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This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [dkw@nrc.gov](mailto:dkw@nrc.gov).

Dated: November 17, 2005.

**R. Michelle Schroll,**

*Office of the Secretary.*

[FR Doc. 05-23145 Filed 11-18-05; 10:53 am]

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## NUCLEAR REGULATORY COMMISSION

### Biweekly Notice; Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations

#### I. Background

Pursuant to section 189a.(2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (the Commission or NRC staff) is publishing this regular biweekly notice. The Act requires the Commission publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from October 28, 2005, to November 9, 2005. The last biweekly notice was published on November 8, 2005 (70 FR 67744).

*Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing*

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in 10 CFR 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. The basis for this proposed determination for each amendment request is shown below.

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. 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.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. Should the Commission make a final No Significant Hazards Consideration Determination, any hearing will take place 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. Copies of written comments received may be examined at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland. The filing of requests for a 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 PDR, located at One White Flint North, Public File Area O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/doc-collections/cfr/>. If a request for a hearing or petition for leave to intervene is filed within 60 days, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a 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 general requirements: (1) The name, address, and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the

requestor's/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/requestor shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner/requestor intends to rely in proving the contention at the hearing. The petitioner/requestor must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner/requestor 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/requestor to relief. A petitioner/requestor who fails to satisfy 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.

If a hearing is requested, and the Commission has not made a final determination on the issue of no significant hazards consideration, 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; (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; (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: Rulemakings and Adjudications Staff at (301) 415–1101, verification number is (301) 415–1966. A copy of the request for hearing and petition for leave to intervene 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 email to *OGCMailCenter@nrc.gov*. A copy of the request for hearing and petition for leave to intervene should also be sent to the attorney for the licensee.

Nontimely requests and/or petitions and contentions will not be entertained absent a determination by the Commission or the presiding officer of the Atomic Safety and Licensing Board that the petition, request and/or the contentions should be granted based on a balancing of the factors specified in 10 CFR 2.309(a)(1)(i)–(viii).

For further details with respect to this action, see the application for amendment which is available for public inspection at the Commission's PDR, located at One White Flint North, Public File Area 01F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the ADAMS Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the PDR Reference staff at 1 (800) 397–4209, (301) 415–4737 or by e-mail to *pdr@nrc.gov*.

FirstEnergy Nuclear Operating Company, et al., Docket No. 50–412, Beaver Valley Power Station, Unit No. 2, Beaver County, Pennsylvania

*Date of amendment request:* October 14, 2005.

*Description of amendment request:* The proposed changes would revise Technical Specifications (TSs) 3/4.8.2.3, "D.C. [direct current] Distribution—Operating" and 3/4.8.2.4, "D.C.

Distribution—Shutdown," to permit implementation of design changes associated with a battery charger upgrade.

*Basis for proposed no significant hazards consideration determination:* 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:

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

Response: No.

Failure of the components associated with the proposed change (*i.e.*, battery chargers and Uninterruptible Power Supply [UPS] rectifiers) would not initiate any of the accidents described in the Updated Final Safety Analysis Report. No design function is being changed, and there is no adverse impact on the probability or consequences of accidents described in the safety analyses. Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

Response: No.

Failure modes associated with the rectifiers are reduced by the addition of battery chargers. A rectifier failure in the original design would result in a loss of battery charging and vital-bus load carrying functions. As a result of the modification, a dedicated battery charger will eliminate the battery charging design function loss upon failure of a rectifier. The failure mode for the new battery charger will be limited to a failure mode previously associated with the rectifiers. No new failure modes are associated with the new battery chargers.

No new failure modes are created by the proposed change; therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The modification does not reduce the margin of safety. Vital and DC bus support functions are unaffected. The system will still consist of rectifier and inverter units to provide AC power to the associated vital buses and units that charge the bus batteries and carry the associated DC bus loads. The only difference is that the Nos. 2–3 and 2–4 UPS unit rectifiers will no longer perform both of these functions. Separate battery charger units will charge the bus batteries and carry the DC loads. The new arrangement for DC buses 2–3 and 2–4 will match the existing arrangement of DC buses 2–1 and 2–2, insofar as the modification will result in all four instrument buses having separate UPS rectifier assemblies and battery charger devices. Dedicated bus 2–3 and 2–4 charges should increase system reliability.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

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.

*Attorney for licensee:* Mary O'Reilly, FirstEnergy Nuclear Operating Company, FirstEnergy Corporation, 76 South Main Street, Akron, OH 44308.

*NRC Branch Chief:* Richard J. Laufer.

Tennessee Valley Authority, Docket No. 50-327, Sequoyah Nuclear Plant, Unit 1, Hamilton County, Tennessee

*Date of amendment request:* August 31, 2005.

*Description of amendment request:* The amendment would revise the Technical Specifications (TS) to adopt NRC-approved Revision 4 to Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-449, "Steam Generator Tube Integrity." The proposed amendment includes changes to the TS definition of Leakage, TS 3.4.6.2, "Reactor Coolant System, Operational Leakage," TS 3.4.5, "Steam Generator (SG) Tube Integrity," and adds TS 6.8.k, "Steam Generator (SG) Program," and TS 6.9.1.16, "Steam Generator Tube Inspection Report." The proposed changes are necessary in order to implement the guidance for the industry initiative on NEI 97-06, "Steam Generator Program Guidelines."

The NRC staff issued a notice of opportunity for comment in the **Federal Register** on March 2, 2005 (70 FR 10298), on possible amendments adopting TSTF-449, including a model safety evaluation and model no significant hazards consideration (NSHC) determination, using the consolidated line item improvement process. The NRC staff subsequently issued a notice of availability of the models for referencing in license amendment applications in the **Federal Register** on May 6, 2005 (70 FR 24126). The licensee affirmed the applicability of the following NSHC determination in its application dated August 31, 2005.

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), an analysis of the issue of no significant hazards consideration is presented below:

Criterion 1—The Proposed Change Does Not Involve a Significant Increase in the Probability or Consequences of an Accident Previously Evaluated

The proposed change requires a SG Program that includes performance criteria that will provide reasonable assurance that the SG tubing will retain integrity over the full range of operating conditions (including startup, operation in the power range, hot standby, cooldown and all anticipated transients included in the design specification). The SG performance criteria are based on tube structural integrity, accident induced leakage, and operational LEAKAGE.

A steam generator tube rupture (SGTR) event is one of the design basis accidents that are analyzed as part of a plant's licensing basis. In the analysis of a SGTR event, a bounding primary to secondary LEAKAGE rate equal to the operational LEAKAGE rate limits in the licensing basis plus the LEAKAGE rate associated with a double-ended rupture of a single tube is assumed.

For other design basis accidents such as a main steamline break (MSLB), rod ejection, and reactor coolant pump locked rotor the tubes are assumed to retain their structural integrity (i.e., they are assumed not to rupture). These analyses typically assume that primary to secondary LEAKAGE for all SGs is 1 gallon per minute or increases to 1 gallon per minute as a result of accident induced stresses. The accident induced leakage criterion introduced by the proposed changes accounts for tubes that may leak during design basis accidents. The accident induced leakage criterion limits this leakage to no more than the value assumed in the accident analysis.

The SG performance criteria proposed change to the TS identify the standards against which tube integrity is to be measured. Meeting the performance criteria provides reasonable assurance that the SG tubing will remain capable of fulfilling its specific safety function of maintaining reactor coolant pressure boundary integrity throughout each operating cycle and in the unlikely event of a design basis accident. The performance criteria are only a part of the SG Program required by the proposed change to the TS. The program, defined by NEI 97-06, Steam Generator Program Guidelines, includes a framework that incorporates a balance of prevention, inspection, evaluation, repair, and leakage monitoring. The proposed changes do not, therefore, significantly increase the probability of an accident previously evaluated.

The consequences of design basis accidents are, in part, functions of the DOSE EQUIVALENT I-131 in the primary coolant and the primary to secondary LEAKAGE rates resulting from an accident. Therefore, limits are included in the plant technical specifications for operational leakage and for DOSE EQUIVALENT I-131 in primary coolant to ensure the plant is operated within its analyzed condition. The typical analysis of the limiting design basis accident assumes that primary to secondary leak rate after the accident is 1 gallon per minute with no more than [500 gallons per day or 720 gallons per day] in any one SG, and that the reactor

coolant activity levels of DOSE EQUIVALENT I-131 are at the TS values before the accident.

The proposed change does not affect the design of the SGs, their method of operation, or primary coolant chemistry controls. The proposed approach updates the current TSs and enhances the requirements for SG inspections. The proposed change does not adversely impact any other previously evaluated design basis accident and is an improvement over the current TSs.

Therefore, the proposed change does not affect the consequences of a SGTR accident and the probability of such an accident is reduced. In addition, the proposed changes do not affect the consequences of an MSLB, rod ejection, or a reactor coolant pump locked rotor event, or other previously evaluated accident.

Criterion 2—The Proposed Change Does Not Create the Possibility of a New or Different Kind of Accident from any Previously Evaluated

The proposed performance based requirements are an improvement over the requirements imposed by the current technical specifications. Implementation of the proposed SG Program will not introduce any adverse changes to the plant design basis or postulated accidents resulting from potential tube degradation. The result of the implementation of the SG Program will be an enhancement of SG tube performance. Primary to secondary LEAKAGE that may be experienced during all plant conditions will be monitored to ensure it remains within current accident analysis assumptions.

The proposed change does not affect the design of the SGs, their method of operation, or primary or secondary coolant chemistry controls. In addition, the proposed change does not impact any other plant system or component. The change enhances SG inspection requirements.

Therefore, the proposed change does not create the possibility of a new or different type of accident from any accident previously evaluated.

Criterion 3—The Proposed Change Does Not Involve a Significant Reduction in the Margin of Safety

The SG tubes in pressurized water reactors are an integral part of the reactor coolant pressure boundary and, as such, are relied upon to maintain the primary system's pressure and inventory. As part of the reactor coolant pressure boundary, the SG tubes are unique in that they are also relied upon as a heat transfer surface between the primary and secondary systems such that residual heat can be removed from the primary system. In addition, the SG tubes isolate the radioactive fission products in the primary coolant from the secondary system. In summary, the safety function of an SG is maintained by ensuring the integrity of its tubes.

Steam generator tube integrity is a function of the design, environment, and the physical condition of the tube. The proposed change does not affect tube design or operating environment. The proposed change is expected to result in an improvement in the tube integrity by implementing the SG

Program to manage SG tube inspection, assessment, repair, and plugging. The requirements established by the SG Program are consistent with those in the applicable design codes and standards and are an improvement over the requirements in the current TSs.

For the above reasons, the margin of safety is not changed and overall plant safety will be enhanced by the proposed change to the TS.

The NRC staff proposes to determine that the amendments request involves no significant hazards consideration.

*Attorney for licensee:* General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, ET 11A, Knoxville, Tennessee 37902.

*NRC Branch Chief:* Michael L. Marshall, Jr.

*Notice of Issuance of Amendments to Facility Operating Licenses*

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application 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, Proposed No Significant Hazards Consideration Determination, and Opportunity for A Hearing in connection with these actions was published in the **Federal Register** as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.12(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendment, (2) the amendment, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment as indicated. All of these items are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint

North, Public File Area 01F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the PDR Reference staff at 1 (800) 397-4209, (301) 415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

AmerGen Energy Company, LLC, Docket No. 50-461, Clinton Power Station, Unit 1, DeWitt County, Illinois

*Date of application for amendment:* May 20, 2004, as supplemented May 23 and September 30, 2005.

*Brief description of amendment:* The amendment revised the Technical Specifications (TSs) to support the implementation of 24-month fuel cycles at Clinton Power Station, Unit 1.

*Date of issuance:* October 24, 2005.

*Effective date:* As of the date of issuance and shall be implemented within 60 days.

*Amendment No.:* 169.

*Facility Operating License No. NPF-62:* The amendment revised the TSs.

*Date of initial notice in Federal Register:* July 6, 2004 (69 FR 40669). The supplements dated May 23 and September 30, 2005, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 24, 2005.

No significant hazards consideration comments received: No.

AmerGen Energy Company, LLC, Docket No. 50-461, Clinton Power Station, Unit 1, DeWitt County, Illinois

*Date of application for amendment:* August 18, 2004, as supplemented May 13 and 25, June 14, August 17, and October 24 and 25, 2005.

*Brief description of amendment:* The amendment revised Technical Specification (TS) 4.3, "Fuel Storage," to reflect the increased spent fuel storage capacity at Clinton Power Station, Unit 1.

*Date of issuance:* October 31, 2005.

*Effective date:* As of the date of issuance and shall be implemented within 30 days.

*Amendment No.:* 170.

*Facility Operating License No. NPF-62:* The amendment revised the TSs.

*Date of initial notice in Federal Register:* August 29, 2005 (70 FR 51093). In the supplement dated June 14, 2005, the licensee changed the use of the building crane and the temporary crane. This change may have impacted the staff's original proposed no significant hazards consideration determination published on December 29, 2004 (69 FR 78051). Therefore a revised no significant hazards consideration determination was published on August 29, 2005. However, the supplements dated October 24 and 25, 2005, provided additional information that clarified the application, did not expand the scope of the application as noticed, and did not change the staff's original proposed no significant hazards consideration determination.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 31, 2005.

No significant hazards consideration comments received: No.

Duke Energy Corporation, Docket Nos. 50-269 and 50-270, Oconee Nuclear Station, Units 1 and 2, Oconee County, South Carolina

*Date of application of amendments:* August 18, 2005, as supplemented by letter dated September 15, 2005.

*Brief description of amendments:* The amendments revised the Technical Specifications 3.5.2.6 and 3.5.3.6 to accommodate the replacement of the reactor building emergency sump suction inlet trash racks and screens with strainers.

*Date of issuance:* November 1, 2005.

*Effective date:* As of the date of issuance and shall be implemented within 30 days from the date of issuance.

*Amendment Nos.:* 348/350.

*Renewed Facility Operating License Nos. DPR-38 and DPR-47:* Amendments revised the Technical Specifications.

*Date of initial notice in Federal Register:* August 31, 2005 (70 FR 51852). The supplement dated September 15, 2005, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated November 1, 2005.

No significant hazards consideration comments received: No.

Exelon Generation Company, LLC,  
Docket Nos. 50-237 and 50-249,  
Dresden Nuclear Power Station, Units 2  
and 3, Grundy County, Illinois

*Docket Nos. 50-254 and 50-265,  
Quad Cities Nuclear Power Station,  
Units 1 and 2, Rock Island County,  
Illinois*

*Date of application for amendments:* November 4, 2004, as supplemented by letters dated March 8, May 25 and July 8, 2005.

*Brief description of amendments:* The amendment revises TS Section 3.4.9, "Reactor Coolant System Pressure and Temperature (P/T) Limits." The changes revise the P/T limit curves for 54 effective full power years (EFPY) to support an additional 20 years of operation under the renewed license and resolve a non-conservative condition for TS 3.4.9, Figure 3.4.9-2, "Non-Nuclear Heatup/Cooldown Curve," for Quad Cities Nuclear Power Station.

*Date of issuance:* October 17, 2005.

*Effective date:* As of the date of issuance and shall be implemented within 90 days.

*Amendment Nos.:* 217, 209, 228, 223.

*Facility Operating License Nos. DPR-19, DPR-25, DPR-29 and DPR-30.* The amendments revised the Technical Specifications.

*Date of initial notice in Federal Register:* February 1, 2005 (70 FR 5244). The supplements dated March 8, May 25 and July 8, 2005, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated October 17, 2005.

No significant hazards consideration comments received: No.

Florida Power Corporation, et al.,  
Docket No. 50-302, Crystal River Unit  
No. 3 Nuclear Generating Plant, Citrus  
County, Florida

*Date of application for amendment:* January 27, 2005, as supplemented by letters dated August 12, September 9, and October 21, 2005.

*Brief description of amendment:* The amendment allows the licensee to utilize a probabilistic methodology to determine the contribution to main steamline break leakage rates for the once-through steam generator (OTSG)

from the tube end crack (TEC) alternate repair criteria described in Improved Technical Specification (ITS) 5.6.2.10.2.f and also involves a change to ITS 5.6.2.10.2.f to incorporate the basis of the proposed probabilistic methodology and the method and technical justification for projecting the TEC leakage that may develop during the next operating cycle following the inservice inspection of each OTSG.

*Date of issuance:* October 31, 2005.

*Effective date:* October 31, 2005.

*Amendment No.:* 222.

*Facility Operating License No. DPR-72:* Amendment revises the Technical Specifications.

*Date of notice in Federal Register:* August 26, 2005 (70 FR 50424) and Repeat Notice dated September 27, 2005 (70 FR 56505). The August 26, 2005, Notice revised the previous notice dated March 15, 2005 (70 FR 12746). The licensee's supplement dated August 12, 2005, revised the proposed no significant hazards consideration determination and the licensee's supplements dated September 9, and October 21, 2005, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's proposed no significant hazards consideration determination as published August 26, 2005, in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 31, 2005.

No significant hazards consideration comments received: No.

Pacific Gas and Electric Company,  
Docket Nos. 50-275 and 50-323, Diablo  
Canyon Nuclear Power Plant, Unit Nos.  
1 and 2, San Luis Obispo County,  
California

*Date of application for amendments:* March 11, 2005, and its supplement dated August 25, 2005.

*Brief description of amendments:* The amendments allow use of the steam generator tube W\* (W-star) alternate repair criteria for indications in the Westinghouse explosive tube expansion region on a permanent basis.

*Date of issuance:* October 28, 2005.

*Effective date:* As of the date of issuance, and shall be implemented prior to startup of Cycle 14.

*Amendment Nos.:* Unit 1-182; Unit 2-184.

*Facility Operating License Nos. DPR-80 and DPR-82:* The amendments revised the Technical Specifications.

*Date of initial notice in Federal Register:* April 26, 2005 (70 FR 21462).

The August 25, 2005, supplemental letter provided additional clarifying

information, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated October 28, 2005.

No significant hazards consideration comments received: No.

Southern California Edison Company, et al.,  
Docket Nos. 50-361 and 50-362, San  
Onofre Nuclear Generating Station,  
Units 2 and 3, San Diego County,  
California

*Date of application for amendments:* February 3, 2005.

*Brief description of amendments:* The amendments revised Technical Specification 3.6.3, "Containment Isolation Valves," Surveillance Requirements 3.6.3.3 and 3.6.3.4 for Containment Isolation Valves and Blind Flanges (CIVs), by adding a provision to exempt CIVs that are locked, sealed, or otherwise secured from the position verification requirements.

*Date of issuance:* November 3, 2005.

*Effective date:* November 3, 2005, to be implemented within 60 days of issuance.

*Amendment Nos.:* Unit 2-201; Unit 3-192.

*Facility Operating License Nos. NPF-10 and NPF-15:* The amendments revised the Technical Specifications.

*Date of initial notice in Federal Register:* March 1, 2005 (70 FR 9996).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated November 3, 2005.

No significant hazards consideration comments received: No.

STP Nuclear Operating Company,  
Docket Nos. 50-498 and 50-499, South  
Texas Project, Units 1 and 2, Matagorda  
County, Texas

*Date of amendment request:* June 2, 2005.

*Brief description of amendments:* The amendments change Technical Specification (TS) 3.4.6.1, "Reactor Coolant System Leakage Detection Systems," to specifically require only one containment radioactivity monitor (particulate channel) to be operable in Modes 1, 2, 3, and 4. Additionally, corresponding changes to the Surveillance Requirement (SR) 4.4.6.1 and 4.4.6.2.1, "Reactor Coolant System Operational Leakage," were also made.

*Date of issuance:* October 17, 2005.

*Effective date:* As of the date of issuance and shall be implemented within 90 days of issuance.

*Amendment Nos.:* Unit 1–174; Unit 2–162.

*Facility Operating License Nos. NPF–76 and NPF–80:* The amendments revised the Technical Specifications.

*Date of initial notice in Federal Register:* July 5, 2005 (70 FR 38722).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated October 17, 2005.

No significant hazards consideration comments received: No.

Virginia Electric and Power Company, Docket Nos. 50–338 and 50–339, North Anna Power Station, Units 1 and 2, Louisa County, Virginia

*Date of application for amendment:* March 1, 2005, as supplemented by letters dated June 16 and September 23, 2005.

*Brief description of amendment:* These amendments revise the frequency for the trip actuating device operational test (TADOT) of the P–4 interlock function. The proposed changes would revise the surveillance requirement frequency in Technical Specification 3.3.2 from “once per reactor trip breaker cycle” to “18 months” for North Anna, Units 1 and 2.

*Date of issuance:* October 24, 2005.

*Effective date:* As of the date of issuance and shall be implemented within 30 days from the date of issuance.

*Amendment Nos.:* 244/225.

*Renewed Facility Operating License Nos. NPF–4 and NPF–7:* Amendments change the Technical Specifications.

*Date of initial notice in Federal Register:* April 26, 2005 (70 FR 21465).

The supplements dated June 16 and September 23, 2005, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated October 24, 2005.

No significant hazards consideration comments received: No.

Virginia Electric and Power Company, Docket Nos. 50–338 and 50–339, North Anna Power Station, Units 1 and 2, Louisa County, Virginia

*Date of application for amendment:* July 14, 2005.

*Brief description of amendment:* These amendments correct two errors in the units of measure used to determine the Overtemperature  $\delta T$  Function Allowable Value.

*Date of issuance:* October 25, 2005.

*Effective date:* As of the date of issuance and shall be implemented within 30 days from the date of issuance.

*Amendment Nos.:* 245/226.

*Renewed Facility Operating License Nos. NPF–4 and NPF–7:* Amendments change the Technical Specifications.

*Date of initial notice in Federal Register:* August 16, 2005 (70 FR 48208)

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated October 25, 2005.

No significant hazards consideration comments received: No.

Dated at Rockville, Maryland, this 9th day of November, 2005.

For the Nuclear Regulatory Commission.

**Catherine Haney,**

*Director, Division of Operating Reactor Licensing Office of Nuclear Reactor Regulation.*

[FR Doc. 05–22795 Filed 11–21–05; 8:45 am]

**BILLING CODE 7590–01–P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 35–28064]

### Filing Under the Public Utility Holding Company Act of 1935, as Amended (“Act”)

November 15, 2005.

Notice is hereby given that the following filing has been made with the Commission pursuant to provisions of the Act and rules promulgated under the Act. All interested persons are referred to the application-declaration for complete statements of the proposed transactions summarized below. The application-declaration and any amendments are available for public inspection through the Commission's Branch of Public Reference.

Interested persons wishing to comment or request a hearing on the application-declaration should submit their views in writing by December 12, 2005, to the Secretary, Securities and Exchange Commission, Washington, DC 20549–0609, and serve a copy on Applicants at the addresses specified below. Proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. Any request for hearing should identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter.

After December 12, 2005, the application-declaration, as filed or as amended, may be granted and/or permitted to become effective.

### National Fuel Gas Company, et al. (70–10074)

National Fuel Gas Company (“NFG”), a registered holding company, National Fuel Gas Distribution Corporation (“Distribution”), a public-utility subsidiary company of NFG, and NFG's nonutility subsidiary companies, National Fuel Gas Supply Corporation, Horizon Energy Development, Inc. and its subsidiaries, Highland Forest Resources, Inc. and its subsidiaries, Leidy Hub, Inc., Data-Track Account Services, Inc., Horizon LFG, Inc. and its subsidiaries, Horizon Power, Inc. and its subsidiaries, all at 6363 Main Street, Williamsville, New York 14221, Seneca Resources Corporation and its subsidiaries, at 1201 Louisiana Street, Suite 400 Houston, Texas 77002, and National Fuel Resources, Inc. at 165 Lawrence Bell Drive, Suite 120, Williamsville, New York 14221 (Distribution and NFG's nonutility subsidiary companies are collectively referred to as, “Subsidiaries”), have filed a post-effective amendment to their application-declaration filed under sections 6(a), 7, 9(a), 10, 12(b), 12(f), and 13 of the Act and rules 45 and 54 under the Act.

By order dated November 12, 2002 (HCAR No. 27600) (“Prior Order”) the Commission authorized NFG and its Subsidiaries to engage in financing and related transactions through December 31, 2005 (“Authorization Period”). Specifically, the Commission authorized: (i) NFG to increase equity and long-term debt capitalization in an aggregate amount of up to an additional \$1.5 billion, excluding any common stock issued under NFG's shareholder rights plan, and to utilize the proceeds to make investments in its Subsidiaries, and for other corporate purposes; (ii) NFG to issue and sell from time to time up to \$750 million principal amount of unsecured short-term debt securities such as commercial paper and notes issued under credit facilities; (iii) NFG and the Subsidiaries to enter into interest rate hedges with respect to outstanding indebtedness and to enter into certain anticipatory interest rate hedging transactions; (iv) NFG to guarantee securities of its Subsidiaries and provide other forms of credit support with respect to obligations of its Subsidiaries as may be necessary in the ordinary course of business in an aggregate amount not to exceed \$2 billion outstanding at any one time; (v) NFG to continue to administer the NFG