

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 amendments 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 amendments and make them immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendments.

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 J. Michael McGarry, III, Winston and Strawn, 1200 17th Street, NW., Washington, DC, 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 amendments dated October 28, 1997, as supplemented by letters dated March 26, April 8, May 20, May 25, and October 28, 1998, 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 Oconee County Library, 501 West South Broad Street, Walhalla, South Carolina.

Dated at Rockville, Maryland, this 5th day of November 1998.

For the Nuclear Regulatory Commission.

**David E. LaBarge,**

*Senior Project Manager, Project Directorate II-2, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*

[FR Doc. 98-30254 Filed 11-10-98; 8:45 am]

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## **NUCLEAR REGULATORY COMMISSION**

**[Docket No. 50-259]**

### **Tennessee Valley Authority; Notice of Withdrawal of Application for Amendment to Facility Operating License**

The U.S. Nuclear Regulatory Commission (the Commission or NRC) has granted a request by the Tennessee Valley Authority (TVA) to withdraw its June 2, 1995, application for an amendment to Facility Operating License DPR-33 issued to TVA for the operation of the Browns Ferry Nuclear Plant, Unit 1, located in Limestone

County, Alabama. The application was revised by letter dated March 6, 1997, and was supplemented by letters dated April 11, 1997, and March 13, 1998. Notice of consideration of issuance of this amendment was published in the **Federal Register** on August 16, 1995 (60 FR 42609). The application also requested similar amendments to Facility Operating Licenses DPR-52 and DPR-68 for Browns Ferry Nuclear Plant, Units 2 and 3 respectively. The requested actions for Units 2 and 3 have been approved.

The proposed amendment, submitted in custom Technical Specification (TS) format, would have revised the custom TSs for Unit 1 to include changes associated with the implementation of the Power Range Neutron Monitor (PRNM) upgrade, and to incorporate changes related to the implementation of Average Power Range Monitor (APRM) and Rod Block Monitor technical specification improvements and Maximum Extended Load Line Limit (MELLL) Analysis. A general revision to the application was submitted on March 6, 1997, and parallel changes in Improved TS (ITS) format were submitted on April 11, 1997, and revised by a submittal dated March 13, 1998.

On July 14, 1998, NRC approved the conversion from custom TSs to ITSs (Amendment No. 234) for Unit 1. On October 5, 1998, TVA informed the staff by letter that because the custom TSs are no longer in use, the Unit 1 TS changes previously proposed in custom format for PRNM/MELLL are no longer needed. Also, because TVA has no firm schedule for the restart of Unit 1, the PRNM/MELLL proposed changes in ITS format also are being withdrawn. Furthermore, since TVA does not now have a firm schedule for the restart of Unit 1, any changes associated with the PRNM/MELLL will be resubmitted prior to Unit 1 restart.

For further details with respect to this action, see the application for amendment dated June 2, 1995, and March 6, 1997, and TVA's letters dated April 11, 1997, and March 13, 1998, 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 Athens Public Library, 405 E. South Street, Athens, Alabama.

Dated at Rockville, Maryland, this 4th day of November 1998.

For the Nuclear Regulatory Commission.  
**Albert W. De Agazio,**  
*Senior Project Manager, Project Directorate II-3, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*  
 [FR Doc. 98-30256 Filed 11-10-98; 8:45 am]  
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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-259]

### Tennessee Valley Authority; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted a request by the Tennessee Valley Authority (TVA) to withdraw its June 21, 1996, application for an amendment to Facility Operating License DPR-33 issued to TVA for the operation of the Browns Ferry Nuclear Plant, Unit 1, located in Limestone County, Alabama. The application was supplemented by letter dated February 7, 1997. Notice of consideration of issuance of this amendment was published in the **Federal Register** on August 14, 1996 (61 FR 42285).

The proposed amendment, submitted in custom technical specification format, would have provided a new safety limit minimum critical power ratio (SLMCPR) to replace the existing non-conservative value. The proposed amendment also would have updated a technical specification bases to clarify the usage of the residual heat removal supplemental spent fuel pool cooling mode.

On May 7, 1997, the Nuclear Regulatory Commission (NRC) issued the Bases change, however, no further action was taken on the remainder of the application pending TVA documentation of completion of analyses related to the SLMCPR for Unit 1. On July 14, 1998, the NRC issued Amendment No. 234 to Operating License DPR-33. Amendment No. 234 converted the Unit 1 custom technical specifications, which were in effect at the time the June 21, 1996, application was submitted, into the standard technical specification format. Thus, the NRC was unable to take any further action upon the June 21, 1996, application. TVA's letter of October 13, 1998, informed the staff that the requested changes are no longer needed. Furthermore, since TVA does not now have a firm schedule for the restart of Unit 1, any changes associated with the SLMCPR will be resubmitted prior to Unit 1 restart.

For further details with respect to this action, see the application for amendment dated June 21, 1996, TVA's letters dated February 7, 1997, and October 13, 1998, and the staff's letter dated September 22, 1998, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, DC and at the local public document room located at the Athens Public Library, 405 E. South Street, Athens, Alabama.

Dated at Rockville, Maryland, this 4th day of November 1998.

For the Nuclear Regulatory Commission.  
**Albert W. De Agazio,**  
*Senior Project Manager, Project Directorate II-3, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*  
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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-029-LA-R; ASLBP No. 99-754-01-LA-R]

### Atomic Safety and Licensing Board; Yankee Atomic Electric Company (Yankee Nuclear Power Station), License Termination Plan; Notice of Prehearing Conference

Before Administrative Judges: Charles Bechhoefer, Chairman; Dr. Thomas S. Elleman; Thomas D. Murphy  
 November 5, 1998.

Notice is hereby given that, as provided in the Atomic Safety and Licensing Board's Memorandum and Order (Schedules for Remanded Proceeding; Prehearing Conference), dated October 27, 1998, a prehearing conference is hereby scheduled beginning at 9:30 a.m. on Wednesday, December 16, 1998, at the Grand Jury Room (top floor), Franklin County Courthouse, 425 Main Street, Greenfield, MA 01301. To the extent necessary, the conference will continue on Thursday and Friday, December 17 and 18, 1998, beginning at 9:00 a.m., at the same location.

The purpose of the conference will be to determine whether any of the petitioners found by the Commission in CLI-98-21 to have standing—i.e., the New England Coalition on Nuclear Pollution, Inc. (NECNP) and the Citizens Awareness Network (CAN)—have submitted admissible contentions conforming to the criteria set forth in 10 CFR 2.714 (b) and (d), to enable them to become parties to the proceeding. The conference will also consider petitions, if any, from interested States or

governmental bodies, as discussed by the Commission in CLI-98-21. Finally, to the extent necessary, the conference will consider discovery and future schedules for various aspects of the proceeding.

In accordance with 10 CFR 2.715(a), the Board will hear oral limited appearance statements at this prehearing conference. Any person not a party to the proceeding or a petitioner for intervention will be permitted to make such a statement, either orally or in writing, setting forth his or her position on issues of concern. These statements do not constitute testimony or evidence but may help the Board and/or parties in their deliberations on the extent of the issues to be considered.

Oral limited appearance statements may be given from 7:00 p.m. to 9:30 p.m. on Wednesday, December 16, 1998 (or such lesser time as is necessary to accommodate speakers who are present), at the same location as the site of the prehearing conference. (To the extent that the Board is apprised of a need to accommodate further speakers, it will attempt to do so at the beginning of any later session of the conference that may be necessary.) The number of persons making oral statements and the time allotted for each statement may be limited depending on the number of persons present at the designated time. (Normally, each oral statement may extend for up to five (5) minutes.) Written statements may be submitted at any time. Written statements, and requests for oral statements, should be submitted to the Office of the Secretary, Rulemakings and Adjudications Staff, U.S. Nuclear Regulatory Commission, Washington D.C. 20555. A copy of such statement or request should also be served on the Chairman of this Licensing Board. (Persons desiring to make oral statements who have filed a written request will be given priority over those who have not filed such a request.)

Documents relating to this application are on file at the Local Public Document Room, located at the Greenfield Community College, 1 College Drive, Greenfield, MA 01301, as well as at the Commission's Public Document Room, the Gelman Building, 2120 L St., N.W., Washington D.C. 20037.

*It is so ordered.*

Rockville, Maryland, November 5, 1998.

For the Atomic Safety and Licensing Board.

**Charles Bechhoefer,**

*Chairman, Administrative Judge.*

[FR Doc. 98-30259 Filed 11-10-98; 8:45 am]

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