

N. Main St., E. Cedar Ave., CSX RR, and
Royall Cotton Mill, Wake Forest, 99001046

North Dakota

Grand Forks County

Metropolitan Opera House, 116 S. Third St.,
Grand Forks, 99001048

Vermont

Chittenden County

Proctor Maple Research Farm, UVM Rd.,
Underhill, 99001050

Windsor County

Dewey House, 173 Deweys Mills Rd.,
Hartford, 99001051

A request for REMOVAL has been
made for the following resource:

Arkansas

Sharp County

Maxville School Building, US 167 N of Cave
City, (Public Schools in the Ozarks MPS),
Cave City vicinity, 92001199

[FR Doc. 99-20488 Filed 8-9-99; 8:45 am]

BILLING CODE 4310-70-P

INTERNATIONAL TRADE COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: United
States International Trade Commission.
TIME AND DATE: August 13, 1999 at 10:00
a.m.

PLACE: Room 101, 500 E Street S.W.,
Washington, DC 20436, Telephone:
(202) 205-2000.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agenda for future meeting: none.
2. Minutes.
3. Ratification List.
4. Inv. Nos. 731-TA-846-850
(Preliminary)(Certain Seamless Carbon
and Alloy Steel Standard, Line, and
Pressure Pipe and Tube from the Czech
Republic, Japan, Mexico, Romania, and
South Africa)—briefing and vote. (The
Commission will transmit its
determination to the Secretary of
Commerce on August 16, 1999.)
5. Inv. No. 731-TA-851
(Preliminary)(Synthetic Indigo from
China)—briefing and vote. (The
Commission will transmit its
determination to the Secretary of
Commerce on August 16, 1999.)
6. Inv. Nos. 701-TA-384 and 731-TA-
806 and 808 (Final)(Certain Hot-Rolled
Steel Products from Brazil and Russia)—
briefing and vote. (The Commission will
transmit its determination to the
Secretary of Commerce on August 23,
1999.)
7. Outstanding action jackets:
 - (1) Document No. EC-99-012:
Approval of final report in Inv. No. 332-

403 (Assessment of the Economic
Effects on the United States of China's
Accession to the WTO).

(2) Document No. GC-99-071:
Regarding Inv. No. 337-TA-383 (Certain
Hardware Logic Emulation Systems and
Components Thereof).

In accordance with Commission
policy, subject matter listed above, not
disposed of at the scheduled meeting,
may be carried over to the agenda of the
following meeting.

By order of the Commission.

Issued: August 5, 1999.

Donna R. Koehnke,

Secretary.

[FR Doc. 99-20721 Filed 8-6-99; 1:30 pm]

BILLING CODE 7020-02-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-261]

Carolina Power & Light 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-
23, issued to Carolina Power & Light
Company (CP&L, the licensee), for
operation of the H. B. Robinson Steam
Electric Plant, Unit 2 (HBR) located in
Darlington County, South Carolina.

The proposed amendment would
revise Required Action A.1 of Technical
Specification Limiting Condition for
Operation 3.7.8 to allow a Completion
Time of 72 hours to restore service
water (SW) temperature to less than or
equal to 95°F prior to entering the
required actions for plant shutdown.
The amendment request was proposed
as a temporary change to be in effect
until September 30, 1999.

The licensee requested that this
proposed amendment be processed as
an exigent request, pursuant to 10 CFR
50.91(a)(6), to permit implementation
during this summer. The severe and
sustained period of hot weather in the
area of HBR, combined with the thermal
and hydrological characteristics of the
ultimate heat sink (UHS), have resulted
in a situation where, on occasion, the
existing 8-hour Completion Time is not
of sufficient duration to allow UHS
temperature to return below 95°F.
Additionally, an extended period of this
severely hot weather may result in
several long temperature excursions
above 95°F and could result in

unwarranted plant power reductions
and shutdowns during a time of record
energy demand.

Based on the circumstances described
above, the NRC verbally issued a Notice
of Enforcement Discretion (NOED) on
July 31, 1999. The NOED was
documented by letter dated August 3,
1999. The NOED expressed the NRC's
intention to exercise discretion not to
enforce compliance with the 8-hour
Completion Time of TS 3.7.8 until the
exigent TS amendment request to revise
TS 3.7.8, which the licensee submitted
on July 30, 1999, is processed.

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:

1. Does the change involve a significant
increase in the probability or consequences
of an accident previously evaluated?

The proposed change does not involve any
physical alteration of plant systems,
structures or components. The proposed
change provides a revised allowed time for
the plant condition where UHS temperature
exceeds the design limit of 95°F. SW system
temperature is not assumed to be an
initiating condition of any accident analysis
evaluated in the safety analysis report (SAR).
Therefore, the revised limitation for SW
temperature to be in excess of the design
limit does not involve an increase in the
probability of an accident previously
evaluated in the safety analysis report. The
SW system supports operability of safety-
related systems used to mitigate the
consequences of an accident. Plant
equipment has been analyzed and
determined able to perform its safety-related
function through the allowed maximum SW
temperature of 99°F. Performance of the
containment has not been the subject of a
specific re-analysis at the proposed
temperatures with current licensing basis
methodologies. However, based on
engineering judgement, the [effect] on

containment performance from the elevated SW temperature for the proposed period of time would not be significant. The magnitude of any increase in SW temperature in excess of the design limit is expected to be small based on historical data and experience for the UHS. Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated in the SAR.

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed change does not involve any physical alteration of plant systems, structures or components. The temperature of the SW when near or slightly above the design temperature does not introduce new failure mechanisms for systems, structures or components not already considered in the SAR. Therefore, the possibility of a new or different kind of accident from any accident previously evaluated is not created.

3. Does this change involve a significant reduction in a margin of safety?

The proposed change will allow a small increase in SW temperature above the design basis limit for a limited period of time. This will delay the requirement to shutdown the plant for an additional 64 hours beyond the currently 8 hours Completion Time. Design margins are affected which are associated with systems, structures and components which are cooled by the SW system, and system temperature is an input assumption for mitigating the effects of a DBA [design-basis accident]. However, allowing this additional time for SW temperature to exceed the design limit is expected to have a negligible [effect] on containment performance, and no adverse impact on other analyzed plant equipment. Therefore, there is no significant reduction in margin of safety associated with this proposed change.

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 September 8, 1999, 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 Hartsville Memorial Library, 147 West College Avenue, Hartsville, South Carolina 29550. 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 William D. Johnson, Vice President and Corporate Secretary, Carolina Power & Light Company, Post Office Box 1551, Raleigh, North Carolina 27602, 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 July 30, 1999, 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 Hartsville Memorial Library, 147 West College Avenue, Hartsville, South Carolina 29550.

Dated at Rockville, Maryland, this 4th day of August 1999.

For the Nuclear Regulatory Commission.

Richard J. Laufer,

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

[FR Doc. 99-20543 Filed 8-9-99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-341]

Detroit Edison Company, FERM 2; Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-43 issued to the Detroit Edison Company (the licensee), for operation of Fermi 2, located in Monroe County, Michigan.

The proposed amendment would represent a full conversion from the current Technical Specifications (CTSs) to a set of improved Technical Specifications (ITSs) based on NUREG-1433, Revision 1, "Standard Technical Specifications, General Electric Plants BWR/4," dated April 1995. NUREG-1433 has been developed through working groups composed of both NRC staff members and industry representatives, and has been endorsed by the NRC staff as part of an industry-wide initiative to standardize and improve CTSs. As part of this submittal, the licensee has applied the criteria contained in the Commission's "Final Policy Statement on Technical Specification Improvements for Nuclear Power Reactors" (Final Policy Statement), published in the **Federal Register** on July 22, 1993 (58 FR 39132), to the Fermi 2 CTSs and, using NUREG-1433 as a basis, developed a proposed set of ITSs for Fermi 2. The criteria in the Final Policy Statement subsequently were incorporated in 10 CFR 50.36, "Technical Specifications," in a rule change that was published in the **Federal Register** on July 19, 1995 (60 FR 36953). The rule change became effective August 18, 1995.

The licensee has categorized the proposed changes to the CTSs into four general groupings. These groupings are characterized as administrative changes, technical changes—relocations, technical changes—more restrictive, and technical changes—less restrictive.

Administrative changes are those that involve restructuring, renumbering, rewording, interpretation, and

rearranging of requirements and other changes not affecting technical content or substantially revising an operational requirement. The reformatting, renumbering, and rewording processes reflect the attributes of NUREG-1433 and do not involve technical changes to the CTSs. The proposed changes include (a) providing the appropriate numbers, etc., for NUREG-1433 bracketed information (information that must be supplied on a plant-specific basis, and which may change from plant to plant), (b) identifying plant-specific wording for system names, etc., and (c) changing NUREG-1433 section wording to conform to existing licensee practices. Such changes are administrative in nature and do not affect initiators of analyzed events or assumed mitigation of accident or transient events.

Technical changes—relocations are those changes involving relocation of requirements and surveillances from the CTSs to licensee-controlled documents, for structures, systems, components, or variables that do not meet the criteria for inclusion in the ITSs. Relocated changes are those CTS requirements that do not satisfy or fall within any of the four criteria specified in the Commission's Final Policy Statement and 10 CFR 50.36, and may be relocated to appropriate licensee-controlled documents.

The licensee's application of the screening criteria is described in Volume 1 of its April 3, 1998, application titled, "Fermi 2 Improved Technical Specifications Submittal Cover Letter and Split Report." The affected structures, systems, components, or variables are not assumed to be initiators of events analyzed in the Updated Final Safety Analysis Report (UFSAR) and are not assumed to mitigate accident or transient events analyzed in the UFSAR. The requirements and surveillances for these affected structures, systems, components, or variables will be relocated from the CTSs to administratively controlled documents such as the UFSAR, the Bases, or other licensee-controlled documents. Changes made to these documents will be made pursuant to 10 CFR 50.59 or other appropriate control mechanisms. In addition, the affected structures, systems, components, or variables are addressed in existing surveillance procedures, which are also subject to 10 CFR 50.59.

Technical Changes—more restrictive are those changes that involve more stringent requirements for operation of the facility or eliminate existing flexibility. These more stringent