newspapers. Adequate signs will be posted to direct meeting participants. A short formal presentation will precede the request for public comments. National Capital Planning Commission representatives will be available at this meeting to receive comments from the public regarding issues of concern. It is important that federal, regional and local agencies, and interested individuals and groups take this opportunity to identify environmental concerns that should be addressed during the preparation of the Draft EIS. In the interest of available time, each speaker will be asked to limit oral comments to five (5) minutes. A document summarizing the written and oral comments received will be prepared.

An Informational Packet will be available for review at the offices of the National Capital Planning Commission at 801 Pennsylvania Avenue, N.W., and at the Prince George's County Branch Library at 6200 Oxon Hill Road, Oxon Hill, Md.; or upon request. Agencies and the general public are invited and are encouraged to provide written comments on the scoping issues in addition to, or in lieu of, oral comments at the public meeting. To be most helpful, environmental scoping comments should clearly describe specific issues or topics which the community believes the EIS should address.

DATES: All written statements regarding environmental review of the proposed National Harbor must be postmarked no later than May 26, 1998 to the address below: National Capital Planning Commission, 801 Pennsylvania Avenue, NW., Suite 301, Washington, D.C. 20576, Attention: Mr. Maurice Foushee, Community Planner.

FOR FURTHER INFORMATION PLEASE CONTACT: National Capital Planning Commission, 801 Pennsylvania Avenue, NW., Suite 301, Washington, D.C. 20576, Phone: (202) 482–7200.

Sandra H. Shapiro,

General Counsel, National Capital Planning Commission.

[FR Doc. 98–9529 Filed 4–9–98; 8:45 am]

BILLING CODE 7502–02–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–325]

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–71 issued to the Carolina Power & Light Company (the licensee) for operation of the Brunswick Steam Electric Plant, Unit 1 (BSEP) located in Southport, North Carolina.

In an application dated February 23, 1998, as supplemented on March 27, 1998, the licensee proposed a license amendment to change the Technical Specifications (TS) for the Safety Limit Minimum Critical Power Ratio (SLMCPR) pertaining to two/single recirculation loop operation. A footnote is being added to the SLMCPR value in TS and the associated action statement. The proposed change is limited to Cycle 12 operation only. The amendment also includes a reference in the TS to the NRC's Safety Evaluation approving the proposed license amendment. The amendment request is provided both in the current TS and improved Standard Technical specification (iSTS) format. The licensee's proposed amendment for conversion to iSTS is currently under Nuclear Regulatory Commission (NRC) staff review.

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

The proposed license amendment establishes a revised SLMCPR value of 1.09 for two recirculation loop operation and 1.10 for single recirculation loop operation for use during Unit 1 Cycle 12 operation. The derivation of the cycle-specific SLMCPRs was performed using ''General Electric Standard Application for Reactor Fuel,'' NEDE–24011–P–A–13; U. S. Supplement, NEDE–24011–P–A–13–US, August 1996; and the ''Proposed Amendment 25 to GE Licensing Topical Report NEDE–24011–P–A (GESTAR II) on Cycle Specific Safety Limit MCPR.'' Amendment 25 was submitted by General Electric Nuclear Energy (GE) to the NRC on December 13, 1996. GE has determined that both generic and plant-specific evaluations yield the same calculated SLMCPR value for Unit 1 Cycle 12. The probability of an evaluated accident is derived from the probabilities of the individual precursors to that accident. The consequences of an evaluated accident are determined by the operability of plant systems designed to mitigate those consequences. Limits have been established, consistent with NRC approved methods, to ensure that fuel performance during normal, transient, and accident conditions is acceptable. The SLMCPR is a Technical Specification numerical value that cannot initiate an accident. No individual precursors of an accident are affected. Therefore, the probability of an evaluated accident is not increased by revising the SLMCPR value to 1.09 for two recirculation loop operation and to 1.10 for single loop operation.

The proposed license amendment establishes a revised SLMCPR that ensures the fuel is protected during normal operation and during any plant transients or anticipated operational occurrences. Specifically, the reload analysis demonstrates that a SLMCPR value of 1.09 for two recirculation loop operation and 1.10 for single loop operation ensures that less than 0.1 percent of the fuel rods will experience boiling transition during any plant operation if the limit is not violated.

Based on (1) the determination of the new SLMCPR value using conservative approved methods, and (2) the operability of plant systems designed to mitigate the consequences of accidents not having been changed; the consequences of an accident previously evaluated have not been increased.

Additionally, the proposed license amendment establishes a footnote for the SLMCPR value in Technical Specification 2.1.2 and revises TS 6.9.3.2.c to reference the NRC Safety Evaluation associated with approval of the proposed license amendment. The footnote for the SLMCPR value in TS 2.1.2, as well as reference ''c'' in TS 6.9.3.2, are associated with the acceptance of the SLMCPR value for Unit 1 Cycle 12 operation only. Thus, these changes are administrative revisions that have no effect on the probability or consequences of accidents previously evaluated.

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

This proposed license amendment involves a revision of the SLMCPR to 1.09 for two recirculation loop operation and to 1.10 for single loop operation based on the results of both cycle-specific and generic analyses. Additionally, the proposed license amendment establishes a footnote for the SLMCPR value in TS 2.1.2 and revises TS 6.9.3.2.c to reference the NRC Safety Evaluation associated with approval of the proposed license amendment. Creation of the possibility of a new or different kind of accident would require the creation of one or more new precursors of that accident. New accident precursors may be created by modifications of the plant configuration, including changes in allowable modes of operation. This proposed license amendment does not involve any modifications of the plant configuration or changes in the allowable modes of operation. Therefore, no new precursors of an accident are created and no new or different kinds of accidents are created.

3. The proposed license amendment does not involve a significant reduction in a margin of safety.

As previously stated, the derivation of the cycle-specific safety limit MCPRs was performed using ''General Electric Standard Application for Reactor Fuel,'' NEDE–24011–P–A–13; U. S. Supplement, NEDE–24011–P–A–13–US, August 1996; and the ''Proposed Amendment 25 to GE Licensing Topical Report NEDE–24011–P–A (GESTAR II) on Cycle Specific Safety Limit MCPR.'' Amendment 25 was submitted by GE to the NRC on December 13, 1996. GE has determined that both generic and plant-specific evaluations yield the same calculated SLMCPR value for Unit 1 Cycle 12. Use of these methods ensures that the resulting SLMCPR satisfies the fuel design safety criteria that less than 0.1 percent of the fuel rods experience boiling transition if the safety limit is not violated. Based on the assurance that the fuel design safety criteria will be met, the proposed license amendment does not involve a significant reduction in a margin of safety.

Additionally, the proposed license amendment establishes a footnote for the safety limit MCPR value in TS 2.1.2 and revises TS 6.9.3.2.c to reference the NRC Safety Evaluation associated with approval of the proposed license amendment. The footnote on the SLMCPR value in TS 2.1.2, as well as reference ''c'' in TS 6.9.3.2, are associated with the use of a SLMCPR value for Unit 1 Cycle 12 operation only. Thus, these changes are administrative revisions that have no effect on the margin of safety.

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 30 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 30-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 30-day notice period, provided that its final determination is that the amendments involve 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 and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications 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 6D22, 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 11, 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 University of North Carolina at Wilmington, William Madison Randall Library, 601 S. College Road, Wilmington, North Carolina 28403–3297. 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 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 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 General Counsel, Carolina Power & Light Company, P.O. 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 February 23, 1998, as supplemented on March 27, 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 University of North Carolina at Wilmington, William Madison Randall Library, 601 S. College Road, Wilmington, North Carolina 28403–3297. This notice supersedes the **Federal Register** notice of March 25, 1998 (63 FR 14484).

Dated at Rockville, Maryland, this 7th day of April 1998.

For the Nuclear Regulatory Commission.

David C. Trimble,

Project Manager, Project Directorate II–1, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50–286]

Power Authority of the State of New York, Indian Point Nuclear Generating Unit No. 3; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from the requirements of 10 CFR 50.60 for Facility Operating License No. DPR–64, issued to the Power Authority of the State of New York (the licensee), for operation of the Indian Point Nuclear Generating Unit No. 3 (IP3) located in Westchester County, New York.

Environmental Assessment

Identification of the Proposed Action

The proposed action would exempt the licensee from the requirements of 10 CFR 50.60 to allow the use of the ABB Combustion Engineering Nuclear Operations methodology (the CE methodology) for developing pressure-temperature (P–T) limits.

The proposed action is in accordance with the licensee's application for exemption dated January 28, 1998.

The Need for the Proposed Action

Pursuant to 10 CFR 50.60, all light water 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. The licensee used the methodology by ABB Combustion Engineering Nuclear Operations (the CE methodology) for constructing its P–T limits in place of the 1989 ASME Appendix G methodology approved by the staff in the regulations; therefore, the licensee applied for an exemption to use the CE methodology.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the CE methodology for developing P–T limits and concludes that there will be no physical or operational changes to IP3.

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 by the proposed action, 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 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.

Alternatives to the Proposed Action

Since the Commission has concluded that there are not significant environmental effects that would result from the proposed action, any alternatives with equal or greater environmental impact need not be evaluated.

The principal alternative would be to deny 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 for Indian Point Nuclear Generating Unit No. 3, dated February 1975.

Agencies and Persons Consulted

In accordance with its stated policy, on March 19, 1998, the staff consulted with the New York State Official, Jack Spath, of the New York State Research and Development Authority regarding the environmental impact of the