the licensing process and to feed back the lessons of that experience to the nuclear industry.

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 May 28, 1998: Erik Godwin, Office of Information and Regulatory Affairs (3150–0104), 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 21st day of April 1998.

For the Nuclear Regulatory Commission.

Brenda Jo Shelton,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 98–11245 Filed 4–27–98; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–293]

Boston Edison 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 No. DPR–35, issued to Boston Edison Company (BECo/the licensee), for operation of the Pilgrim Nuclear Power Station located in Plymouth, Massachusetts.

The proposed amendment would modify Technical Specification (TS) Section 3.6.A.1 to remove the requirement that the reactor vessel flange and adjacent shell differential temperature be monitored during heatup and cooldown events and also removes the 145 degrees Fahrenheit differential temperature limit.

By letter dated April 8, 1998, the licensee requested that the proposed TS change be reviewed under exigent circumstances. A normal plant cooldown under current TS requirements would require monitoring reactor vessel shell flange temperature to maintain the vessel flange to adjacent vessel shell differential temperature at less than 145 degrees Fahrenheit. However, the current condition of the vessel shell flange thermocouples prohibits accurate monitoring of the metal surface temperature to meet this TS requirement. The thermocouples are considered inoperable due to inconsistencies in their readouts. Because the need for plant shutdown and cooldown cannot be forecasted in advance, BECo has requested review of the submitted change under exigent circumstances to avoid a future short-notice request and possible violation of current TS requirements. BECo has made a good faith effort to prepare the proposed license amendment for NRC approval as expeditiously as practicable.

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.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine 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:

a. The proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The recent analysis, Ref.[10], [see application dated March 25, 1998] has shown design and licensing bases for reactor vessel integrity will be maintained, and results supporting the T. S. change show the conclusions reached remain unchanged from previous conclusions reached in Ref.[3] [see application dated March 25, 1998] and as described in the [final safety analysis report] FSAR, Ref.[1] [see application dated March 25, 1998]. Structural integrity for design basis loading conditions is assured, based on the results of Ref.[10] [see application dated March 25, 1998]. The ability to control plant heatup and cooldown rates has been shown by analysis to be unaffected by the removal of this T. S. requirement. This has been confirmed by initial startup testing results and the past 25 years of service.

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

T/C's [thermocouples] used to monitor reactor vessel flange to adjacent shell DT [differential temperature] are used only during normal startup and shutdown conditions, and removal of the T. S. requirement to monitor this differential temperature will have no affect on the design basis accident conditions. Moderator temperature and pressure are monitored and, in the event fluid ramp rates exceed design basis requirements, an evaluation must be performed to determine the effect on structural integrity of the reactor vessel and components. ASME Code Section XI, Appendix E, Ref. [11] [see application dated March 25, 1998], provides a method for evaluating an operating event that causes excursion outside these limits.

c. The proposed amendment does not involve a significant reduction in the margin of safety.

Stress and fracture toughness calculations, Ref.[10] [see application dated March 25, 1998], have shown removal of the T. S. DT requirement will not increase levels above the conservative design basis limits previously established in the analysis of record, Ref.[3] [see application dated March 25, 1998], or those stated in the FSAR, Ref.[1] [see application dated March 25, 1998]. The loadings used to determine stresses are the same provided by the original equipment designer and manufacturer. The calculated stress levels and fatigue damage assessment for the existing condition are essentially unchanged from the values reported in the reactor vessel analysis of record, Ref.[3] [see application dated March 25, 1998]. The results of the recent analysis, Ref.[10] [see application dated March 25, 1998], show that the margins of safety, as defined in the bases for the Pilgrim T. S. and the FSAR, are not reduced and vessel integrity will be maintained during all normal and transient conditions previously analyzed and reported in the FSAR.

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 14 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 14-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 14-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. 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 28, 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 Plymouth Public Library, 11 North Street, Plymouth, Massachusetts 02360. 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 a 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 the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, 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 W.S. Stowe, Esquire, Boston Edison Company, 800 Boylston Street, Boston, Massachusetts 02199, 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 March 25, 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 Plymouth Public Library, 11 North Street, Plymouth, Massachusetts 02360.

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

For the Nuclear Regulatory Commission.

Alan B. Wang,

Project Manager, Project Directorate I–3, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 98–11247 Filed 4–27–98; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–413 and 50–414]

Duke Energy Corporation, et al.; Notice of Partial Denial of Amendments to Facility Operating Licenses and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (the Commission) has partially denied a request by Duke Energy Corporation (the licensee) for amendments to Facility Operating License (FOL) Nos. NPF–35 and NPF–52, issued to the licensee for operation of the Catawba Nuclear Station, Unit Nos. 1 and 2, located in York County, South Carolina. Notice of Consideration of Issuance of Amendments was published in the **Federal Register** on February 11, 1998 (63 FR 6983).

The licensee's application of December 18, 1997, as revised by a letter dated January 28, 1998, proposed numerous changes to the FOLs. The licensee proposed to revise the FOLs to delete license conditions that have been fulfilled, to update information to reflect current plant status and regulatory requirements, and to make other correctional, clarifying, or editorial changes. The staff issued amendments to the FOLs, accepting most of the proposed changes. The balance of the proposed changes were not accepted by the staff. The changes that were not accepted are summarized as follows:

1. For the license conditions that have been fulfilled, and the exemptions that are no longer needed, the licensee proposed to have them deleted entirely from the FOLs. The staff, however, believes that indications should be left in the FOLs to provide easy reference to these past license conditions and exemptions. The staff preserved the license condition and exemption numbers with the word ''Deleted'' following in parentheses. Further, the staff did not renumber those license conditions still in existence. Hence, the licensee's proposed changes are partially denied.

2. The licensee proposed to modify the statement that described the construction status as ''has been substantially completed'' to ''was completed.'' The staff surveyed FOLs granted to other facilities, and found that the expression ''has been substantially'' is used in each FOL, and its meaning is thus established by such repeated use. The licensee has not provided any reason for the proposed change, other than stating that this is an administrative change to ''update the FOL to the current historical status.'' Thus, this proposed change is denied.

3. The licensee proposed to delete the reference to the Environmental Report, as supplemented, from the FOLs. The licensee gave no justification for deleting the reference to the Environmental Report, which has been required by the National Environmental Policy Act and 10 CFR Part 51, and was a significant part of the basis for granting the FOLs. This proposed change is denied.

4. The licensee proposed to delete any reference to revision numbers to security plans since these security plans are subject to change periodically. However, 10 CFR 50.54(p) has set forth the conditions under which the licensee may make changes without NRC approval, such that the specified revision numbers do not prevent the licensee from making such changes. Hence, the licensee's proposal to omit revision numbers and dates is denied.

The NRC staff has concluded that the licensee's proposed changes described above are unacceptable and are denied. The licensee was notified of the staff's denial by letter dated April 23, 1998.

By May 28, 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 request 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 20555–0001, 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 any petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and to Mr. Paul R. Newton, Duke Energy Corporation, 422 South Church Street, Charlotte, North Carolina 28242, attorney for the licensee.

For further details with respect to this action, see (1) the application for amendments dated December 17, 1997, and (2) the Commission's letter to the licensee dated April 23, 1998, which 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 York County Library, 138 East Black Street, Rock Hill, South Carolina 29730.

Dated at Rockville, Maryland, this 23rd day of April 1998.

For the Nuclear Regulatory Commission.

Peter S. Tam,

Senior Project Manager, Project Directorate II–2, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 98–11248 Filed 4–27–98; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–259]

The Tennessee Valley Authority; Notice of Denial of Amendment to Facility Operating License and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (the Commission) has denied a request by the Tennessee Valley Authority (licensee), for an amendment to Facility Operating License No. DPR–33 issued to the licensee for operation of the Browns Ferry Nuclear Plant, Unit No. 1, located in Limestone County, Alabama. Notice of Consideration of Issuance of this amendment was published in the **Federal Register** on February 15, 1997 (62 FR 2194).

The purpose of the licensee's amendment request was to revise the Technical Specifications (TS) to permit increasing the main steam safety/relief valve set point tolerance to plus or minus 3%.

The NRC staff has concluded that the licensee's request to increase the main steam safety relief valve set point tolerance cannot be granted at this time. The licensee was notified of the Commission's denial of the proposed change by a letter dated April 22, 1998.

By May 28, 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: Docketing and Services Branch, 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