NUCLEAR REGULATORY COMMISSION

[Docket No. 50–353]

PECO Energy Company; Limerick Generating Station, Unit 2; Notice of Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 99 to Facility Operating License No. NPF–85, issued to PECO Energy Company (the licensee), which approves installation of replacement suction strainers for operation of the Limerick Generating Station (LGS), Unit 2, located in Montgomery and Chester Counties, Pennsylvania. The amendment is effective as of the date of issuance and shall be implemented prior to restart following completion of the LGS, Unit 2, refueling outage which commenced April 1999.

The amendment documents the NRC staff's approval of the implementation of a plant modification to support the installation of replacement suction strainers for the emergency core cooling systems at the LGS, Unit 2.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for a Hearing in connection with this action was published in the **Federal Register** on January 29, 1998 (63 FR 4496). The August 28, 1998, letter provided clarifying information and did not change the original proposed no significant hazards consideration. No request for a hearing or petition for leave to intervene was filed following this notice.

The Commission has prepared an Environmental Assessment related to the action and has determined not to prepare an environmental impact statement. Based upon the environmental assessment, the Commission has concluded that the issuance of the amendment will not have a significant effect on the quality of the human environment (64 FR 27014).

For further details with respect to the action, see (1) the application for amendment dated October 6, 1997, as supplemented by letter dated August 28, 1998, (2) Amendment No. 99 to License No. NPF–85, (3) the Commission's related Safety Evaluation, and (4) the Commission's Environmental Assessment. All of these items 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 Pottstown Public Library, 500 High Street, Pottstown, PA.

Dated at Rockville, Maryland, this 19th of May 1999.

For the Nuclear Regulatory Commission.

Bartholomew C. Buckley, Sr.,

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

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NUCLEAR REGULATORY COMMISSION

[Docket No.: 040–8778]

Receipt of an Amendment Request Regarding the Schedule for Submission of a Revised Site Decommissioning Plan and Environmental Report for the Molycorp, Washington, Pennsylvania Site (License No. SMB–1393) and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an amendment to Source Materials License No. SMB–1393, to Molycorp, Incorporated (the licensee), to approve the schedule for submission of a revised Site Decommissioning Plan (SDP) and Environmental Report (ER) for the Molycorp Washington, Pennsylvania (PA) site (License No. SMB–1393).

Background

The licensee submitted an SDP for its Washington, PA site on August 14, 1995. The agency's decommissioning criteria in effect at the time of the SDP submittal were contained in NRC's ''Action Plan to Ensure Timely Cleanup of Site Decommissioning Management Plan Sites,'' (SDMP Action Plan) (57 FR 13389; April 16, 1992). Because the cleanup levels proposed in the SDP exceeded the SDMP Action Plan criteria, the NRC requested, on September 25, 1995, that Molycorp submit additional information in the form of an ER to supplement the SDP.

NRC published its license termination rule (LTR) in 10 CFR Part 20 Subpart E, ''Radiological Criteria for License Termination,'' in July of 1997. Although this new rule supersedes the old SDMP Action Plan criteria, the LTR allows a ''grandfathering'' period for use of these criteria (10 CFR 20.1401(b)(3)). To be eligible for grandfathering, the SDP must have been submitted prior to August 20, 1998, and apply the criteria identified in the SDMP Action Plan. Because the proposed criteria in the licensee's SDP were not consistent with the SDMP Action Plan criteria, the conditions of 10 CFR 20.1401(b)(3), that would permit remediation of certain areas of the licensee's site on a ''grandfathered'' basis, were not met. In a letter dated February 16, 1999, NRC staff informed the licensee of this finding and notified the licensee that the SDP and ER must be revised to reflect the requirements of the LTR. The licensee was requested to submit a schedule for submission of a revised SDP and ER in the form of a license amendment request.

Discussion

In letters dated April 13 and 20, 1999, the licensee submitted an SDP development schedule and a request to amend its license to include a submittal date of April 16, 2000, for the revised SDP and ER. Prior to the issuance of the proposed amendment, NRC will have made findings required by the Atomic Energy Act of 1954, as amended, and NRC's regulations.

The NRC provides notice that this is a proceeding on an application for a license amendment falling within the scope of Subpart L, ''Informal Hearing Procedures for Adjudication in Materials Licensing Proceedings,'' of NRC's rules and practice for domestic licensing proceedings in 10 CFR Part 2. Pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing in accordance with § 2.1205(c). A request for a hearing must be filed within thirty (30) days of the date of publication of this **Federal Register** notice.

In addition to meeting other applicable requirements of 10 CFR part 2 of the NRC's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

1. The interest of the requester in the proceeding;

2. How that interest may be affected by the results of the proceeding, including the reasons why the requester should be permitted a hearing, with particular reference to the factors set out in § 2.1205(h);

3. The requester's areas of concern about the licensing activity that is the subject matter of the proceeding; and