

U.S. Nuclear Regulatory Commission,
Washington, DC 20555-0001, by
telephone at 301-415-7233, or by
Internet electronic mail to
INFOCOLLECTS@NRC.GOV.

Dated at Rockville, Maryland, this 14th day
of February 2005.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

*NRC Clearance Officer, Office of Information
Services.*

[FR Doc. 05-3263 Filed 2-18-05; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-423]

Dominion Nuclear Connecticut, Inc.; **Notice of Consideration of Issuance of** **Amendment to Facility Operating** **License, Proposed No Significant** **Hazards Consideration Determination,** **and Opportunity for a Hearing**

The U.S. Nuclear Regulatory
Commission (NRC or the Commission)
is considering issuance of an
amendment to Facility Operating
License No. NPF-49 issued to the
Millstone Power Station, Unit No. 3 for
operation in New London County,
Connecticut.

The proposed amendment would
revise Technical Specification 3/4.3.2,
"Engineered Safety Features Actuation
System Instrumentation," Table 3.3-3,
extending the allowed outage time for
the Emergency Generator Load
Sequencer (EGLS) from 6 hours to 12
hours. This extension was requested to
support maintenance on the EGLS
which would correct a recently
identified failure of the automatic test
circuit for the 'A' EGLS.

Before issuance of the proposed
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.

The Commission has made a
proposed determination that the
amendment request involves no
significant hazards consideration.
Pursuant to the Commission's
regulations in Title 10 of the Code of
Federal Regulations (10 CFR), section
50.92, this means that operation of the
facility in accordance with the proposed
amendment would not (1) involve a
significant increase in the probability or
consequences of an accident previously
evaluated; or (2) create the possibility of
a new or different kind of accident from
any accident previously evaluated; or
(3) involve a significant reduction in a

margin of safety. As required by 10 CFR
50.91(a), the licensee has provided its
analysis of the issue of no significant
hazards consideration, which is
presented below:

Criterion 1:

Does the proposed amendment involve a
significant increase in the probability or
consequences of an accident previously
evaluated?

Response: No.

The proposed change increases the allowed
time to restore the inoperable EGLS to
operable status from 6 to 12 hours. The
proposed change does not modify any plant
equipment and does not impact any failure
modes that could lead to an accident.
Additionally, the proposed change has no
effect on the consequence of any analyzed
accident since the change does not affect the
function of any equipment credited for
accident mitigation. Based on this
discussion, the proposed amendment does
not increase the probability or consequences
of an accident previously evaluated.

Criterion 2:

Does the proposed amendment create the
possibility of a new or different kind of
accident from any accident previously
evaluated?

Response: No.

The proposed change increases the allowed
time to restore the inoperable EGLS to
operable status from 6 to 12 hours. It does
not modify any plant equipment and there is
no impact on the capability of existing
equipment to perform its intended functions.
No system setpoints are being modified and
no changes are being made to the method in
which plant operations are conducted. No
new failure modes are introduced by the
proposed changes. The proposed amendment
does not introduce accident initiators or
malfunctions that would cause a new or
different kind of accident. Therefore, the
proposed amendment does not create the
possibility of a new or different kind of
accident from any accident previously
evaluated.

Criterion 3:

Does the proposed amendment involve a
significant reduction in a margin of safety?

Response: No.

The proposed change increases the allowed
time to restore the inoperable EGLS to
operable status from 6 to 12 hours. The
proposed change does not affect any of the
assumptions used in the accident analysis,
nor does it affect any operability
requirements for equipment important to
plant safety. Therefore, the proposed change
will not result in a significant reduction in
the margin of safety as defined in the Bases
for Technical Specifications covered in this
License Amendment Request.

The NRC staff has reviewed the
licensee's analysis and, based on this
review, it appears that the three
standards of 10 CFR 50.92(c) are
satisfied. Therefore, the NRC staff
proposes to determine that the
amendment request involves no
significant hazards consideration.

The Commission is seeking public
comments on this proposed
determination. Any comments received
within 30 days after the date of
publication of this notice will be
considered in making any final
determination.

Normally, the Commission will not
issue the amendment until the
expiration of the 30-day notice period.
However, should circumstances change
during the notice period such that
failure to act in a timely way would
result, for example, in derating or
shutdown of the facility, the
Commission may issue the license
amendment before the expiration of the
30-day notice period, provided that its
final determination is that the
amendment involves no significant
hazards consideration. The final
determination will consider all public
and State comments received. Should
the Commission take this action, it will
publish in the **Federal Register** a notice
of issuance and provide for opportunity
for a hearing after issuance. The
Commission expects that the need to
take this action will occur very
infrequently.

Written comments may be submitted
by mail to the Chief, Rules and
Directives Branch, Division of
Administrative Services, Office of
Administration, U.S. Nuclear Regulatory
Commission, Washington, DC 20555-
0001, and should cite the publication
date and page number of this **Federal
Register** notice. Written comments may
also be delivered to Room 6D22, Two
White Flint North, 11545 Rockville
Pike, Rockville, Maryland, from 7:30
a.m. to 4:15 p.m. Federal workdays.
Documents may be examined, and/or
copied for a fee, at the NRC's Public
Document Room, located at One White
Flint North, Public File Area O1 F21,
11555 Rockville Pike (first floor),
Rockville, Maryland.

The filing of requests for hearing and
petitions for leave to intervene is
discussed below.

Within 60 days after the date of
publication of this notice, the licensee
may file a request for a hearing with
respect to issuance of the amendment to
the subject facility operating license 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. Requests for a hearing and a
petition for leave to intervene shall be
filed in accordance with the
Commission's "Rules of Practice for
Domestic Licensing Proceedings" in 10
CFR Part 2. Interested persons should
consult a current copy of 10 CFR 2.309,

which is available at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, or electronically on the Internet at the NRC Web site <http://www.nrc.gov/reading-rm/doc-collections/cfr/>. If there are problems in accessing the document, contact the Public Document Room Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr@nrc.gov. If a request for a hearing or 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 and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.309, 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. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The name, address, and telephone number of the requestor or petitioner; (2) the nature of the petitioner's right under the Act to be made party to the proceeding; (3) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition must also set forth the specific contentions which the petitioner/requestor seeks to have litigated at the proceeding.

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. The petition must include 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 amendment 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 amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

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 by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, and expedited delivery services: Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, Attention: Rulemaking and Adjudications Staff; or (3) e-mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, HearingDocket@nrc.gov; or (4) facsimile transmission addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC, Attention: Rulemaking and Adjudications Staff at (301) 415-1101, verification number is (301) 415-1966. A copy of the request for hearing should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and it is requested that copies be transmitted either by means of facsimile transmission to (301) 415-3725 or by e-mail to OGCMailCenter@nrc.gov. A copy of the request for hearing and petition for leave to intervene should also be sent to Lillian M. Cuoco, Senior Nuclear Counsel, Dominion Nuclear Connecticut, Inc., Rope Ferry Road,

Waterford, CT 06285, 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 2.309(c)(1)(i)-(viii).

For further details with respect to this action, see the application for amendment dated February 10, 2005, which is available for public inspection at the Commission's PDR, located at One White Flint North, File Public Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, 301-415-4737, or by e-mail to pdr@nrc.gov.

Dated in Rockville, Maryland, this 14th day of February, 2005.

For the Nuclear Regulatory Commission.

Victor Neres,

Senior Project Manager, Section 2, Project Directorate 1, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

Request To Amend License To Import Radioactive Waste

Pursuant to 10 CFR 110.70(c) "Public notice of receipt of an application," please take notice that the Nuclear Regulatory Commission has received the following request to amend an import license. Copies of the request are available electronically through ADAMS and can be accessed through the Public Electronic Reading Room (PERR) link <http://www.nrc.gov/NRC/ADAMS/index.html> at the NRC Homepage.

A request for a hearing or petition for leave to intervene may be filed within 30 days after publication of this notice in the **Federal Register**. Any request for hearing or petition for leave to intervene shall be served by the requestor or