

the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should 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 prior to 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 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 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 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, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 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 Mr. Peter Marquardt, Legal Department, 688 WCB, Detroit Edison Company, 2000 2nd Avenue, Detroit, Michigan 48226-1279, 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 amendment dated December 29, 2000, supplemented May 2 and July 19, 2001, which is available for public inspection at the Commission's Public Document Room, located at One White Flint North, 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/NRC/ADAMS/index.html>. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room Reference staff at 1-800-397-4209, 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 21st day of August 2001.

For the Nuclear Regulatory Commission.

**Tae Kim,**

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

[FR Doc. 01-21582 Filed 8-24-01; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-483]

### Union Electric 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 Union Electric Company (the licensee) to withdraw its application dated May 25, 2000, as supplemented by letters dated March 2 and 21, 2001, for proposed amendment to Facility Operating License No. NPF-30 for the Callaway Plant, Unit 1, located in Callaway County, Missouri.

The proposed amendment would have revised Technical Specification 3.3.9, "Boron Dilution Mitigation System (BDMS)," to eliminate the system to avoid recurring inadvertent actuations of the system.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on June 14, 2000 (65 FR 37429). However, by letter dated August 13, 2001, the licensee withdrew the proposed change. Upon further consideration by the licensee, the proposed changes to TS 3.3.9 were no longer considered an improvement to the Callaway Plant. The licensee stated that due to repairs in Refueling Outage 10 (November 1999), there were no inadvertent actuations of the boron dilution mitigation system during Refueling Outage 11 (April-May 2001).

For further details with respect to this action, see the application for amendment dated May 25, 2000, and its supplemental letters dated March 2 and 21, 2001, and the licensee's letter dated August 13, 2001, which withdrew the application for license amendment.

Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically 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/NRC/>

ADAMS/index/html. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, please contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737 or by e-mail to [pdrr@nrc.gov](mailto:pdrr@nrc.gov).

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

For the Nuclear Regulatory Commission.

**Jack Donohew,**

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

[FR Doc. 01-21581 Filed 8-24-01; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-445 and 50-446]

### TXU Electric; Comanche Peak Steam Electric Station, Units 1 and 2 Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of amendments to Facility Operating License (FOL) Nos. NPF-87 and NPF-89, issued to TXU Electric (TXU or the licensee), for operation of the Comanche Peak Steam Electric Station (CPSES), Units 1 and 2, located in Somervell and Hood Counties, Texas.

#### Environmental Assessment

##### Identification of the Proposed Action

The proposed license amendments would amend the FOLs, and change the Technical Specifications, to increase the maximum, licensed, thermal power of both CPSES, Units 1 and 2, to 3458 MWt, which would represent an increase of approximately 1.4 percent of the currently licensed thermal power for CPSES, Unit 1, and an increase of approximately 0.4 percent for CPSES, Unit 2. In addition, TXU requests that Texas Municipal Power Agency (TMPA) be removed from both Units 1 and 2 licenses since transfer of ownership from TMPA to TXU was completed.

The proposed action is in accordance with the licensee's application for license amendment dated April 5, 2001. Section 6.0 of Attachment 2 to the licensee's April 5, 2001, application contains the licensee's Environmental Evaluation.

##### The Need for the Proposed Action

The proposed action would allow an increase in power generation at CPSES, Units 1 and 2, to provide additional electrical power for distribution to the

grid. In certain circumstances, power uprate has been recognized as a safe and cost-effective method to increase generating capacity. The deletion of TMPA from FOL Nos. NPF-87 and NPF-89 is needed in order to accurately reflect the ownership status of CPSES.

#### Environmental Impacts of the Proposed Action

The NRC has previously evaluated the environmental impact of operation of CPSES, Units 1 and 2, as described in NUREG-0775, "Final Environmental Statement Related to the Operation of Comanche Peak Steam Electric Station, Units 1 and 2," September 1981. With regard to consequences of postulated accidents, the licensee has analyzed the design-basis accident doses for the exclusion area boundary, low population zone, and the control room dose to the operators and determined that there will be a small increase in these doses; however, the analysis presented in NUREG-0775 postulates these doses resulting from releases at 104.5 percent of the currently licensed power level. Thus, the increase in postulated doses due to design-basis accidents is bounded by the previous evaluation presented in NUREG-0775 and are within the applicable limits of General Design Criterion 19 of Appendix A to Title 10 of the Code of Federal Regulations (10 CFR) Part 50 and the applicable limits of 10 CFR Part 100. No increase in the probability of these accidents is expected to occur.

With regard to normal releases, calculations have been performed that show the potential impact on the radiological effluents from the proposed increase in power level of CPSES, Units 1 and 2. For the proposed increase in power level for CPSES, Units 1 and 2, the calculations show that the offsite doses from normal effluent releases remain significantly below the bounding limits of 10 CFR Part 50, Appendix I. Normal annual average gaseous release remains limited to a small fraction of 10 CFR Part 20 limits for identified mixtures. Solid and liquid waste processing systems are expected to operate within their design requirements. More frequent operation of these systems may lead to a slight increase in solid and liquid production, but this increase is not expected to be significant.

The NRC has completed its evaluation of the proposed action, and concludes that the proposed action will not increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released off site, and there is no significant increase in occupational or

public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does not have a potential to affect historic sites. With regard to thermal discharges to the Squaw Creek Reservoir, a small increase in the circulating water discharge temperature is expected due to the proposed increase in maximum thermal power for CPSES, Units 1 and 2. The increase is expected to be less than .25 degrees Fahrenheit, and therefore, insignificant. Existing administrative controls ensure the conduct of adequate monitoring, such that appropriate actions can be taken to preclude exceeding National Pollution Discharge Elimination System (NPDES) permitted limits. No additional monitoring requirements or other changes relative to the NPDES permit are required as a result of the proposed increase in maximum thermal power for CPSES, Units 1 and 2 and there will be no increase in water usage.

Therefore, as described in the preceding discussion, the proposed increase in maximum thermal power for CPSES, Units 1 and 2, would not have a significant environmental impact on the Squaw Creek Reservoir.

With regard to deletion of TMPA from FOL Nos. NPF-87 and NPF-89, this action is administrative in nature in that the transfer of ownership has already occurred in accordance with FOL license conditions. Accordingly, the deletion of TMPA from FOL Nos. NPF-87 and NPF-89 has neither radiological nor nonradiological impact.

Based upon the above, the NRC concludes that the proposed action does not significantly affect nonradiological plant effluents and has no other environmental impact. Therefore, there are no significant nonradiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

#### Environmental Impacts of the Alternatives to the Proposed Action

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the "no-action" alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.