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USMRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

'99 DEC 15 AIG:44

Before Administrative Judges:

OFFICE OF THE
GENERAL COUNSEL
ADJUDICATIVE DIVISION

Alan S. Rosenthal, Chairman
Dr. Charles N. Kelber
Dr. Peter S. Lam

SERVED DEC 15 1999

In the Matter of

GPU NUCLEAR CORPORATION

(Oyster Creek Nuclear
Generating Station)

Docket No. 50-219-OLA-2

ASLBP No. 00-773-02-OLA

December 15, 1999

MEMORANDUM AND ORDER
(Terminating Proceeding)

Pending before this Board is the application of GPU Nuclear Corporation (GPUN) for an amendment to the operating license for its Oyster Creek Nuclear Generating Station that would allow the use of the reactor building crane to handle loads up to and including forty-five tons during power operations. By December 9, 1999 letter to the Board, GPUN requests permission to withdraw the application without prejudice.

The request is granted. Accordingly, the license amendment application is now deemed withdrawn without prejudice and the proceeding is terminated.

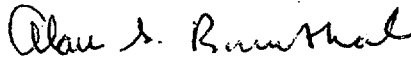
PDR ADOCK

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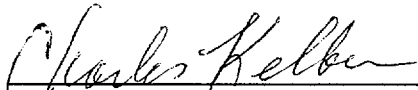
This action has the effect of mootng the November 5, 1999 request of the Nuclear Information and Resource Service (NIRS) for a hearing on the GPUN license amendment application and for leave to intervene. In the event, however, that the amendment application should be submitted anew, the NIRS request will be automatically reinstated; the prior concession of GPUN and the NRC staff regarding standing given effect;¹ and a schedule for the submission of contentions and supporting bases determined by the Board.

It is so ORDERED.

THE ATOMIC SAFETY
AND LICENSING BOARD²



Alan S. Rosenthal
ADMINISTRATIVE JUDGE



Charles N. Kelber
ADMINISTRATIVE JUDGE

Rockville, Maryland

December 15, 1999

¹See November 29, 1999 Memorandum and Order at 2. NIRS would be expected to affirm that there was not a material alteration in the basis for standing asserted in its November 5 filing.

²Judge Peter Lam was not available to participate in this Memorandum and Order.

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Docket No.(s) 50-219-OLA-2

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMO & ORDER (LBP-99-45) have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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Washington, DC 20555

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Dated at Rockville, Md. this
15 day of December 1999


Office of the Secretary of the Commission