between the qualified and non-qualified funds for the purposes specified in this section.

(g) The appropriate section of the trust agreement shall reflect that the trustee, investment advisor, or anyone else directing the investments made in the trust must adhere to a ''prudent investor'' standard as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission regulations.

(8) AmerGen, shall take no action to cause PECO or British Energy, plc to void, cancel, or diminish the $65 million contingency fund commitment from PECO and British Energy for TMI–1, the existence of which is represented in the application, or cause them to fail to perform or impair their performance under the commitment, or remove or interfere with AmerGen's ability to draw upon the commitment. Further, AmerGen shall inform the Director, Office of Nuclear Reactor Regulation, in writing, at such time that it draws upon the $65 million contingency fund. This provision does not affect the NRC's authority to assure that adequate funds will remain available to fund the transition to safe shutdown, should any question arise regarding availability of funds for such a purpose.

(9) AmerGen shall, prior to completion of the sale and transfer of TMI–1 to it, provide the Director, Office of Nuclear Reactor Regulation, satisfactory documentary evidence that AmerGen has obtained the appropriate amount of insurance required of licensees under 10 CFR part 140 of the Commission's regulations.

(10) After receipt of all required regulatory approvals of the transfer of TMI–1, GPU Nuclear, Inc., and AmerGen shall inform the Director, Office of Nuclear Reactor Regulation, in writing of such receipt within five business days, and of the date of the closing of the sale and transfer of TMI–1 no later than seven business days prior to the date of closing. Should the transfer of the license not be completed by December 31, 1999, this Order shall become null and void, provided, however, on written application and for good cause shown, such date may in writing be extended.

It is further ordered that, consistent with 10 CFR 2.1315(b), a license amendment that makes changes, as indicated in enclosure 2 to the cover letter forwarding this Order, to conform the license to reflect the subject license transfer is approved. The amendment shall be issued and made effective at the time the proposed license transfer is completed.

This Order is effective upon issuance.

For further details with respect to this Order, see the application dated December 3, 1998, and supplemental submittals dated January 11, February 4, March 4, March 10, and March 15, 1999, which 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 Law/Government Publications Section, State Library of Pennsylvania (REGIONAL DEPOSITORY), Walnut Street and Commonwealth Avenue, Box 1601, Harrisburg, PA 17105.

Dated at Rockville, Maryland, this 12th day of April 1999.

For the Nuclear Regualtory Commission.

Roy P. Zimmerman,

Acting Director, Office of Nuclear Reactor Regulation.

[FR Doc. 99–9748 Filed 4–16–99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50–334]

Duquesne Light Company; Ohio Edison Company; Pennsylvania Power Company; Beaver Valley Power Station, Unit No. 1; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR–66, issued to Duquesne Light Company, (the licensee), for operation of the Beaver Valley Power Station, Unit 1 (BVPS–1), located in Beaver County, Pennsylvania.

Environmental Assessment

Identification of the Proposed Action

The proposed action would authorize changes to the Updated Final Safety Analysis Report (UFSAR) for the facility. Specifically, the proposed action would authorize changes to the UFSAR to reflect revisions to the Control Room radiological dose calculations for the waste gas system line break accident analysis. The BVPS–1 UFSAR would be revised as follows: in Table 11.3–7, the reported Gamma (whole body) dose value would be revised from 0.0031 REM to less than 0.01 REM; the reported Beta dose value would be revised from 0.013 REM to less than 1.0 REM; and Table 14.2–8 would be revised to reflect the assumptions that (1) the fraction of fuel with defects is one percent, and (2) the control room radiation monitors will not initiate control room isolation, which were used in the reanalysis.

The proposed action is in accordance with the licensee's application for amendment dated January 17, 1998, as supplemented by letters dated February 10, 1998, November 9, 1998, February 8, 1999, and February 26, 1999.

The Need for the Proposed Action

As a result of issues involving control room habitability, the licensee re-evaluated Beaver Valley Power Station, Units 1 and 2, (BVPS–1 and BVPS–2) control room dose calculations for Design Basis Accidents (DBA) which credited isolation of the control room during the DBA. When analyses associated with the waste gas system rupture were reviewed, an arithmetic error was discovered in the control room dose calculation for BVPS–1 which resulted in the associated values listed in the BVPS–1 UFSAR being incorrect. Therefore, it is necessary to correct the analysis and revise the BVPS–1 UFSAR.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that the assumptions and methodology used by the licensee in the reanalysis are acceptable and that there is reasonable assurance, in the event of a postulated Waste Gas System Line Break, that the postulated control room operator doses would continue to be less than the criteria of 10 CFR part 50, Appendix A, General Design Criterion 19; and well within the occupational dose limits of 10 CFR part 20.

The proposed action will not increase the probability or consequences of accidents (although the corrections result in a higher calculated control room operator dose), no changes are being made in the types of any effluents that may be released off site, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does not involve any historic sites. It does not affect nonradiological plant effluents and has no other environmental impact. Therefore, there are no significant nonradiological environmental impacts associated with the proposed action.

Accordingly, the Commission concludes that there are no significant

environmental impacts associated with the proposed action.

Alternatives to the Proposed Action

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the ''no-action'' alternative). 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 BVPS–1.

Agencies and Persons Consulted

In accordance with its stated policy, on March 25, 1999, the staff consulted with the Pennsylvania State official, Mr. M. Murphy of the Pennsylvania Department of Environmental Protection Bureau, Division of Nuclear Safety, regarding the environmental impact of the proposed action. The State official had no comments.

Findings of No Significant Impact

On the basis of 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 January 17, 1998, as supplemented by letters dated February 10, 1998, November 9, 1998, February 8, 1999, and February 26, 1999, which 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 B. F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, PA 15001.

Dated at Rockville, Maryland, this 12th day of April 1999.

For the Nuclear Regulatory Commission.

Daniel S. Collins,

Project Manager, Section 1, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 99–9749 Filed 4–16–99; 8:45 am]

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UNITED STATES NUCLEAR REGULATORY COMMISSION

[Docket No. 50–289]

GPU Nuclear, Inc., Et Al.; Three Mile Island Nuclear Generating Station, Unit 1 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 10 CFR part 50, Appendix R for Facility Operating License No. DPR–50 issued to GPU Nuclear, Inc., *et al.*, (GPU or the licensee), for operation of the Three Mile Island Nuclear Generating Station, Unit 1 (TMI–1), located in Dauphin County, Pennsylvania.

Environmental Assessment

Identification of the Proposed Action

Section III.G.2.c of Appendix R to 10 CFR part 50 requires the enclosure of cable and equipment and associated non-safety circuits of one redundant train of systems necessary to achieve and maintain safe shutdown in a fire barrier having a 1-hour rating. In addition, fire detectors and an automatic fire suppression system shall be installed in the fire area. The licensee is seeking an exemption from these requirements for 10 fire areas/zones: AB–FZ–3, AB–FZ–4, AB–FZ–5, AB–FZ–7, CB–FA–1, FH–FZ–1, FH–FZ–2, FH–FZ–6, ISPH–FZ–1 and ISPH–FZ–2.

The proposed action is in accordance with the licensee's application for exemption dated December 31, 1996, as supplemented September 8 and December 30, 1997; May 21, October 14, November 25, and December 23, 1998.

The Need for the Proposed Action

The licensee is requesting an exemption from Appendix R, Section III.G.2.c because modifications to achieve full compliance would cost approximately $1.0 million. The proposed action is needed to reduce the financial hardship of modifying existing barriers to achieve a 1-hour fire rating, which modification would provide minimal safety benefit according to the licensee.

Environment Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that reasonable assurance has been provided in fire zones/areas AB–FZ–4, CB–FA–1, FH–FZ–1, FH–FZ–6, IPSH–FZ–1, and ISPH–FZ–2, that one division of components necessary to achieve safe shutdown will remain free of fire damage. Although the installed Thermo-Lag barriers in these fire zones/areas have less than a 1-hour fire endurance rating, they do have some significant resistance to fire. Additionally, the areas where most of the subject barriers are located have a low combustible loading, have manual suppression capability and are equipped with automatic detection and suppression. The licensee has committed to install automatic suppression in fire zone FH–FZ–6. Additionally, the licensee has committed to install combustible gas detectors in fire area CB–FA–1, which would provide prompt identification of an acetylene gas leak and allow isolation of the gas at its source prior to reaching the explosive limit. The staff has determined that the combination of these features and circumstances provides a level of protection adequate to meet the underlying purpose of the rule. The Commission has determined that the exemption for fire zones AB–FZ–3, AB–FZ–5, AB–FZ–7, and FH–FZ–2 should be denied because an adequate level of fire safety would not be achieved.

The proposed action (hereinafter to mean the granting of an exemption for fire zones/areas AB–FZ–4, CB–FA–1, FH–FZ–1, FH–FZ–6, ISPH–FZ–1, and ISPH–FZ–2) will not increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released off site, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential non-radiological impacts, the proposed action does not involve any historic sites. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the Commission concludes there are no significant environmental impacts associated with the proposed action.

Alternatives to the Proposed Action

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the ''no-action'' alternative). Denial of the application would result in no change in current environmental impacts.

The environmental impacts of the proposed action and alternative action are similar.