

UNITED STATES NUCLEAR REGULATORY COMMISSIONPUBLIC SERVICE ELECTRIC AND GAS COMPANYHOPE CREEK GENERATING STATIONDOCKET NO. 50-354

NOTICE OF CONSIDERATION OF APPROVAL OF TRANSFER OF  
FACILITY OPERATING LICENSE AND ISSUANCE OF CONFORMING AMENDMENT,  
AND OPPORTUNITY FOR A HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an order under 10 CFR 50.80 approving the transfer of Facility Operating License No. NPF-57 for the Hope Creek Generating Station, to the extent currently held by Public Service Electric and Gas Company (PSE&G), as a co-owner and the licensed operator of Hope Creek. The transfer would be to PSEG Nuclear, LLC. PSE&G currently owns 95 percent of Hope Creek. The proposed transfer does not involve any change with respect to the non-operating ownership interest held by Atlantic City Electric Company. The Commission is also considering amending the license for administrative purposes to reflect the proposed transfer.

According to an application for approval filed by PSE&G, PSEG Nuclear, LLC, would assume title to PSE&G's interest in the facility following approval of the proposed license transfer, and would become exclusively responsible for the operation, maintenance, and eventual decommissioning of Hope Creek. No physical changes to the Hope Creek facility or operational changes are being proposed in the application.

The proposed amendments would replace references to PSE&G in the license with references to PSEG Nuclear, LLC, to reflect the proposed transfer.

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Pursuant to 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the licenses, unless the Commission shall give its consent in writing. The Commission will approve an application for the transfer of a license, if the Commission determines that the proposed transferee is qualified to hold the license, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

Before issuance of the proposed conforming 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.

As provided in 10 CFR 2.1315, unless otherwise determined by the Commission with regard to a specific application, the Commission has determined that any amendment to the license of a utilization facility which does no more than conform the license to reflect the transfer action involves no significant hazards consideration. No contrary determination has been made with respect to this specific license amendment application. In light of the generic determination reflected in 10 CFR 2.1315, no public comments with respect to significant hazards considerations are being solicited, notwithstanding the general comment procedures contained in 10 CFR 50.91.

The filing of requests for hearing and petitions for leave to intervene, and written comments with regard to the license transfer application, are discussed below.

By July 20, 1999, any person whose interest may be affected by the Commission's action on the application may request a hearing, and, if not the applicants, may petition for leave to intervene in a hearing proceeding on the Commission's action. Requests for a hearing and petitions for leave to intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart M, "Public Notification, Availability of Documents and Records, Hearing Requests and Procedures for Hearings on License Transfer

Applications,” of 10 CFR Part 2. In particular, such requests and petitions must comply with the requirements set forth in 10 CFR 2.1306, and should address the considerations contained in 10 CFR 2.1308(a). Untimely requests and petitions may be denied, as provided in 10 CFR 2.1308(b), unless good cause for failure to file on time is established. In addition, an untimely request or petition should address the factors that the Commission will also consider, in reviewing untimely requests or petitions, set forth in 10 CFR 2.1308(b)(1)-(2).

Requests for a hearing and petitions for leave to intervene should be served upon Jeffrie J. Keenan, Esquire, Public Service Electric and Gas Company, Nuclear Business Unit - N21, P.O. Box 236, Hancocks Bridge, NJ 08038 (tel: 609-339-5429, fax: 609-339-1234, and e-mail JKeenan@PSEG.com); the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555 (e-mail address for filings regarding license transfer cases only: OGCLT@NRC.gov); and the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, in accordance with 10 CFR 2.1313.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the FEDERAL REGISTER and served on the parties to the hearing.

As an alternative to requests for hearing and petitions to intervene, by July 30, 1999, persons may submit written comments regarding the license transfer application, as provided for in 10 CFR 2.1305. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and

Adjudications Staff, and should cite the publication date and page number of this FEDERAL REGISTER notice.

For further details with respect to this action, see the application dated June 4, 1999, available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Pennsville Public Library, 190 S. Broadway, Pennsville, NJ 08070.

Dated at Rockville, Maryland this 23rd day of June 1999.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script, appearing to read "RB Ennis".

Richard B. Ennis, Project Manager, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation