[Permit Application: 2000–013]

Activity for Which Permit Is Requested

Enter Antarctic Specially Protected Area

The applicant is a participant in the U.S. Antarctic Program's Artists and Writers Program and is continuing work on ''A Photographic Survey of Antarctic Marine Species'' and producing a film entitled ''Under Antarctic Ice.'' The applicant proposes visit and camp at Cape Crozier during two different time periods to ensure filming success.

The applicant proposes to conduct general photography and filming of Adelie penguins, Emperor penguins, Leopard seals, Orcas, and Minke whales. Some of the work will involve underwater photography. Visit to the site will be selected to target Adelie penguin events (nesting, egg tending, and hatching), such as population peak in the rookery. The applicant plans to skirt the edges of the Adelie and Emperor rookeries and will not enter into the midst of the nesting penguins.

The applicant plans to camp near the East Colony outside the Specially Protected Area for easier access to the water and ease the encumbrance of hauling heavy photography and dive equipment.

Location

Antarctic Specially Protected Area #124, Cape Crozier, Ross Island

Dates

November 1, 1999 to February 28, 2000

12. *Applicant:* Gary miller, Biology Department, University of New Mexico, Albuquerque, NM 87131–0001

[Permit Application: 2000–014]

Activity for Which Permit Is Requested

Taking and Import into the United States

The applicant plans to continue his analysis of the phylogenetic relationships and population genetics of 2 major genera of penguins. He will collect blood and tissues samples from Magellanic (*S. magellanicus*), Adelie (*P. adeliae*), Chinstrap (*P. antarctica*), Gentoo (*P. papua*), Macaroni (*Eudyptes chrysalophus*), and Emperor (*Aptenodytes* forsteri) penguins throughout their distribution. The Macaroni and Emperor samples are to be used as out-groups to help elucidate the relationships of the other species. Using a combination of Cytochrome b and microsatellite markers, he will investigate their genetic variation on a variety of geographic scales.

The applicant will travel onboard tour ships as a lecturer and will repeatedly visit many sites during the next two Antarctic summer season. He plans to collect 1.0–1.5 ml of whole blood from live penguins and collect tissue samples from penguin carcasses. No more than 15 samples will be collected from any given site. Blood samples will be stored in a lysis buffer, and tissue samples will be homogenized into a buffer solution to stabilize the DNA. Samples will be returned to either the University of Western Australia or to the University of New Mexico for processing.

In addition, the applicant will work in collaboration with a research team from the University of Western Australia who will investigate the diseases of penguins and skuas around Australia's Davis Station. Blood samples and swabs from the throat and cloaca of each bird will be collected. Blood samples will be spun down to separate the plasma and then preserved for later laboratory work. The Australian research team will secure all necessary permits for this project.

Location

Antarctic Peninsula and associated islands, South Shetland Islands, South Orkney Islands, East Antarctica and the Ross Sea region

Dates

October 1, 1999 to April 1, 2001

Nadene G. Kennedy,

Permit Officer, Office of Polar Programs.

[FR Doc. 99–21204 Filed 8–16–99; 8:45 am]

BILLING CODE 7555–01–M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–289]

GPU Nuclear Inc., et al., (Three Mile Island Nuclear Station, Unit 1); Confirmatory Order Modifying License, Effective Immediately

I

GPU Nuclear Inc. (GPUN or the Licensee) is the holder of Facility Operating License No. DRP–50, which authorizes operation of Three Mile Island Nuclear Station, Unit 1 located in Dauphin County, Pennsylvania.

II

The staff of the U.S. Nuclear Regulatory Commission (NRC) has been concerned that Thermo-Lag 330–1 fire barrier systems installed by licensees may not provide the level of fire endurance intended and that licensees using Thermo-Lag 330–1 fire barriers may not be meeting regulatory requirements. During the time period 1992–1994, the NRC staff issued Generic Letter (GL) 92–08, ''Thermo-Lag 330–1 Fire Barriers,'' and subsequent requests for additional information that asked licensees to submit plans and schedules for resolving the Thermo-Lag issue. The NRC staff has obtained and reviewed corrective plans and schedules from all licensees. The staff is concerned that some licensees may not be making adequate progress toward resolving the plant-specific issues, and that some implementation schedules may be either too tenuous or too protracted. For example, several licensees informed the NRC staff that their completion dates would be delayed between 6 months and 3 years. The NRC staff has met with licensees of plants that have scheduled completion beyond 1997 to discuss the progress of the licensees' corrective actions and the extent of licensee management attention regarding completion of Thermo-Lag corrective actions. In addition, the NRC staff discussed with licensees the possibility of accelerating their completion schedules.

At the meeting with GPUN, NRC staff reviewed the schedule of Thermo-Lag corrective actions described in the eight GPUN submittals to the NRC dated February 10, and December 5, 1994; July 7, 1995; August 16, November 5, and December 31, 1996; and August 19, and November 23, 1997, to complete implementation of Thermo-Lag 330–1 fire barriers corrective actions by December 31, 1999, except for those corrective actions that were the subject of a pending exemption request dated December 31, 1996, and supplemented by three letters dated July 31, September 8, and December 30, 1997. On the basis of the information submitted by GPUN and presented during the meeting, the NRC staff concluded that the GPUN schedule was reasonable and issued a Confirmatory Order Modifying License on May 22, 1998, with regard to that schedule.

Subsequently, the NRC staff denied portions of the Licensee's exemption request of December 31, 1996, and the Licensee has committed in its letter of June 2, 1999, to complete additional Thermo-Lag corrective actions in areas which were the subject of those parts of the exemption request that was denied by June 30, 2000. The staff has concluded that this schedule is reasonable. This conclusion is based on (1) The amount of installed Thermo-Lag, (2) the complexity of the plant-specific fire barrier configurations and issues, (3) the need to perform certain plant modifications during outages as opposed to those that can be performed while the plant is at power, and (4)

integration with other significant but unrelated issues that GPUN is addressing at its plant. In order to remove compensatory measures such as fire watches, it has been determined that resolution of all Thermo-Lag corrective actions by GPUN must be completed by June 30, 2000. By letter dated June 21, 1999, the NRC staff notified GPUN of its plan to incorporate GPUN's schedule commitment with regard to issues which were the subject of the exemption request into a requirement by issuance of an order and requested consent from the Licensee. By letter dated July 1, 1999, the Licensee consented to issuance of a Confirmatory Order.

III

The Licensee's commitment as stated in its letter of July 1, 1999, is acceptable and is necessary for the NRC to conclude that public health and safety are reasonably assured. To preclude any schedule delay and to assure public health and safety, the NRC staff has determined that the Licensee's commitment in its July 1, 1999, letter be confirmed by this Order. The Licensee has agreed to this action. On this basis, and on the basis of the Licensee's consent, this Order is immediately effective upon issuance.

IV

Accordingly, pursuant to sections 103, 161b, 161i, 161o, 182, and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR part 50, *it is hereby ordered*, effective immediately, that:

GPU Nuclear, Inc., et al. shall complete final implementation of Thermo-Lag 330–1 fire barrier corrective actions at Three Mile Island Nuclear Station, Unit 1, described in the GPU Nuclear, Inc., submittal to the NRC dated June 2, 1999, by June 30, 2000.

The Director, Office of Nuclear Reactor Regulation, may relax or rescind, in writing, any provisions of this Confirmatory Order upon a showing by the Licensee of good cause.

V

Any person adversely affected by this Confirmatory Order, other than the Licensee, may request a hearing within 20 days of its issuance. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Nuclear Reactor Regulation, US Nuclear Regulatory Commission, Washington, DC 20555–0001, and include a statement of good cause for the extension. Any request for a hearing must be submitted to the Secretary, US Nuclear Regulatory Commission, Attention: Chief, Rulemaking and Adjudications Staff, Washington, DC 20555–0001. Copies of the hearing request must also be sent to the Director, Office of Nuclear Reactor Regulation, US Nuclear Regulatory Commission, Washington, DC 20555–0001, to the Assistant General Counsel Materials Litigation and Enforcement at the same address, to the Regional Administrator, NRC Region I, US Nuclear Regulatory Commission, 475 Allendale Road., King of Prussia, PA 19406–1415, and to the Licensee, Mr. James W. Langenbach, Vice President and Director—TMI–1, GPU Nuclear, Inc., P.O. Box 480, Middletown, PA 17057. If such a person requests a hearing, that person shall set forth with particularity the manner in which his/her interest is adversely affected by this Order and must address criteria set forth in 10 CFR 2.714(d).

If a hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any such hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section IV above shall be final 20 days from the date of this Order without further Order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section IV shall be final when the extension expires if a hearing request has not been received. An answer or a request for hearing shall not stay the immediate effectiveness of this Order.

Dated at Rockville, Maryland this 11th day of August 1999.

For the Nuclear Regulatory Commission.

William F. Kane,

Acting Director, Office of Nuclear Reactor Regulation.

[FR Doc. 99–21307 Filed 8–16–99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50–219]

Oyster Creek Nuclear Generating Station; 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–16 issued to GPU Nuclear, Inc. and Jersey Central Power & Light Company (the licensee) for operation of the Oyster Creek Nuclear Generating Station (OCNGS) located in Ocean County, New Jersey.

The proposed amendment would modify the OCNGS Technical Specifications to reflect installation of additional spent fuel pool storage racks. The additional new racks will provide 390 additional spent fuel assembly storage locations.

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. Operation of the facility in accordance with the proposed amendment would not involve a significant increase in the probability of occurrence or the consequences of an accident previously evaluated. The following previously analyzed accident scenarios have been considered as part of the analyses required to support the installation of the high density spent fuel storage racks:

(a) Spent Fuel Assembly Drop—The criticality acceptance criteria, K_{eff} [less than or equal to] 0.95, is maintained for postulated abnormal occurrences such as a fuel assembly misloading or assembly drop. The radiological consequences of a fuel handling