

Virginia Avenue, Fort Pierce, Florida 34954-9003.

Dated at Rockville, Maryland, this 22nd day of December 1998.

For the Nuclear Regulatory Commission.

William C. Gleaves,

Project Manager, Project Directorate II-3, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 98-34573 Filed 12-30-98; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-335 and 50-389]

Florida Power and Light Company, et al.; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of the Florida Power and Light Company (the licensee) to withdraw its June 21, 1995 application for proposed amendments to Facility Operating Licenses Nos. 50-335 and 50-389 for the St. Lucie Plant, Unit Nos. 1 and 2, located in St. Lucie County, Florida.

The proposed amendment would have revised the facility technical specifications pertaining to the time allowed for a single inoperable Emergency Diesel Generator to be returned to operable status.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on September 27, 1995 (60 FR 49936). However, by letter dated December 15, 1998, the licensee withdrew the proposed changes.

For further details with respect to this action, see the application for amendments dated June 21, 1995, and the licensee's letter dated December 15, 1998, which withdrew the application for these license amendments. The above documents 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 Indian River Junior College Library, 3209 Virginia Avenue, Fort Pierce, Florida 34954-9003.

Dated at Rockville, Maryland, this 22nd day of December 1998.

For the Nuclear Regulatory Commission.

William C. Gleaves,

Project Manager, Project Directorate II-3, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 98-34624 Filed 12-30-98; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-315 and 50-316]

Indiana Michigan Power Company; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted a request by Indiana Michigan Power Company (the licensee) to withdraw its March 26, 1997, application for an amendment to Facility Operating License No. DPR-58 and Facility Operating License DPR-74 for the Donald C. Cook Nuclear Plant, Units 1 and 2, located in Berrien County, Michigan. Notice of Consideration of Issuance of this amendment was published in the **Federal Register** on May 21, 1997 (62 FR 27796).

The purpose of the licensee's amendment request was to modify the Technical Specifications (TS) to correct administrative errors.

Subsequently, the licensee informed the staff that the amendment is no longer required. Thus, the amendment application is considered to be withdrawn by the licensee.

For further details with respect to this action, see the application for amendment dated March 26, 1997. This document 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 in Maud Preston Palenske Memorial Library, 500 Market Street, St. Joseph, MI 49085.

Dated at Rockville, Maryland, this 22nd day of December 1998.

For the Nuclear Regulatory Commission.

John F. Stang,

Senior Project Manager, Project Directorate III-1, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 98-34575 Filed 12-30-98; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket 72-9]

Public Service Company of Colorado; Issuance of Environmental Assessment and Finding of No Significant Impact Regarding Proposed Exemption From Requirements of 10 CFR PART 72

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering issuance of an exemption from certain requirements of its regulations to Public Service Company of Colorado (PSCo). The requested exemption would allow PSCo to defer for up to 6 months the performance of a biennial emergency response exercise for the Fort St. Vrain (FSV) independent spent fuel storage installation (ISFSI).

Environmental Assessment (EA)

Identification of Proposed Action: By letter dated July 31, 1998, PSCo requested an exemption from the requirement in 10 CFR 72.32(b)(12)(i) which states, in part: "Each application for an * * * ISFSI that is licensed under this part and that may process and/or repackage spent fuel, must be accompanied by an Emergency Plan that includes * * * provisions for conducting * * * biennial onsite exercises to test response to simulated emergencies." PSCo requested to postpone performance of the required biennial exercise for 6 months until June 1999.

Need for the Proposed Action: As described in the July 31, 1998, request, the exemption is needed for the reasons discussed below. The Department of Energy has submitted a request to transfer Materials License SNM-2504, for the FSV ISFSI, from PSCo to DOE. This request, submitted on December 17, 1998, is currently under NRC staff review. The completion of this review and transfer of the license is anticipated in early 1999. To prepare for license transfer, DOE performed an emergency exercise on September 23, 1998, for the FSV ISFSI. This exercise, which was developed and executed by DOE and its agents, demonstrated the response of DOE's emergency response organization, as well as the response of local emergency responders, including local law enforcement and local ambulance services.

As current holder of the FSV ISFSI license, PSCo is required, pursuant to 10 CFR 72.32(b)(12)(i), to hold an emergency response exercise biennially. The next scheduled emergency exercise for PSCo should be conducted in December 1998. PSCo, in its exemption

request, describes the coordination with local community responders who are required to perform an emergency exercise. The exemption is requested to relieve the burden imposed on the local community responders, as well as on PSCo support staff, by having to prepare for and perform two emergency exercises between September 1998 and December 1998.

Environmental Impacts of the Proposed Action: The Environmental Assessment (EA) for the license application for the FSV ISFSI (56 FR 5428, February 11, 1991) considered the potential environmental impacts of construction and operation of an ISFSI at the FSV site. In the EA, the NRC concluded that storage of spent fuel at the FSV ISFSI will not significantly affect the quality of the environment. The proposed actions now under consideration would not change the potential environmental effects assessed in the EA. Specifically, there are no environmental impacts associated with deferring an emergency exercise conducted by PSCo for the FSV ISFSI. As previously discussed, an emergency response exercise was run at the FSV ISFSI on September 23, 1998. This exercise, although conducted by DOE, used existing local responders whose response is not affected by the pending license transfer. In addition, the onsite facility staff will remain essentially unchanged during the transition from PSCo to DOE and their response to emergency situations is not expected to be changed appreciably by the license transfer. The proposed exemption does not involve any changes that increase the probability or consequences of accidents which would require activation of the emergency response organization. The proposed exemption does not change the types of effluents that may be released offsite or significantly increase the allowable individual or cumulative occupational radiation exposure. Accordingly, the Commission concludes that this proposed exemption will have no significant radiological or nonradiological environmental impacts.

Alternative to the Proposed Action: Since there is no significant environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact are not evaluated. The alternative to the proposed action would be to deny approval of the exemption and, therefore, require PSCo to conduct an emergency exercise before December 31, 1998. This alternative would have no significant environmental impacts as well. However, denial of the requested exemption would result in an additional

exercise of local community emergency response resources, which, because these resources were exercised as recently as September 1998, would not provide any benefit.

Agencies and Persons Consulted: The Director of the Laboratory and Radiation Services Division of the Colorado Department of Public Health and Environment was consulted about this EA for the proposed action and had no concerns.

Finding of No Significant Impact

The environmental impacts of the proposed action have been reviewed in accordance with the requirements set forth in 10 CFR Part 51. Based upon the foregoing EA, the Commission finds that the proposed action of granting an exemption from 10 CFR 72.32(b)(12)(i) so that PSCo may defer conducting an emergency exercise for the FSV ISFSI will not significantly impact the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed exemption.

This application was docketed under 10 CFR Part 72, Docket 72-9. For further details with respect to this action, see the application for an ISFSI license dated December 17, 1996, and the request for exemption dated July 31, 1998, which are available for public inspection at the Commission's Public Document Room, 2120 L Street, NW, Washington, DC 20555.

Dated at Rockville, Maryland, this 23rd day of December 1998.

For the Nuclear Regulatory Commission.

Susan F. Shankman,

Deputy Director, Licensing and Inspection Directorate, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 98-34576 Filed 12-30-98; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-311]

Public Service Electric and Gas Company; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of the Public Service Electric and Gas Company (the licensee) to withdraw its May 1, 1997, application for proposed amendment to Facility Operating License No. DPR-75 for the Salem Nuclear Generating Station, Unit No. 2, located in Salem County, New Jersey.

The proposed amendment would have revised the facility technical specifications pertaining to auxiliary building exhaust air filtration system and the switchgear and penetration area ventilation system. In a letter dated August 14, 1997, the licensee retracted the portion of the amendment request regarding the auxiliary building exhaust air filtration system. The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on May 15, 1997 (62 FR 26526). However, by letter dated December 21, 1998, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated May 1, 1997, as supplemented on August 14, 1997, and the licensee's letter dated December 21, 1998, which withdrew the application for license amendment. The above documents 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 Salem Free Public Library, 112 West Broadway, Salem, NJ 08079.

Dated at Rockville, Maryland, this 23rd day of December 1998.

For the Nuclear Regulatory Commission.

Patrick D. Milano,

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

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-22]

CBS Corporation Acting Through Its Westinghouse Electric Company Division; Westinghouse Test Reactor Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility License No. TR-2, issued to the CBS Corporation acting through its Westinghouse Electric Company Division. The license authorizes possession only and decommissioning of the Westinghouse Test Reactor (WTR), located in Westmoreland County, Pennsylvania.

Environmental Assessment

Identification of the Proposed Action

The proposed action would amend Facility License No. TR-2 for the WTR