granted the petitions of the State, Castle Rock Land/Skull Valley, OGD, Confederated Tribes, and Skull Valley Band and admitted them as parties to the proceeding.

In light of the foregoing, please take notice that a hearing will be conducted in this proceeding. This hearing will be governed by the formal hearing procedures set forth in 10 CFR Part 2, Subpart G (10 CFR 2.700–.790).

During the course of the proceeding, the Board may conduct an oral argument, as provided in 10 CFR 2.755, may hold additional prehearing conferences pursuant to 10 CFR 2.752, and may conduct evidentiary hearings in accordance with 10 CFR 2.750–.751. The public is invited to attend any oral argument, prehearing conference, or evidentiary hearing. Notices of those sessions will be published in the **Federal Register** and/or made available to the public at the NRC Public Document Rooms.

Additionally, as provided in 10 CFR 2.715(a), any person not a party to the proceeding may submit a written limited appearance statement setting forth his or her position on the issues in this proceeding. These statements do not constitute evidence, but may assist the Board and/or parties in defining the issues being considered. Persons wishing to submit a written limited appearance statement should send it to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC. 20555, Attention: Rulemakings and Adjudications Staff. A copy of the statement also should be served on the Chairman of the Atomic Safety and Licensing Board. At a later date, the Board will entertain oral limited appearance statements at a location or locations in the vicinity of the proposed PFS facility. Notice of these oral limited appearance sessions will be published in the **Federal Register** and/or made available to the public at the NRC Public Document Rooms.

Documents relating to this proceeding are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC. 20555; and at the NRC Local Public Document Room at the University of Utah, Marriott Library, Documents Division, 295 S. 1500 East, Salt Lake City, Utah 84112–0860.

Rockville, Maryland, April 24, 1998.

For the Atomic Safety and Licensing Board *.

**G. Paul Bollwerk, III,**

*Chairman, Administrative Judge.*

[FR Doc. 98–11404 Filed 4–28–98; 8:45 am]

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* Copies of this notice of hearing were sent this date to counsel for the applicant PFS, and to counsel for petitioners Skull Valley Band, SSWS, OGD, Confederated Tribes/Pete, Castle Rock Land/Skull Valley/Ensign Ranches, and the State by Internet e-mail transmission; and to counsel for the NRC staff by e-mail through the agency's wide area network system.

## NUCLEAR REGULATORY COMMISSION

**[Docket Nos. 50–266 and 301]**

### Wisconsin Electric Power Company; Notice of Withdrawal of Application for Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Wisconsin Electric Power Company (the licensee) to withdraw its December 13, 1995, application for proposed amendments to Facility Operating License Nos. DPR–24 and DPR–27 for the Point Beach Nuclear Plant, Unit Nos. 1 and 2, located in Manitowoc County, Wisconsin.

The proposed amendments would have revised the Technical Specifications to include the provisions for a core operating limits report.

The Commission had previously issued a Notice of Consideration of Issuance of Amendments published in the **Federal Register** on January 22, 1996 (61 FR 1638). However, by letter dated April 6, 1998, the licensee withdrew the proposed changes. For further details with respect to this action, see the application for amendments dated December 13, 1995, and the licensee's letter dated April 6, 1998, which withdrew the application for license amendments. The above 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 Lester Public Library, 1001 Adams Street, Two Rivers, Wisconsin 54241.

Dated at Rockville, Maryland, this 20th day of April 1998.

For the Nuclear Regulatory Commission.

**Linda L. Gundrum,**

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

[FR Doc. 98–11340 Filed 4–28–98; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

**[Docket Nos. 50–282 and 50–306]**

### Northern States Power Company (Prairie Island Nuclear Generating Plant, Units 1 and 2); 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 to Facility Operating License Nos. DPR–42 and DPR–60, issued to Northern States Power Company (NSP or the licensee), for operation of Prairie Island Nuclear Generating Plant, Units 1 and 2, located in Goodhue County, Minnesota.

**Environmental Assessment**

*Identification of the Proposed Action*

The proposed action would permit the licensee to use American Society of Mechanical Engineers (ASME) Code Case N–514 for setting the pressure setpoint of each unit's overpressure protection system (OPPS) so that the pressure-temperature (P–T) limits required by 10 CFR Part 50, Appendix G, could be exceeded by 10 percent during a low temperature pressure transient. By application dated March 6, 1998, the licensee requested an exemption from certain requirements of 10 CFR 50.60, ''Acceptance Criteria for Fracture Prevention Measures for Lightwater Nuclear Power Reactors for Normal Operation,'' and 10 CFR Part 50, Appendix G, ''Fracture Toughness Requirements.''

*The Need for the Proposed Action*

Pursuant to 10 CFR 50.60, all lightwater nuclear power reactors must meet the fracture toughness requirements for the reactor coolant pressure boundary as set forth in 10 CFR Part 50, Appendix G. Appendix G of 10 CFR Part 50 defines P–T limits during any condition of normal operation, including anticipated operational occurrences and system hydrostatic tests to which the pressure boundary may be subjected over its service lifetime, and specifies that these P–T limits must be at least as conservative as the limits obtained by following the methods of analysis and the margins of safety of the ASME Code, Section XI, Appendix G.

By letter dated March 6, 1998, NSP submitted an exemption request to enable the use of ASME Code Case N–514 as an alternative method for determining the OPPS setpoint. NSP

determined that the exemption request from the provisions of 10 CFR 50.60 and Appendix G was necessary since these regulations require, as noted above, that the reactor vessel conditions not exceed the P–T limits established by Appendix G. In referring to 10 CFR 50.12 on specific exemptions, NSP cited special circumstances as stated in 10 CFR 50.12(a)(2)(ii) on achieving the underlying purpose of the regulations as its basis for requesting this exemption.

The underlying purpose of 10 CFR Part 50, Appendix G, is to establish fracture toughness requirements for the reactor coolant system (RCS) pressure boundary to provide adequate margins of safety during any condition of normal operation. The OPPS provides a physical means of protecting these limits. NSP proposed that establishing the OPPS pressure setpoint per the N–514 provisions such that the vessel pressure would not exceed 110 percent of the P–T limit allowables would still provide an acceptable level of safety and mitigate the potential for an inadvertent actuation of the OPPS.

The plant operators must operate the plant in a pressure window that is between the minimum pressure required to preserve reactor coolant pump seals and at a maximum pressure that does not challenge the power-operated relief valve setpoint. Without the application of ASME Code Case N–514, Prairie Island would have an operating window that is too narrow to permit reasonable system makeup and pressure control. Further reduction of the OPPS setpoint below 500 psig would increase the probability that the reactor coolant pumps' no. 1 seal will fail as a result of OPPS operation, and that such a seal failure could produce a breach in the RCS boundary that could not be isolated. Therefore, inadvertent OPPS actuation could lead to a small break loss-of-coolant accident and the unnecessary release of reactor coolant inside containment.

*Environmental Impacts of the Proposed Action*

The Commission has completed its evaluation of the proposed action and concludes that the proposed action involves features located entirely within the protected areas as defined in 10 CFR Part 20.

The proposed action will not increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released offsite, and there is no significant increase in the allowable individual or cumulative occupational radiation exposure. Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does involve features located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect nonradiological plant effluents and has no other environmental impact. Accordingly, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

*Alternative to the Proposed Action*

Since the Commission has concluded there is no measurable environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact need not be evaluated. As an alternative to the proposed action, the staff considered denial of the proposed action. Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

*Alternative Use of Resources*

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for the Prairie Island Nuclear Generating Plant.

*Agencies ad Persons Consulted*

In accordance with its stated policy, on April 7, 1998, the staff consulted with the Minnesota State official, Mike McCarthy of the Department of Public Service, regarding the environmental impact of the proposed action. The state official had no comments.

**Finding of No Significant Impact**

Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated March 6, 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 Minneapolis Public Library, Technology and Science Department, 300 Nicollet Mall, Minneapolis, Minnesota 55401.

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

For the Nuclear Regulatory Commission.

**Cynthia A. Carpenter,**

*Director, Project Directorate III–1, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.*

[FR Doc. 98–11339 Filed 4–28–98; 8:45 am]

BILLING CODE 7590–01–P

## NUCLEAR REGULATORY COMMISSION

### Survey of Steel Mills: Support of a Risk Assessment of Generally and Specifically Licensed Devices

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Survey of Steel Mills: Withdrawal.

**SUMMARY:** On August 14, 1997, (62 FR 43556) NRC announced its intentions to conduct a survey of the steel industry for obtaining data tailored to a risk analysis. The survey would have provided empirical data about discoveries of radioactive material in the recycling stream. A risk analysis would use this information as the basis to systematically evaluate the effectiveness of current regulation and possible regulatory changes. The analysis supports regulatory changes toward improving the control of radioactive devices commonly used in many industries.

The NRC received three letters from trade associations and a steel mill. All of these letters indicated that their organizations would not support the survey. Because participation in the survey would be voluntary and the letters were negative, the response rate for the survey would likely be low, resulting in insufficient data for a risk analysis as originally planned. Therefore, the NRC has decided not to conduct the survey.

NRC is continuing the risk analysis with appropriate adjustments to accommodate for the lack of data available without the survey. The NRC will re-evaluate the need for the survey after the risk analysis is completed. If the NRC decides to conduct the survey at a later date, the survey will be announced in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Christopher Ryder, Mail Stop TWFN 10E–50, Division of Systems Technology, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415–6102; electronic mail address: CPR@NRC.GOV.

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