

December 4, 2002

Mr. Gregg R. Overbeck
Senior Vice President, Nuclear
Arizona Public Service Company
P.O. Box 52034
Phoenix, AZ 85072-2034

SUBJECT: PALO VERDE NUCLEAR GENERATING STATION, UNIT 1 - WITHDRAWAL
OF AMENDMENT REQUEST (TAC NO. MB6378)

Dear Mr. Overbeck:

By letter dated September 26, 2002 (102-04844), and its supplement dated October 23, 2002 (102-04856), you applied for an amendment to Facility Operating License No. NPF-41 for the Palo Verde Nuclear Generating Station, Unit 1. The proposed change would have modified the Unit 1 Technical Specifications pertaining to steam generator tube inspection. Subsequently, by letter dated November 19, 2002 (102-04865), you requested to withdraw the amendment request and as stated in our letter of November 22, 2002, the staff did not have any objections.

Since the amendment request has been withdrawn, the Commission has filed the enclosed Notice of Withdrawal of Application for Amendment to Facility Operating License with the Office of the Federal Register for publication.

Sincerely,

/RA/

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

Docket No. STN 50-528

Enclosure: Notice of Withdrawal

cc w/encl: See next page

December 4, 2002

Mr. Gregg R. Overbeck
Senior Vice President, Nuclear
Arizona Public Service Company
P.O. Box 52034
Phoenix, AZ 85072-2034

SUBJECT: PALO VERDE NUCLEAR GENERATING STATION, UNIT 1 - WITHDRAWAL
OF AMENDMENT REQUEST (TAC NO. MB6378)

Dear Mr. Overbeck:

By letter dated September 26, 2002 (102-04844), and its supplement dated October 23, 2002 (102-04856), you applied for an amendment to Facility Operating License No. NPF-41 for the Palo Verde Nuclear Generating Station, Unit 1. The proposed change would have modified the Unit 1 Technical Specifications pertaining to steam generator tube inspection. Subsequently, by letter dated November 19, 2002 (102-04865), you requested to withdraw the amendment request and as stated in our letter of November 22, 2002, the staff did not have any objections.

Since the amendment request has been withdrawn, the Commission has filed the enclosed Notice of Withdrawal of Application for Amendment to Facility Operating License with the Office of the Federal Register for publication.

Sincerely,

/RA/

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

Docket No. STN 50-528

Enclosure: Notice of Withdrawal

cc w/encl: See next page

DISTRIBUTION

PUBLIC

PDIV-2 Reading
RidsNrrDlpmLpdiv (WRuland)

SDembek

RidsNrrPMJDonohew

RidsNrrLAMMcAllister

RidsNrrDripRorp (RDennig)

RidsAcrsAcnwMailCenter

RidsOgcRp

RidsRgn4MailCenter (LSmith)

LLund

CKhan

KKarwoski

ACCESSION NO: ML023430544 Nrr-106

OGC Changes done except cover letter JD 12/4/02

| | | | | |
|--------|------------|-------------|-----------------------|-----------|
| OFFICE | PDIV-2/PM | PDIV-1/LA | OGC | PDIV-2/SC |
| NAME | JDonohew | MMcAllister | Sturk:W/Changes noted | SDembek |
| DATE | 11/26/2002 | 11/26/02 | 11/27/02 | 12/4/02 |

DOCUMENT NAME: G:\PDIV-2\PaloVerde\AMD-MB6378-SG tube

inspection-withdrawal-FR.pvngs.wpd

OFFICIAL RECORD COPY

Palo Verde Generating Station, Units 1, 2, and 3

cc:

Mr. Steve Olea
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

Douglas Kent Porter
Senior Counsel
Southern California Edison Company
Law Department, Generation Resources
P.O. Box 800
Rosemead, CA 91770

Senior Resident Inspector
U.S. Nuclear Regulatory Commission
P. O. Box 40
Buckeye, AZ 85326

Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
Harris Tower & Pavillion
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-8064

Chairman
Maricopa County Board of Supervisors
301 W. Jefferson, 10th Floor
Phoenix, AZ 85003

Mr. Aubrey V. Godwin, Director
Arizona Radiation Regulatory Agency
4814 South 40 Street
Phoenix, AZ 85040

Mr. Craig K. Seaman, Director
Regulatory Affairs/Nuclear Assurance
Palo Verde Nuclear Generating Station
P.O. Box 52034
Phoenix, AZ 85072-2034

Mr. Hector R. Puente
Vice President, Power Generation
El Paso Electric Company
2702 N. Third Street, Suite 3040
Phoenix, AZ 85004

Mr. David Summers
Public Service Company of New Mexico
414 Silver SW, #1206
Albuquerque, NM 87102

Mr. Jarlath Curran
Southern California Edison Company
5000 Pacific Coast Hwy Bldg DIN
San Clemente, CA 92672

Mr. Robert Henry
Salt River Project
6504 East Thomas Road
Scottsdale, AZ 85251

Terry Bassham, Esq.
General Counsel
El Paso Electric Company
123 W. Mills
El Paso, TX 79901

Mr. John Schumann
Los Angeles Department of Water & Power
Southern California Public Power Authority
P.O. Box 51111, Room 1255-C
Los Angeles, CA 90051-0100

Brian Almon
Public Utility Commission
William B. Travis Building
P. O. Box 13326
1701 North Congress Avenue
Austin, TX 78701-3326

Mr. Thomas Saporito
P.O. Box 1234
Buckeye, Arizona 85326

UNITED STATES NUCLEAR REGULATORY COMMISSIONARIZONA PUBLIC SERVICE COMPANYDOCKET NO. STN 50-528NOTICE OF WITHDRAWAL OF APPLICATION FORAMENDMENT TO FACILITY OPERATING LICENSE

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Arizona Public Service Company (the licensee) to withdraw its application dated September 26, 2002, and its supplement dated October 23, 2002, for proposed amendment to Facility Operating License No. NPF-41 for the Palo Verde Nuclear Generating Station, Unit No. 1, located in Maricopa County, Arizona.

The proposed amendment would have revised the definition of steam generator tube inspection in Section 5.5.9, "Steam Generator (SG) Tube Surveillance Program," of the Technical Specifications.

The Commission had previously issued Notices of Consideration of Issuance of Amendment published in the FEDERAL REGISTER on October 3, 2002 (67 FR 62079) and on November 26, 2002 (67 FR 70763). The initial notice stated that the amendment had been submitted under exigent circumstances, to be issued on or about October 25, 2002, with the public comment period being less than the normal 30-day period. The basis for the exigent circumstances was provided in the notice. However, on October 25, 2002, the NRC staff issued a letter to the licensee stating that the proposed amendment was not needed on an exigent basis prior to plant restart. Therefore, the second notice was published to provide the normal 30-day public comment period for the amendment. By letter dated November 19, 2002, the licensee requested to withdraw the proposed amendment request, and by letter dated

November 22, 2002, the NRC staff stated that it did not object to the licensee's withdrawal of the application. Therefore, the proposed change effectively has been withdrawn.

For further details with respect to this action, see the application for amendment dated September 26, 2002, and its supplement dated October 23, 2002; the licensee's letter dated November 19, 2002; and the staff's letter of November 22, 2002. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), 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/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, or 301-415-4737 or by email to pdr@nrc.gov.

Dated at Rockville, Maryland, this 4th day of December 2002.

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