean uranium concentration will be detected. Therefore, the NRC staff concludes that the proposed amendment will not result in an overall decrease in the effectiveness of the plant's safeguards program.

The staff has not identified any security related implications from the proposed amendment. Therefore, the proposed amendment will not result in

an overall decrease in the effectiveness of the plant's security program.

*Effective date:* The amendment to GDP-2 will become effective immediately after issuance by NRC.

*Certificate of Compliance No. GDP-2:* Amendment will revise the PORTS Fundamental Nuclear Materials Control Plan and the PORTS Transportation Security Plan.

*Local Public Document Room location:* Portsmouth Public Library, 1220 Gallia Street, Portsmouth, Ohio 45662.

Dated at Rockville, Maryland, this 31st day of March 1999.

For the Nuclear Regulatory Commission.

**Carl J. Paperiello,**

*Director, Office of Nuclear Material Safety and Safeguards.*

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## **NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 50-348 and 50-364]

### **Southern Nuclear Operating Company, Inc., et al. 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 Nos. NPF-2 and NPF-8, issued to the Southern Nuclear Operating Company, Inc., et al. (the licensee) for operation of the Joseph M. Farley Nuclear Plant, Units 1 and 2, located in Houston County, Alabama.

The proposed amendment would modify Technical Specification 3/4.4.9, "Specific Activity," and the associated bases to increase the limit associated with dose equivalent iodine-131. The steady-state dose equivalent iodine-131 limit would be increased from 0.15 microCurie/gram to 0.3 microCurie/gram and the transient limit for 80 percent to 100 percent power provided by Technical Specification Figure 3.4-1 will increase 9 microCurie/gram to 18 microCurie/gram with a corresponding increase in the 0 percent to 80 percent power limits.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the

amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Operation of Farley Units 1 and 2 in accordance with the proposed license amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The increase in the dose equivalent iodine limits, both steady-state and transient, will not increase the probability of any accident evaluated since no physical changes to the plant are being made. The consequences of any accident previously evaluated will not be significantly increased since the doses remain a small fraction of the regulatory limit.

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

The increase in the dose equivalent iodine limits, both steady-state and transient, will not create the possibility of a new or different kind of accident from any accident previously evaluated since no physical changes to the plant are being made. The accidents of concern continue to be those that have previously been analyzed.

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

The calculated potential radiological consequences from the main steam line break accident (the bounding event) remain within the regulatory exposure guidelines and have not changed significantly. Increase of the dose equivalent iodine limit along with a corresponding decrease of allowable steam line break primary-to-secondary steam generator leakage provides a compensating offsite dose effect. Although the calculated dose increases slightly, the dose remains within a small fraction of the regulatory limit (30.0 REM [roentgen equivalent man] at the LPZ [low-population zone] boundary). Consequently, there is no significant reduction in any margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed

determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. 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 May 10, 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 Houtson-

Love Memorial Library, 212 W. Burdeshaw Street, Post Office Box 1369, Dothan, Alabama. 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 M. Stanford Blanton, Exq., Balch and Bingham, Post Office Box 306, 1710 Sixth Avenue North, Birmingham, Alabama, 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 2, 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 Houston-Love Memorial Library, 212 W. Burdeshaw Street, Post Office Box 1369, Dothan, Alabama.

Dated at Rockville, Maryland, this 5th day of April 1999.

For the Nuclear Regulatory Commission.

**Jacob I. Zimmerman,**

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

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-482]

### **Wolf Creek Nuclear Operating Corporation Wolf Creek Generating Station; Notice of Issuance of Amendment to Facility Operating License**

The United States Nuclear Regulatory Commission (Commission) has issued Amendment No. 123 to Facility Operating License No. NPF-42 issued to Wolf Creek Nuclear Operating Corporation (the licensee) for operation of the Wolf Creek Generating Station (WCGS) located in Coffey County, Kansas.

The amendment is effective as of the date of issuance and shall be implemented by December 31, 1999. The implementation of the amendment includes the two license conditions which are being added to Appendix D of the license as part of the amendment.

The amendment replaces, in its entirety, the current Technical Specifications (TS) with a set of improved TS based on NUREG-1431, "Standard Technical Specifications, Westinghouse Plants," Revision 1, dated April 1995, including all approved changes to the standard TS; the Commission's Final Policy Statement, "NRC Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors," published on July 22, 1993 (58 FR 39132); and 10 CFR 50.36, "Technical Specifications," as amended July 19, 1995 (60 FR 36953). In addition, the amendment adds two license conditions to Appendix D of the operating license that require (1) the relocation of current TS requirements into licensee-controlled documents, and (2) the first performance of new and revised surveillance requirements for

the improved TS to be related to the implementation date for the improved TS. The implementation of the amendment and the license conditions will be completed by December 31, 1999, as stated in the amendment.

The application for the amendment, as supplemented, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I.

Notice of Consideration of Issuance of Amendment and Opportunity for Hearing in connection with this action was published in the **Federal Register** on October 5, 1998 (63 FR 53471), February 26, 1999, (64 FR 9546) and supplemented for an additional beyond-scope issue in a notice published in the **Federal Register** on March 1, 1999 (64 FR 10028). No request for a hearing or petition for leave to intervene was filed following this notice.

The Commission has prepared an Environmental Assessment and has determined not to prepare an environmental impact statement related to the action to convert the current TS to the improved TS. Based on the Environmental Assessment, the Commission has concluded that the issuance of the amendment will not have a significant effect on the quality of the human environment beyond that described in the Final Environmental Statement (FES) related to the operation of WCGS (NUREG-0878 dated June 1982). The Environmental Assessment was published in the **Federal Register** on March 30, 1999 (64 FR 15186).

For further details with respect to the amendment see (1) the application for amendment dated May 15, 1997, as supplemented by letters in 1998 dated June 30, August 5, August 28, September 24, October 16, October 23, November 24, December 2, December 17, and December 21, and letters in 1999 dated February 4, March 5 (3 letters), March 25, and March 26, and (2) the Commission's related Safety Evaluation and Environmental Assessment. All of these items 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 rooms located at the Emporia State University, William Allen White Library, 1200 Commercial Street, Emporia, Kansas 66801, and Washburn University School of Law Library, Topeka, Kansas 66621.