

Dated at Rockville, Maryland, this 20th day of July 2001.

For the Nuclear Regulatory Commission.

Lawrence J. Burkhardt,

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NUCLEAR REGULATORY COMMISSION

Virginia Electric Power Company, North Anna, Units 1 and 2, and Surry, Units 1 and 2, Notice of Acceptance for Docketing of the Applications and Notice of Opportunity for a Hearing Regarding Renewal of Facility Operating License Nos. NPF-4, NPF-7, DPR-32, and DPR-37 for an Additional 20-year Period

The U.S. Nuclear Regulatory Commission (the Commission) is considering applications for the renewal of Operating License Nos. NPF-4 and NPF-7, issued pursuant to Section 103 of the Atomic Energy Act of 1954, as amended, which authorize Virginia Electric Power Company (VEPCO) to operate North Anna Nuclear Station, Units 1 and 2, at 2893 megawatts thermal; and Operating License Nos. DPR-32 and DPR-37, issued pursuant to Section 104b of the Atomic Energy Act of 1954, as amended, which authorize VEPCO to operate Surry Nuclear Station, Units 1 and 2, at 2546 megawatts thermal. The renewed licenses would authorize the applicant to operate North Anna Nuclear Station, Units 1 and 2, and Surry Nuclear Station, Units 1 and 2, for an additional 20 years beyond the period specified in the current licenses. The current operating licenses for North Anna Nuclear Station, Units 1 and 2, expire on April 1, 2018, and August 21, 2020, respectively. The current operating licenses for Surry Nuclear Station, Units 1 and 2, expire on May 25, 2012 and January 29, 2013, respectively.

VEPCO submitted an application to renew the operating licenses for North Anna, Units 1 and 2, and Surry, Units 1 and 2 on May 29, 2001. A Notice of Receipt of Application, "Virginia Electric Power Company, North Anna, Units 1 and 2, and Surry, Units 1 and 2; Notice of Receipt of Application for Renewal of Facility Operating License Nos. NPF-4, NPF-7, DPR-32, and DPR-37 for an Additional 20-year Period," was published in the **Federal Register** on June 28, 2001 (66 FR 34489).

The Commission's staff has determined that VEPCO has submitted information in accordance with 10 CFR 54.19, 54.21, 54.22, 54.23, and 51.53(c) that is complete and acceptable for docketing. The current Docket Nos. 50-338, 339, 280, and 281 for Operating License Nos. NPF-4, NPF-7, DPR-32, and DPR-37, respectively, will be retained. The docketing of the renewal application does not preclude requesting additional information as the review proceeds, nor does it predict whether the Commission will grant or deny the application.

Before issuance of each requested renewed license, the NRC will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the NRC's rules and regulations. In accordance with 10 CFR 54.29, the NRC will issue a renewed license on the basis of its review and findings that actions have been identified and have been or will be taken with respect to (1) managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified as requiring aging management review, and (2) time-limited aging analyses that have been identified as requiring review such that there is reasonable assurance that the activities authorized by the renewed license will continue to be conducted in accordance with the current licensing basis (CLB) and that any changes made to the plant's CLB comply with the Act and the Commission's regulations.

Additionally, in accordance with 10 CFR 51.95(c), the NRC will prepare an environmental impact statement that is a supplement to the Commission's NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Power Plants" (May 1996). Pursuant to 10 CFR 51.26, and as part of the environmental scoping process, the staff intends to hold a public scoping meeting. Detailed information regarding this meeting will be included in a future **Federal Register** notice. The Commission also intends to hold public meetings to discuss the license renewal process and the schedule for conducting the review. The Commission will provide prior notice of these meetings. As discussed further herein, in the event that a hearing is held, issues that may be litigated will be confined to those pertinent to the foregoing.

By August 27, 2001, the applicant may file a request for a hearing, 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

with respect to the renewal of the licenses in accordance with the provisions of 10 CFR 2.714. Interested persons should consult a current copy of 10 CFR 2.714, which is available at the Commission's Public Document Room, 11555 Rockville Pike (first floor) Rockville, Maryland, and on the NRC Web site at <http://www.nrc.gov> (the Electronic Reading Room). If a request for a hearing or a 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(s) and/or petition(s), and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order. In the event that no request for a hearing or petition for leave to intervene is filed by the above date, the NRC may, upon completion of its evaluations and upon making the findings required under 10 CFR parts 54 and 51, renew the licenses without further notice.

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, taking into consideration the limited scope of matters that may be considered pursuant to 10 CFR parts 54 and 51. The petitioner must 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 a 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 that may be entered in the proceeding on the petitioner's interest. The petition must 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 before 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 before the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene that must include a list of the contentions that the petitioner seeks to have litigated in the hearing. 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 each contention and a concise statement of the alleged facts or the expert opinion that supports 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. The 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 action under consideration. The contention must be one that, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement that 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.

Requests for a hearing and petitions 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, 11555 Rockville Pike (first floor), Rockville, Maryland, 20855-2738, by the above date. A copy of the request for a hearing and the petition to intervene should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Mr. David A. Christian, Sr. Vice President and Chief Nuclear Officer, Virginia Electric Power Company, Innsbrook Technical Center, 5000 Dominion Boulevard, Glen Allen, VA 23060-6711.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions, and/or requests for a hearing will not be entertained absent a determination by the Commission, the presiding officer, or the 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).

Detailed information about the license renewal process can be found under the nuclear reactors' icon of the NRC's Web page at <http://www.nrc.gov>.

A copy of the applications to renew the operating licenses for North Anna Nuclear Station, Units 1 and 2, and Surry Nuclear Station, Units 1 and 2, is available for public inspection at the Commission's Public Document Room, 11555 Rockville Pike (first floor), Rockville, Maryland, 20855-2738, and on the NRC's Web page at <http://www.nrc.gov>. The staff has also verified that a copy of the license renewal application for the North Anna nuclear station has been provided to the Alderman Library at the University of Virginia, and that a copy of the license renewal application for the Surry nuclear station has been provided to the Swem Library at the College of William and Mary.

Dated at Rockville, Maryland, this the 23rd day of July 2001.

For the Nuclear Regulatory Commission.

Christopher I. Grimes,

Chief, License Renewal and Standardization Branch, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-305]

Nuclear Management Company, LLC, Kewaunee Nuclear Power Plant, Notice of Consideration of Approval of Transfer of Facility Operating License and Conforming Amendment, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an order under 10 CFR 50.80 approving the transfer of Facility Operating License No. DPR-43 for the Kewaunee Nuclear Power Plant (KNPP), to the extent held by Madison Gas and Electric Company (MG&E) in connection with MG&E's 17.8 percent ownership interest in KNPP. The transfer would be to Wisconsin Public Service Corporation (WPSC), currently a 41.2 percent owner of KNPP. Wisconsin Power and Light Company (WP&L), the only other co-owner of KNPP, is not involved in the transfer. Nuclear Management Company, LLC (NMC), the licensed operator of KNPP, would remain as such. The Commission is also considering amending the license for administrative purposes to reflect the proposed transfer.

According to an application for approval filed by NMC, WPSC would acquire MG&E's ownership interest in the facility following approval of the proposed license transfer, and would become responsible for the decommissioning costs for KNPP that are currently the responsibility of MG&E, in addition to remaining responsible for such costs associated with WPSC's current ownership interest. MG&E will transfer a certain amount of the decommissioning trust funds accumulated by it, and make certain additional payments, to WPSC such that the total amount of decommissioning funds held by WPSC following the transfer of MG&E's ownership interest in KNPP to WPSC would exceed the Commission's required minimum amount on a pro rata basis. No physical changes to the facility or operational changes are being proposed in the application.

The proposed amendment would delete references to MG&E in the license to reflect the proposed transfer.

Pursuant to 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. The Commission will approve an application for the transfer of a license, if the Commission determines that the proposed transferee is qualified to hold the license, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

Before issuance of the proposed conforming 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.

As provided in 10 CFR 2.1315, unless otherwise determined by the Commission with regard to a specific application, the Commission has determined that any amendment to the license of a utilization facility which does no more than conform the license to reflect the transfer action involves no significant hazards consideration. No contrary determination has been made with respect to this specific license amendment application. In light of the generic determination reflected in 10 CFR 2.1315, no public comments with respect to significant hazards considerations are being solicited, notwithstanding the general comment procedures contained in 10 CFR 50.91.

The filing of requests for hearing and petitions for leave to intervene, and written comments with regard to the