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 Leah Manning Stetzner, Vice President, General Counsel, and Corporate Secretary, 500 South 27th Street, Decatur, IL 62525, 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 August 24, 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 Vespasian Warner Public Library, 310 N. Quincy Street, Clinton, IL 61727.

Dated at Rockville, Maryland, this 2nd day of September 1998.

For the Nuclear Regulatory Commission.

Jon B. Hopkins,

Senior Project Manager, Project Directorate III–3, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 98–24303 Filed 9–9–98; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–461]

Illinois Power Company; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Illinois Power Company (the licensee) to withdraw its April 27, 1998, application for proposed amendment to Facility Operating License No. NPF–62 for the Clinton Power Station, located in DeWitt County, Illinois.

The proposed amendment would have changed the title ''shift supervisor'' to ''shift manager'' in the Technical Specifications.

The Commission had previously issued a proposed no significant hazards consideration determination published in the **Federal Register** on May 20, 1998 (63 FR 27762). However, by letter dated August 13, 1998, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated April 27, 1998, and the licensee's letter dated August 13, 1998, which withdrew the application for license amendment. 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 Vespasian Warner Public Library, 310 N. Quincy Street, Clinton, IL 61727.

Dated at Rockville, Maryland, this 3rd day of September 1998.

For the Nuclear Regulatory Commission.

Jon B. Hopkins,

Senior Project Manager, Project Directorate III–3, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 98–24304 Filed 9–9–98; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–440]

The Cleveland Electric Illuminating Company, et al. (Perry Nuclear Power Plant, Unit No. 1); Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an order approving, under 10 CFR 50.80, the transfer of Facility Operating License No. NPF–58 issued to The Cleveland Electric Illuminating Company, Centerior Service Company, Toledo Edison Company, Ohio Edison Company, Pennsylvania Power Company, OES Nuclear, Inc., and Duquesne Light Company (the licensees) with respect to operating authority under the license, for the Perry Nuclear Power Plant, Unit No.1, located in Lake County, Ohio, and considering issuance of a conforming amendment under 10 CFR 50.90.

Environmental Assessment

Identification of the Proposed Action

The proposed action would approve the transfer of operating authority under the license to a new operating company, called the FirstEnergy Nuclear Operating Company, to use and operate the Perry Nuclear Power Plant and to possess and use related licensed nuclear materials in accordance with the same conditions and authorizations included in the current operating license. The proposed action would also approve issuance of a license amendment reflecting the transfer of operating authority. The FirstEnergy Nuclear Operating Company would be formed by the FirstEnergy Corporation to become the licensed operator for the Perry Nuclear Power Plant and would have exclusive control over the operation and maintenance of the facility. After issuance of the transfer order and conforming license amendment, the owners will be authorized only to possess the facility and Centerior Service Company will be removed entirely from the license.

Under the proposed arrangement, ownership of the Perry Nuclear Power Plant will remain unchanged with each owner retaining its current ownership interest. The FirstEnergy Nuclear Operating Company will not own any portion of the Perry Nuclear Power Plant. Likewise, the owners' entitlement to capacity and energy from the Perry Nuclear Power Plant will not be affected by the proposed change in operating

responsibility for the Perry Nuclear Power Plant. The owners will continue to provide all funds for the operation, maintenance, and decommissioning of the Perry Nuclear Power Plant. The responsibility of the owners will include funding for any emergency situations that might arise at the Perry Nuclear Power Plant.

The proposed action is in accordance with the licensees' application dated June 30, 1998, for approval of the transfer of the license and issuance of a conforming amendment.

Need for the Proposed Action

The proposed action is needed to enable the licensees to transfer operating authority to the FirstEnergy Nuclear Operating Company as discussed above. The licensees have submitted that this will enable them to enhance the already high level of public safety, operational efficiency, and cost-effective operations at the Perry Nuclear Power Plant.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that there will be no physical or operational changes to the Perry Nuclear Power Plant. The technical qualifications of the FirstEnergy Nuclear Operating Company to carry out its responsibilities under the operating license for the Perry Nuclear Power Plant will be equivalent to the present technical qualifications of the current operators. The FirstEnergy Nuclear Operating Company will assume responsibility for, and control over, operation and maintenance of the facility. The present plant organization, the oversight organizations, and the engineering and support organizations will be transferred essentially intact to the FirstEnergy Nuclear Operating Company. The technical qualifications of the FirstEnergy Nuclear Operating Company, therefore, will be at least equivalent to those of the existing organization.

The Commission has evaluated the environmental impact of the proposed action and has determined that the probability or consequences of accidents would not be increased and that post-accident radiological releases would not be greater than previously determined. Further, the Commission has determined that the proposed action would not affect routine radiological plant effluents and would not increase occupational radiological 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 would not affect nonradiological plant effluents and would have no other environmental impact. Therefore, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

Alternative to the Proposed Action

Since the Commission concluded that there is no measurable environmental impact associated with the proposed action, any alternative with equal or greater environmental impacts need not be evaluated. As an alternative to the proposed action, the staff considered denial of the requested 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 identical.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the ''Final Environmental Statement related to the operation of the Perry Nuclear Power Plant, Units 1 and 2,'' dated August 1982.

Agencies and Persons Contacted

In accordance with its stated policy, on July 21, 1998, the staff consulted with the State official of the Ohio Emergency Management Agency, 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 licensees' application dated June 30, 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 Perry Public Library, 3753 Main Street, Perry, OH 44081.

Dated at Rockville, Maryland, this 2nd day of September 1998.

For the Nuclear Regulatory Commission.

Elinor G. Adensam,

Acting Director, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 98–24302 Filed 9–9–98; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Nuclear Waste; Notice of Meeting

The Advisory Committee on Nuclear Waste (ACNW) will hold its 104th meeting on October 20–22, 1998.

Note: On October 19, 1998, the Committee and its staff will tour the proposed site of the high-level waste repository at Yucca Mountain, Nevada, as guests of the Department of Energy. The Committee will also tour surrounding communities and natural settings.

The entire meeting will be open to public attendance.

The schedule for this meeting is as follows:

Tuesday, October 20, 1998–8:30 A.M. until 6:00 P.M.

The Committee will meet at the Longstreet Inn, Conference Room Colorado #2, Stateline 373, Amargosa Valley, Nevada. The following topics will be discussed:

A. *Planning Session*—The Committee will conduct a day long planning session. The Committee will do a self-evaluation of its performance over the past year. The Committee will examine steps it can take to improve its operational efficiency. The Committee will also examine and select priority issues for review in 1999 and beyond.

B. Public Comments—Time will be allocated at the end of the planning session for public comments and discussion.

Wednesday and Thursday, October 21–22, 1998—8:30 A.M. until 6:00 P.M. each day.

The Committee will meet at Bally's, 3645 Las Vegas Blvd. South, Las Vegas, Nevada, Conference Room Las Vegas #1, Las Vegas, Nevada. The Committee will discuss the following topics:

A. *Site Characterization*—The Committee will discuss Yucca Mountain site characterization activities for the proposed repository with the Department of Energy (DOE).

B. Viability Assessment—The Committee will discuss the status of DOE's Viability Assessment including design options, total systems performance assessment, cost estimates, and schedule.

C. Format And Content Guide—The Committee will review the NRC staff's