

AUGUST 29 1978

Docket No. 50-277

Philadelphia Electric Company  
ATTN: Mr. Edward G. Bauer, Jr., Esquire  
Vice President and General Counsel  
2301 Market Street  
Philadelphia, Pennsylvania 19101

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Gentlemen:

The Commission has requested the Office of the Federal Register to publish the enclosed Notice of Proposed Issuance of Amendment to Facility Operating License for the Peach Bottom Atomic Power Station, Unit No. 2. The proposed amendment would revise the Technical Specifications to permit operation of Unit No. 2 with a new fuel type during Cycle 4 and to include Technical Specifications associated with the operating limits for Cycle 4.

The action proposed is in accordance with your application for amendment dated July 28, 1978.

Sincerely,

Original signed by

Thomas A. Ippolito, Chief  
Operating Reactors Branch #3  
Division of Operating Reactors

Enclosure:  
Federal Register Notice

cc w/enclosure:  
see next page

OFFICE	ORB#3	ORB#3	OELD	OR
SURNAME	SSheppard	DVerrelli:acr		
DATE	8/23/78	8/17/78	8/24/78	8/27/78

Philadelphia Electric Company

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cc:

Eugene J. Bradley  
Philadelphia Electric Company  
Assistant General Counsel  
2301 Market Street  
Philadelphia, Pennsylvania 19101

Troy B. Conner, Jr.  
1747 Pennsylvania Avenue, N. W.  
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Government Publications Section  
State Library of Pennsylvania  
Education Building  
Commonwealth and Walnut Streets  
Harrisburg, Pennsylvania 17126

M. J. Cooney, Superintendent  
Generation Division - Nuclear  
Philadelphia Electric Company  
2301 Market Street  
Philadelphia, Pennsylvania 19101

UNITED STATES NUCLEAR REGULATORY COMMISSIONDOCKET NO. 50-277PHILADELPHIA ELECTRIC COMPANY  
PUBLIC SERVICE ELECTRIC AND GAS COMPANY  
DELMARVA POWER AND LIGHT COMPANY  
ATLANTIC CITY ELECTRIC COMPANYNOTICE OF PROPOSED ISSUANCE OF AMENDMENT  
TO FACILITY OPERATING LICENSE

The Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-44 issued to Philadelphia Electric Company, Public Service Electric and Gas Company, Delmarva Power and Light Company, and Atlantic City Electric Company (the licensees), for operation of the Peach Bottom Atomic Power Station, Unit No. 2, located in Peach Bottom, York County, Pennsylvania.

The amendment would revise the provisions in the Technical Specifications to permit operation of Peach Bottom Atomic Power Station Unit No. 2 with a new fuel type during Cycle 4 and to include Technical Specifications associated with the operating limits for Cycle 4.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations.

By October 10, 1978, the licensees 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 petition for leave to intervene. Requests for a hearing and petitions 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. 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 §2.714, 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. The petition should 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 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 his petition, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, the petitioner shall file a supplement to his petition to intervene which must include a list of the contentions which he seeks to have litigated in the matter, and the bases for each contention set forth with reasonable specificity. 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.

A request for a hearing or a petition for leave to intervene shall be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Docketing and Service Section, or may be delivered to the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. by the above date. A copy of the petition should also be sent to the Executive Legal Director, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, and to Troy B. Conner, Jr., Esquire, 1747 Pennsylvania Avenue, N. W., Washington, D. C. 20666, attorney for the licensees.

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 Atomic Safety and Licensing Board designated to rules on the petition and/or request, that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR §2.714(a)(i)-(v) and §2.714(d).

For further details with respect to this action, see the application for amendment dated July 28, 1978, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. and at the Government Publications Section, State Library of Pennsylvania, Education Building, Commonwealth and Walnut Streets, Harrisburg, Pennsylvania 17126.

Dated at Bethesda, Maryland, this 29 day of August 1978.

FOR THE NUCLEAR REGULATORY COMMISSION

  
Thomas A. Ippolito, Chief  
Operating Reactors Branch #3  
Division of Operating Reactors