

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-353]

PECO Energy Company; Limerick Generating Station, Unit 2; Notice of Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 99 to Facility Operating License No. NPF-85, issued to PECO Energy Company (the licensee), which approves installation of replacement suction strainers for operation of the Limerick Generating Station (LGS), Unit 2, located in Montgomery and Chester Counties, Pennsylvania. The amendment is effective as of the date of issuance and shall be implemented prior to restart following completion of the LGS, Unit 2, refueling outage which commenced April 1999.

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 2.

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). The August 28, 1998, letter provided clarifying information and did not change the original proposed no significant hazards consideration. 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 (64 FR 27014).

For further details with respect to the action, see (1) the application for amendment dated October 6, 1997, as supplemented by letter dated August 28,

1998, (2) Amendment No. 99 to License No. NPF-85, (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 19th of May 1999.

For the Nuclear Regulatory Commission.

Bartholomew C. Buckley, Sr.,

Project Manager, Section 2, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 99-13422 Filed 5-25-99; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No.: 040-8778]

Receipt of an Amendment Request Regarding the Schedule for Submission of a Revised Site Decommissioning Plan and Environmental Report for the MolyCorp, Washington, Pennsylvania Site (License No. SMB-1393) and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an amendment to Source Materials License No. SMB-1393, to MolyCorp, Incorporated (the licensee), to approve the schedule for submission of a revised Site Decommissioning Plan (SDP) and Environmental Report (ER) for the MolyCorp Washington, Pennsylvania (PA) site (License No. SMB-1393).

Background

The licensee submitted an SDP for its Washington, PA site on August 14, 1995. The agency's decommissioning criteria in effect at the time of the SDP submittal were contained in NRC's "Action Plan to Ensure Timely Cleanup of Site Decommissioning Management Plan Sites," (SDMP Action Plan) (57 FR 13389; April 16, 1992). Because the cleanup levels proposed in the SDP exceeded the SDMP Action Plan criteria, the NRC requested, on September 25, 1995, that MolyCorp submit additional information in the form of an ER to supplement the SDP.

NRC published its license termination rule (LTR) in 10 CFR Part 20 Subpart E, "Radiological Criteria for License Termination," in July of 1997. Although

this new rule supersedes the old SDMP Action Plan criteria, the LTR allows a "grandfathering" period for use of these criteria (10 CFR 20.1401(b)(3)). To be eligible for grandfathering, the SDP must have been submitted prior to August 20, 1998, and apply the criteria identified in the SDMP Action Plan. Because the proposed criteria in the licensee's SDP were not consistent with the SDMP Action Plan criteria, the conditions of 10 CFR 20.1401(b)(3), that would permit remediation of certain areas of the licensee's site on a "grandfathered" basis, were not met. In a letter dated February 16, 1999, NRC staff informed the licensee of this finding and notified the licensee that the SDP and ER must be revised to reflect the requirements of the LTR. The licensee was requested to submit a schedule for submission of a revised SDP and ER in the form of a license amendment request.

Discussion

In letters dated April 13 and 20, 1999, the licensee submitted an SDP development schedule and a request to amend its license to include a submittal date of April 16, 2000, for the revised SDP and ER. Prior to the issuance of the proposed amendment, NRC will have made findings required by the Atomic Energy Act of 1954, as amended, and NRC's regulations.

The NRC provides notice that this is a proceeding on an application for a license amendment falling within the scope of Subpart L, "Informal Hearing Procedures for Adjudication in Materials Licensing Proceedings," of NRC's rules and practice for domestic licensing proceedings in 10 CFR Part 2. Pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing in accordance with § 2.1205(c). A request for a hearing must be filed within thirty (30) days of the date of publication of this **Federal Register** notice.

In addition to meeting other applicable requirements of 10 CFR part 2 of the NRC's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

1. The interest of the requester in the proceeding;
2. How that interest may be affected by the results of the proceeding, including the reasons why the requester should be permitted a hearing, with particular reference to the factors set out in § 2.1205(h);
3. The requester's areas of concern about the licensing activity that is the subject matter of the proceeding; and

4. The circumstances establishing that the request for a hearing is timely in accordance with § 2.1205(d).

In accordance with 10 CFR 2.1205(f), each request for a hearing must also be served, by delivering it personally or by mail, to:

1. The applicant, Molycorp Incorporated, 300 Caldwell Avenue, Washington, Pennsylvania 15301, Attention Mr. John Daniels, and;

2. The NRC staff, by delivery to the Secretary, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, between 7:45 am and 4:15 pm Federal workdays, or by mail, addressed to Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff.

For further details with respect to this action, the application for amendment request is available for inspection at the NRC's Public Document Room, 2120 L Street NW., Washington, DC 20555.

Dated at Rockville, Maryland, this 19th day of May 1999.

For the Nuclear Regulatory Commission.

John W.N. Hickey,

Chief, Decommissioning Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 99-13419 Filed 5-25-99; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-275 and 50-323]

Pacific Gas and Electric Company; Diablo Canyon Power Plant, Units 1 and 2 Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of amendments to Facility Operating Licenses No. DPR-80 and No. DPR-82 that were issued to Pacific Gas and Electric Company (the licensee) for operation of the Diablo Canyon Power Plant, Units 1 and 2 (DCPP), located in San Luis Obispo County, California.

Environmental Assessment

Identification of the Proposed Action

The proposed amendments will revise the existing, or current, Technical Specifications (CTS) for DCPP in their entirety based on the guidance provided in NUREG-1431, "Standard Technical Specifications, Westinghouse Plants," Revision 1, dated April 1995, and in the Commission's "Final Policy Statement on Technical Specifications

Improvements for Nuclear Power Reactors," published on July 22, 1993 (58 FR 39132). The proposed amendments are in accordance with the licensee's amendment request dated June 2, 1997, as supplemented by letters in 1998 dated January 9, June 25, August 5, August 28, September 25, October 16, October 23, November 25, December 4, December 17, and December 30, and in 1999 dated February 24, March 10, April 28, May 11, and May 19.

The Need for the Proposed Action

It has been recognized that nuclear safety in all nuclear power plants would benefit from an improvement and standardization of plant Technical Specifications (TS). The "NRC Interim Policy Statement on Technical Specification Improvements for Nuclear Power Plants," (52 FR 3788) contained proposed criteria for defining the scope of TS. Later, the Commission's "Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors," published on July 22, 1993 (58 FR 39132), incorporated lessons learned since publication of the interim policy statement and formed the basis for revisions to 10 CFR 50.36, "Technical Specifications." The "Final Rule" (60 FR 36953) codified criteria for determining the content of TS. To facilitate the development of standard TS for nuclear power reactors, each power reactor vendor owners' group (OG) and the NRC staff developed standard TS. For DCPP, the Improved Standard Technical Specifications (ISTS) are in NUREG-1431. This document formed part of the basis for the DCPP Improved Technical Specifications (ITS) conversion. The NRC Committee to Review Generic Requirements (CRGR) reviewed the ISTS, made note of its safety merits, and indicated its support of the conversion by operating plants to the ISTS.

Description of the Proposed Change

The proposed changes to the CTS are based on NUREG-1431 and on guidance provided by the Commission in its Final Policy Statement. The objective of the changes is to completely rewrite, reformat, and streamline the CTS (i.e., to convert the CTS to the ITS). Emphasis is placed on human factors principles to improve clarity and understanding of the TS. The Bases section of the ITS has been significantly expanded to clarify and better explain the purpose and foundation of each specification. In addition to NUREG-1431, portions of the CTS were also used as the basis for the development of the DCPP ITS. Plant-

specific issues (e.g., unique design features, requirements, and operating practices) were discussed with the licensee, and generic matters were discussed with Westinghouse and other OGs.

This conversion is a joint effort in concert with three other utilities: TU Electric for Comanche Peak Steam Electric Station, Units 1 and 2 (Docket Nos. 50-445 and 50-446); Union Electric Company for Callaway Plant (Docket No. 50-483); and Wolf Creek Nuclear Operating Corporation for Wolf Creek Generating Station (Docket No. 50-482). It was a goal of the four utilities to make the ITS for all the plants as similar as possible. This joint effort includes a common methodology for the licensees in marking-up the CTS and NUREG-1431 Specifications, and the NUREG-1431 Bases, that has been accepted by the staff.

This common methodology is discussed at the end of Enclosure 2, "Mark-Up of Current TS"; Enclosure 5a, "Mark-Up of NUREG-1431 Specifications"; and Enclosure 5b, "Mark-Up of NUREG-1431 Bases," for each of the 14 separate ITS sections that were submitted with the licensee's application. For each of the ITS sections, there is also the following enclosures:

- Enclosure 1, "Cross-Reference Tables," the cross-reference table connecting each CTS specification (i.e., LCO, required action, or SR) to the associated ITS specification, sorted by both CTS and ITS specifications.
- Enclosures 3A and 3B, "Description of Changes to Current TS" and "Conversion Comparison Table," the description of the changes to the CTS section and the comparison table showing which plants (of the four licensees in the joint effort) that each change to the CTS applies to.
- Enclosure 4, "No Significant Hazards Considerations," the no significant hazards consideration (NSHC) of 10 CFR 50.91 for the changes to the CTS with generic NSHCs for administrative, more restrictive, relocation, and moving-out-of-CTS changes, and individual NSHCs for less restrictive changes and with the organization of the NSHC evaluation discussed in the beginning of the enclosure.

- Enclosures 6A and 6B, "Differences From NUREG-1431" and "Conversion Comparison Table," the descriptions of the differences from NUREG-1431 Specifications and the comparison table showing which plants (of the four licensees in the joint effort) that each difference to the ISTS applies to.