

proposed change by a letter dated May 15, 1998.

By June 22, 1998, the licensee may demand a hearing with respect to the denial described above. Any person whose interest may be affected by this proceeding may file a written petition for leave to intervene.

A request for hearing or petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, 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 any petitions should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Judd L. Bacon, Esquire, Consumers Energy Company, 212 West Michigan Avenue, Jackson, Michigan 49201, attorney for the licensee.

For further details with respect to this action, see (1) the application for amendment dated January 18, 1996, as supplemented by letters dated October 1, 1997, and January 29, and April 27, 1998, and (2) the Commission's letter to the licensee dated May 15, 1998.

These documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Van Wylen Library, Hope College, Holland, Michigan 49423.

Dated at Rockville, Maryland, this 15th day of May 1998.

For the Nuclear Regulatory Commission.

Robert G. Schaaf,

Project Manager, Project Directorate III-1, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 98-13557 Filed 5-20-98; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

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

Pennsylvania Power and Light Company; 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. NPF-14

and NPF-22 issued to Pennsylvania Power and Light Company for operation of the Susquehanna Steam Electric Station (SSES), Units 1 and 2 located in Luzerne County, Pennsylvania.

The proposed amendment would change the Technical Specifications (TS) for SSES, Units 1 and 2 to implement the provisions of Generic Letter 86-10 related to the relocation of SSES, Units 1 and 2 Fire Protection Program from the TS to a licensee controlled document, the SSES Technical Requirements Manual. This notice supersedes the previous notice published in the **Federal Register** on October 25, 1995 (60 FR 54724), in its entirety.

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. Involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed change relocates the provisions of the Fire Protection Program that are contained in the Technical Specifications and places them in the Technical Requirements Manual. No requirements are being added or deleted. A requirement is proposed to require written procedures for the implementation of the Technical Requirements Program. Review and approval of those portions of the Fire Protection Program contained in the Technical Requirements Manual and revisions thereto will be the responsibility of the Plant Operations Review Committee just as it was their responsibility to review changes to the fire protection Limiting Condition for Operation and Surveillance Requirements when they were part of the Technical Specifications. Requiring review by the Plant Operations Review Committee reinforces the importance of the Technical Requirements Manual and the requirements controlled by it and assures a multidisciplinary review. Approved Technical Requirements or changes thereto are provided to the

Susquehanna Review Committee for information. No design basis accidents are affected by the change, nor are safety systems adversely affected by the change. Therefore, there is no impact on the probability of [oc]currence or the consequences of any design basis accidents.

Approval, as defined in Technical Specification 6.8.2, of procedures listed in Technical Specification 6.8.1 is proposed to be changed from the "Superintendent of Plant-Susquehanna" to General Manager-Susquehanna SES. This change is administrative in nature and as such is no impact on the probability of [oc]currence or the consequences of any design basis accidents.

The proposed changes to the license conditions for Units 1 and 2 are administrative in nature in that these changes only update the listing of NRC approved safety evaluations and as such are no impact on the probability of [oc]currence or the consequences of any design basis accidents.

2. Create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed changes relocate the provisions of the Fire Protection Program that are contained in the Technical Specifications and places them in the Technical Requirements Manual. The proposed change requires written procedures to cover the implementation of the Technical Requirements Program. No requirements are being added or deleted by the Technical Requirements Manual. There are no new failure modes associated with the proposed changes. Therefore, since the plant will continue to operate as designed, the proposed changes will not modify the plant response to an accident.

Approval, as defined in Technical Specification 6.8.2, of procedures listed in Technical Specification 6.8.1 has been changed[d] from the "Superintendent of Plant Susquehanna" to General Manager-Susquehanna SES. This change is administrative in nature and as such creates no new failure modes and will not modify the plant response to an accident.

The proposed changes to the license conditions for Units 1 and 2 are administrative in nature in that these changes only update the listing of NRC approved safety evaluations and as such create no new failure modes and will not modify the plant response to an accident.

3. Involve a significant reduction in a margin of safety.

No change is being proposed for the Fire Protection Program requirements themselves. The relevant Technical Specifications are being relocated, and the requirements contained therein are being incorporated into the Technical Requirements Manual. Plant procedures will continue to provide the specific instructions necessary for the implementation of the requirements, just as when the requirements resided in the Technical Specifications. A written procedure will be in place for the implementation of the Technical Requirements Program. Fire Protection Program changes will be subject to the provisions of 10C FR 50.59 and the current

fire protection license condition. As such, the changes do not directly affect any protective boundaries nor [do they] impact the safety limits for the boundary. Review and approval of those portions of the Fire Protection Program contained in the Technical Requirements Manual and the revisions thereto will be the responsibility of the Plant Operations Review Committee just as it was their responsibility to review changes to the fire protection Limiting Condition for Operation and Surveillance Requirements when they were part of the Technical Specification[s]. Approved Technical Requirements or changes thereto are provided to the Susquehanna Review Committee for information. Thus, there are no adverse impacts on the protective boundaries, safety limits, or margin of safety.

Since operability and surveillance requirements will remain in a controlled document, the changes do not reduce the effectiveness of Technical Specification requirements. Any changes to the Fire Protection Program requirements will be made in accordance with the provisions of 10 CFR 50.59 and the fire protection license condition.

Approval, as defined in Technical Specification 6.8.2, of procedures listed in Technical Specification 6.8.1 has been change[d] from the "Superintendent of Plant Susquehanna" to General Manager-Susquehanna SES. This change is administrative in nature and as such there is no adverse impact[] on the protective boundaries, safety limits, or margin of safety.

The proposed changes to the license conditions for Units 1 and 2 are administrative in nature in that these changes only update the listing of NRC approved safety evaluations and as such there is no adverse impacts on the protective boundaries, safety limits, or 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 June 22, 1998, 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 Osterhout Free Library, Reference Department, 71 South Franklin Street, Wilkes-Barre, PA 18701. 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 Jay Silberg, Esquire, Shaw, Pittman, Potts and Trowbridge, 2300 N Street NW., Washington, DC 20037, 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 May 12, 1998, 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 Osterhout Free Library, Reference Department, 71 South Franklin Street, Wilkes-Barre, PA 18701.

Dated at Rockville, Maryland, this 15th day of May 1998.

For the Nuclear Regulatory Commission
Victor Nerses,
Senior Project Manager, Project Directorate I-2, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 98-13561 Filed 5-20-98; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-352]

Philadelphia Electric Company, Limerick Generation Station, Unit 1; Notice of Issuance of Amendment To Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 128 to Facility Operating License No. NPF-39, issued to Philadelphia Electric Company (the licensee), which approves installation of replacement suction strainers for operation of the Limerick Generating Station (LGS), Unit 1, located in Montgomery and Chester Counties, Pennsylvania. The amendment is effective as of the date of issuance and shall be implemented within 30 days.

The amendment documents the NRC staff's approval of the implementation of a plant modification to support the installation of replacement suction strainers for the emergency core cooling systems at the LGS, Unit 1.

The application for the amendment 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, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for a Hearing in connection with this action was published in the **Federal Register** on January 29, 1998 (63 FR 4496). No request for a hearing or petition for leave to intervene was filed following this notice.

The Commission has prepared an Environmental Assessment related to the action and has determined not to prepare an environmental impact statement. Based upon 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 (63 FR 25526).

For further details with respect to the action, see (1) the application for amendment dated October 6, 1997, as supplemented by submittals dated February 2 and May 13, 1998, (2) Amendment No. 128 to License No. NPF-39, (3) the Commission's related Safety Evaluation, and (4) the Commission's 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 room located at the Pottstown Public Library, 500 High Street, Pottstown, PA.

Dated at Rockville, Maryland, this 14th of May 1998.

For the Nuclear Regulatory Commission.

Bartholomew C. Buckley,
Senior Project Manager, Project Directorate I-2, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 98-13555 Filed 5-20-98; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-298]

Nebraska Public Power District, Cooper Nuclear Station; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from certain requirements of its regulations for Facility Operating License No. DRP-46 issued to Nebraska Public Power District (the licensee), for operation of Cooper Nuclear Station located in Nemaha County, Nebraska.

Environmental Assessment

Identification of Proposed Action

The proposed action would exempt Nebraska Public Power District from the requirements of 10 CFR 70.24, which require a monitoring system that will energize clear audible alarms if accidental criticality occurs in each area in which special nuclear material is handled, used, or stored. The proposed action would also exempt the licensee from the requirements to maintain emergency procedures for each area in which this licensed special nuclear material is handled, used, or stored to ensure that all personnel withdraw to an area of safety upon the sounding of the alarm, to familiarize personnel with the evacuation plan, and to designate responsible individuals for determining the cause of the alarm, and to place radiation survey instruments in accessible locations for use in such an emergency.

The proposed action is in accordance with the licensee's application for exemption dated February 23, 1998.

The Need for the Proposed Action

The purpose of 10 CFR 70.24 is to ensure that if a criticality were to occur during the handling of special nuclear