

his designee, shall be notified immediately following the transfer.

C. Within 30 days of the date of this Order, the Licensee shall cause all licensed material in its possession to be transferred to an authorized recipient in accordance with 10 CFR 30.41 and submit for NRC approval a completed Form NRC 314. This information should be submitted to the Regional Administrator, NRC Region II, at the address given in Paragraph A above.

D. At least two working days prior to the date of the transfer of the licensed material, the Licensee shall notify Mr. Douglas M. Collins, NRC Region II, at one of the telephone numbers given in Paragraph A above, so that the NRC may observe the transfer of the material to the authorized recipient.

The Regional Administrator, Region II, may, in writing, relax or rescind any of the above conditions upon demonstration by the Licensee of good cause.

V

In accordance with 10 CFR 2.202, the Licensee must, and any person adversely affected by this Order may, submit an answer to this Order, and may request a hearing on this Order, within 20 days of the date of this Order. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and include a statement of good cause for the extension. The answer may consent to this Order. Unless the answer consents to this Order, the answer shall, in writing and under oath or affirmation, specifically admit or deny each allegation or charge made in this Order and set forth the matters of fact and law on which the Licensee or any persons adversely affected relies and the reason as to why the Order should not have been issued. Any answer or request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Chief, Rulemakings and Adjudications Staff, Washington, DC 20555. Copies also shall be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Deputy Assistant General Counsel for Enforcement at the same address, and to the Regional Administrator, NRC Region II, Atlanta Federal Center, 61 Forsyth Street, S.W., Suite 23T85, Atlanta, Georgia 30303-3415 and to the Licensee if the answer or hearing request is by a person other than the

Licensee. If a person other than the Licensee requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).

If a hearing is requested by the Licensee or a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained.

Pursuant to 10 CFR 2.202(c)(2)(i), the Licensee, may, in addition to demanding a hearing, at the time the answer is filed or sooner, move the presiding officer to set aside the immediate effectiveness of the Order on the ground that the Order, including the need for immediate effectiveness, is not based on adequate evidence but on mere suspicion, unfounded allegations, or error.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section IV above shall be final 20 days from the date of this Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section IV shall be final when the extension expires if a hearing request has not been received. *An answer or a request for hearing shall not stay the immediate effectiveness of this Order.*

Dated at Rockville, Maryland this 15th day of January 1999.

For the Nuclear Regulatory Commission.

Malcolm R. Knapp,

Deputy Executive Director for Regulatory Effectiveness.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-508]

Washington Public Power Supply System, Washington Nuclear Project Unit 3; Order Revoking Construction Permit No. CPPR-154

Construction Permit No. CPPR-154 issued to Washington Public Power Supply System (the Supply System) on April 11, 1978, authorized the construction of the Washington Nuclear Project Unit 3 (WNP-3) located at the Satsop site, approximately 5 miles south

of the town of Elma in Grays Harbor County, Washington. On November 2, 1984 and March 10, 1986, the Supply System filed timely requests to extend the completion date to July 1, 1999, which request was granted on May 16, 1998. The Supply System also held a second construction permit, CPPR-155, issued on April 11, 1978, for the construction of WNP-5 on the same site as Unit 3. The NRC allowed the construction permit for Unit 5 to expire, with the responsibility for site restoration to be subsumed under the construction permit for WNP-3.

On March 28, 1995, the Supply System submitted a site restoration plan, for WNP-1 and WNP-3, as well as for the previously terminated projects, WNP-4 and WNP-5. In a letter dated June 15, 1998, the Supply System submitted additional information concerning the termination of the construction permit for WNP-3 (the Satsop site).

On August 16, 1996, the Supply System filed a motion for withdrawal of application for an operating license (OL) and for termination of the proceeding before the Atomic Safety and Licensing Board (ASLB). On October 16, 1996, the ASLB issued an order granting the motion, and noted that the NRC staff would terminate the construction permit. 44 NRC 134 (1996). The staff conducted an inspection to verify that the Supply System has maintained the site in an environmentally stable condition and that the facilities are not capable of being operated as utilization facilities (Inspection Report No. 50-508/98-201 dated November 2, 1998). An Environmental Assessment and Finding of No Significant Impact was published in the **Federal Register** on January 11, 1999 (64 FR 1644).

Pursuant to 10 CFR 51.32, the Commission has determined that the revocation of this construction permit will have no significant impact on the environment.

For the reasons given above, it is hereby ordered that Construction Permit No. CPPR-154 is terminated. This order is effective upon its date of issuance.

Dated at Rockville, Maryland, this 22nd day of January 1999.

For the Nuclear Regulatory Commission.

Samuel J. Collins,

Director, Office of Nuclear Reactor Regulation.

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