For the Nuclear Regulatory Commission.

Dated this 15th day of February 2000 at Rockville, Maryland.

Ronald D. Hauber,

Deputy Director, Office of International Programs.

[FR Doc. 00–4082 Filed 2–18–00; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. STN 50–454 and STN 50–455]

Commonwealth Edison Company, Byron Station, Units 1 and 2; Notice of Withdrawal of Application for Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Commonwealth Edison Company (ComEd, the licensee) to withdraw its October 16, 1997, application for proposed amendments to Facility Operating Licenses Nos. NPF–37 and NPF–66 for the Byron Station, Unit Nos. 1 and 2, located in Ogle County, Illinois.

The proposed amendments would have revised the license of Byron, Unit 1, to incorporate an exemption from 10 CFR 70.24(a) consistent with the Unit 2 license. The Unit 2 license would have been amended accordingly.

The Commission had previously issued a Notice of Consideration of Issuance of Amendments published in the **Federal Register** on April 22, 1998 (63 FR 19966). However, by letter dated January 6, 2000, the licensee withdrew the proposed changes.

For further details with respect to this action, see the application for amendments dated October 16, 1997, and the licensee's letter dated January 6, 2000, which withdrew the application for 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 accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (http://www.nrc.gov).

Dated at Rockville, Maryland, this 15th day of February 2000.

For the Nuclear Regulatory Commission.

George F. Dick, Jr.,

Sr. Project Manager, Section 2, Project Directorate III, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50–271]

Vermont Yankee Nuclear Power Corporation; 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 (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR–28 issued to Vermont Yankee Nuclear Power Corporation (the licensee) for operation of the Vermont Yankee Nuclear Power Station (VY) located in Vernon, Vermont.

The proposed amendment would delete the requirement to exercise main steam isolation valves (MSIVs) twice weekly by partial closure and subsequent re-opening. The quarterly full-stroke testing TS requirements are retained.

Beginning with partial closure testing performed on January 17, 2000, MSIV 80–C has exhibited slower than normal re-opening time during the test. Closing times and the quarterly full stroke testing of this MSIV in accordance with the inservice testing (IST) program have been acceptable. However, the re-opening time has continued to be erratic since the January 17 test and is trending up (i.e., taking longer to re-open). This is evidenced by two other tests indicating slower than expected re-opening times. If the MSIV were to fail to re-open and continue closing, a plant transient could result. Therefore, the licensee stated that exigent circumstances exist because continued partial-closure testing of inboard MSIV 80-C has the potential to induce an operational transient, considering the probable degraded condition of its test pilot valve. The test pilot valve is not used to test the safety function of the MSIV; its use is required to perform the twice-weekly partial closure exercise of the MSIV.

Prior to January 17, 2000, there was no indication of degradation of MSIV partial-closure testing performance. A review of inservice testing data for all MSIVs since 1996 indicates all MSIVs have met acceptance criteria relative to demonstrating isolation (full closure) times within 3–5 seconds as required by Technical Specifications and assumed in accident analyses. The licensee could not have anticipated the need for processing this change under 10 CFR 50.91(a)(6) since the circumstance described above is recently occurring and is only evident in three recent partial-closure tests. The situation was unavoidable considering the past reliable performance of the MSIVs and their pneumatic actuators. The subject test pilot valve was refurbished in 1998 as part of scheduled preventive maintenance on the MSIV pneumatic actuator unit. Again, prior to January 17, 2000, VY had no indication of degradation of the suspected test pilot valve.

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.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment request involves 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. 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. The operation of Vermont Yankee Nuclear Power Station in accordance with the proposed amendment will not involve a significant increase in the probability or consequences of an accident previously evaluated.

The frequency of MSIV testing is not assumed to be an initiator of any analyzed event. This change will not alter the basic operation of process variables, structures, systems, or components as described in the safety analyses. The twice-weekly exercise of MSIVs is not intended to verify the safety function of the MSIVs. The safety function testing will continue to be conducted during the quarterly, full-stroke fast closure MSIV test. However, eliminating unnecessary testing of the MSIVs may reduce the probability of occurrence of an inadvertent valve closure that could lead to a plant transient condition.

Deleting the twice-weekly MSIV test is not considered to have any measurable effect on the reliability of the MSIVs to perform their safety function; therefore, the mitigating function of the MSIVs is maintained. The consequences of accidents previously evaluated will not be affected by this change because the surveillances to test MSIVs in accordance with the IST [inservice testing] program and Section XI of the ASME Code will still be performed, assuring that MSIVs will perform their intended safety function.