

intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart M, "Public Notification, Availability of Documents and Records, Hearing Requests and Procedures for Hearings on License Transfer Applications," of 10 CFR Part 2. In particular, such requests and petitions must comply with the requirements set forth in 10 CFR 2.1306, and should address the considerations contained in 10 CFR 2.1308(a). Untimely requests and petitions may be denied, as provided in 10 CFR 2.1308(b), unless good cause for failure to file on time is established. In addition, an untimely request or petition should address the factors that the Commission will also consider, in reviewing untimely requests or petitions, set forth in 10 CFR 2.1308(b)(1)–(2).

Requests for a hearing and petitions for leave to intervene should be served upon; J.W. Durham, Sr., Esquire, Sr. V.P. & General Counsel, PECO Energy Company, 2301 Market Street, S26–1, Philadelphia, PA 19101 (phone 215–841–4250, fax 215–841–4282 or e-mail JDURHAM@PECO—Energy.COM); the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001 (e-mail address for filings regarding license transfer cases only: OGCLT@NRC.gov); and the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff, in accordance with 10 CFR 2.1313.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the **Federal Register** and served on the parties to the hearing.

As an alternative to requests for hearing and petitions to intervene, by April 10, 2000, persons may submit written comments regarding the license transfer application, as provided for in 10 CFR 2.1305. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff and should cite the publication date and page number of this **Federal Register** notice.

For further details with respect to this action, see the application dated December 20, 1999, as supplemented January 3, and February 14, 2000, filed

by PECO, and the supplement dated January 14, 2000, filed by Commonwealth Edison Company, available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC. and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Website (<http://www.nrc.gov>).

Dated at Rockville, Maryland, this 3rd day of March 2000.

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.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–171, 50–277 and 50–278]

Peco Energy Company; Peach Bottom Atomic Power Station, Units 1, 2, and 3; Notice of Consideration of Approval of Transfer of Facility Operating Licenses and Conforming Amendments and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an order under 10 CFR 50.80 approving the transfer of Facility Operating Licenses Nos. DPR–12, DPR–44, and DPR–56 for Peach Bottom Atomic Power Station, Units 1, 2 and 3 (Peach Bottom Units 1, 2, and 3), to the extent held by PECO Energy Company (PECO). PECO is currently the sole owner of Peach Bottom Unit 1, holds a 42.49 percent ownership interest in Peach Bottom Units 2 and 3, and is the licensed operator of all three Peach Bottom units. The remaining interests in Peach Bottom Units 2 and 3 are owned by Public Service Electric and Gas Company (PSE&G), Delmarva Power & Light Company (DP&L), and Atlantic City Electric Company (ACE). The transfer would be to a new generating company, currently referred to as GENCO. GENCO will be subsidiary of a new holding company, Exelon Corporation, which will be formed as a result of a merger of Unicom Corporation (the parent company of Commonwealth Edison Company) and PECO. The Commission is also considering amending the licenses for administrative purposes to reflect the proposed transfer. The facility is located in York County, Pennsylvania.

According to an application for approval filed by PECO, GENCO would become the owner of PECO's ownership interest in each of the units following approval of the proposed transfer of the licenses, and would become exclusively responsible for the operation, maintenance, and eventual decommissioning of Peach Bottom Units 1, 2, and 3. No physical changes to the facilities or operational changes are being proposed in the application. The proposed transfer does not involve any change with respect to the non-operating ownership interests held by PSE&G, DP&L and ACE.

The proposed amendments would replace references to PECO in the licenses with references to GENCO and make other changes for administrative purposes to reflect the proposed license transfers.

Pursuant to 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. The Commission will approve an application for the transfer of a license if the Commission determines that the proposed transferee is qualified to hold the license, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

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

As provide in 10 CFR 2.1315, unless otherwise determined by the Commission with regard to a specific application, the Commission has determined that any amendment to the license of a utilization facility which does no more than conform the license to reflect the transfer action involves no significant hazards consideration. No contrary determination has been made with respect to this specific license amendment application. In light of the generic determination reflected in 10 CFR 2.1315, no public comments with respect to significant hazards considerations are being solicited, notwithstanding the general comment procedures contained in 10 CFR 50.91.

The filing of requests for hearing and petitions for leave to intervene, and written comments with regard to the license transfer application, are discussed below.

By March 29, 2000, any person whose interest may be affected by the Commission's action on the application

may request a hearing, and, if not the applicant, may petition for leave to intervene in a hearing proceeding on the Commission's action. Requests for a hearing and petitions for leave to intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart M, "Public Notification, Availability of Documents and Records, Hearing Requests and Procedures for Hearings on License Transfer Applications," of 10 CFR Part 2. In particular, such requests and petitions must comply with the requirements set forth in 10 CFR 2.1306, and should address the considerations contained in 10 CFR 2.1308(a). Untimely requests and petitions may be denied, as provided in 10 CFR 2.1308(b), unless good cause for failure to file on time is established. In addition, an untimely request for petition should address the factors that the Commission will also consider, in reviewing untimely requests or petitions, set forth in 10 CFR 2.1308(b)(1)–(2).

Requests for a hearing and petitions for leave to intervene should be served upon J.W. Durham, Sr., Esquire, Sr. V.P. & General Counsel, PECO Energy Company, 2301 Market Street, S26–1, Philadelphia, PA 19101 (phone 215–841–4250, fax 215–841–4282 or e-mail JDURHAM@PECO-Energy.COM); the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001 (e-mail address for filings regarding license transfer cases only: OGCLT@NRC.gov); and the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff, in accordance with 10 CFR 2.1313.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the **Federal Register** and served on the parties to the hearing.

As an alternative to requests for hearing and petitions to intervene, by April 10, 2000, persons may submit written comments regarding the license transfer application, as provided for in 10 CFR 2.1305. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff, and should cite

the publication date and page number of this **Federal Register** notice.

For further details with respect to this action, see the application dated December 20, 1999, as supplemented January 3, and February 14, 2000, filed by PECO, and the supplement dated January 14, 2000, filed by Commonwealth Edison Company, available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Website (<http://www.nrc.gov>).

Dated at Rockville, Maryland, this 3rd day of March 2000.

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.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–277 and 50–278]

Peco Energy 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 an amendment to Facility Operating License Nos. DPR–44 and DPR–56 issued to PECO Energy Company (the licensee) for operation of the Peach Bottom Atomic Power Station (PBAPS), Units 2 and 3, located in York County, Pennsylvania.

The proposed amendment would add a note to the Completion Time of Condition A for Technical Specification (TS) 3.7.2, "Emergency Service Water (ESW) System and Normal Heat Sink." This note would provide a one-time extension to the completion time (allowed outage time) from 7 to 14 days for one ESW subsystem inoperable.

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. The proposed TS changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

This change adds a note to the Completion Time of Condition A for Technical Specification 3.7.2 ("Emergency Service Water (ESW) System and Normal Heat Sink"). This note extends the completion time for the Condition of one Emergency Service Water (ESW) subsystem inoperable from 7 to 14 days. This note, which will expire on May 31, 2000, allows the replacement of the ESW pump currently scheduled to occur in May 2000. The ESW system is not an input into the probability of occurrence of any of the accidents previously evaluated in the SAR [Safety Analysis Report]. Since accident initiation is not dependent on the operability of either ESW subsystem, changing the maximum allowable time which an ESW subsystem can be inoperable does not involve a significant increase in the probability of an accident previously evaluated.

The ESW system is used to mitigate the consequences of accidents as discussed in the PBAPS, Units 2 and 3, UFSAR [Updated Final Safety Analysis Report], Section 14.6. With the "B" subsystem inoperable, the other subsystem is capable of providing the heat removal function with the "A" ESW pump. In addition, the Emergency Cooling Water pump can provide this function. However, removal of the "B" ESW pump from service would reduce system redundancy. As a result of the loss of redundancy, the Core Damage Probability (CDP) will increase slightly. A comparison to the risk criteria provided in Regulatory Guide 1.174 ("An Approach For Using Probabilistic Risk Assessment In Risk-Informed Decisions On Plant-Specific Changes To The Current Licensing Basis") and Regulatory Guide 1.177 ("An Approach for Plant-Specific, Risk-Informed Decisionmaking: Technical Specifications") was performed to benchmark the significance of the temporary ESW pump maintenance configuration. This comparison reveals that the change in calculated core damage frequency (CDF) over the 14 day outage time represents a small fraction of the risk considered as the threshold for risk significance. The calculated CDP, the CDF increase multiplied by the fraction of the year this configuration will exist (14 days), is only 7% of the 5E–7 CDP risk significance threshold cited in RG 1.177 for Unit 2, and 3% for Unit 3 for single allowed out-of-service time Technical Specification changes.