JUN 23 1982

50-443
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Mr. William C. Tallman
Chairman and Chief Executive Officer
Public Service Company of New Hampshire
Post Office Box 330
Manchester, New Hampshire 03105

Dear Mr. Tallman:

Subject: Issuance of Amendments to Construction Permits for Seabrook Station, Units 1 and 2

By letters dated May 13 and December 16, 1981, you filed applications for amendments to the Construction Permits (CPPR-135 and CPPR-136) for the Seabrook Station, Units 1 and 2. The May 13th request was for permission to transfer the current ownership share (3.52317 percent) from Commonwealth Electric Company (formerly named New Bedford Gas and Edison Light Company) to Canal Electric Company (Canal). The December 16th request was for permission to transfer a 0.08261 percent ownership share from Connecticut Light and Power Company to Washington Electric Cooperative, Inc. (WEC).

In connection with your application for transfer of ownership to Canal, you submitted antitrust information on October 8, 1981. We have requested and received advice from the Attorney General of the United States concerning the October 8th submittal. The Attorney General found that no antitrust hearing was necessary with respect to the transfer of ownership interest. Notice of the receipt of the Attorney General's advice was published in the Federal Register on April 19, 1982 (47 F.R. 16696). No petitions to intervene on this ownership transfer have been received by the Commission. The transfer to WEC is a de minimus transfer, and thus subject to 10 CFR 2.101(a)(5) and 10 CFR 50.33a(a)(3).

We have reviewed your applications for transfer of ownership interest and have concluded that this action is not inimical to the common defense and security or to the health and safety of the public, and does not involve a significant hazards consideration. The bases for these conclusions are set forth in the enclosed safety evaluation.

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We have also concluded that the amendments involve actions which are insignificant from the standpoint of environmental impact and that, pursuant to 10 CFR Section 51.5(b)(4), an environmental impact statement or negative declaration and an environmental impact appraisal need not be prepared in connection with the issuance of the amendments.

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Amendment No. 5 to CPPR 135, Amendment No. 5 to CPPR 136, and a related notice which has been forwarded to the Office of the Federal Register for publication are enclosed.

Sincerely,

Original signed by
Darrell G. Eisenhut
Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

Enclosures:
1. Amendment No. 5 to CPPR-135
2. Amendment No. 5 to CPPR-136
3. Safety Evaluation
4. Federal Register Notice

cc w/enclosures:
See next page

plo legal objection if change is made to letter and evaluation, as noted. ALT concurs in see modification

Concur with deletion of sentence re no antitrust review.

DE:AEAB
ALJ
AToalston
6/16/82

OELD
JRutberg
6/17/82

RJ - no legal objection on all issues except antitrust review (see J Rutberg)

OFFICE	LB#3: DL	LB#3: DL	LB#3: DL	OELD	A/D: DL	D: DL	
SURNAME	JLee : cz	LWheeler	FMiraglia	RLessy	RTedesco	DEisenhut	
DATE	6/11/82	6/14/82	6/21/82	6/16/82	6/21/82	6/22/82	

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, ET. AL.

DOCKET NO. 50-443

SEABROOK STATION, UNIT 1

AMENDMENT TO CONSTRUCTION PERMIT

Amendment No. 5
Construction Permit No.: CPPR-135

1. The Nuclear Regulatory Commission (the Commission) having found that:

   A. The applications for amendment filed by Public Service Company of New Hampshire on behalf of itself and the other applicants*, in letters dated May 13 and December 16, 1981, comply with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in 10 CFR Chapter 1;

   B. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and

   C. Issuance of this amendment will not result in any environmental impacts not previously considered.

2. Accordingly, Construction Permit No. CPPR-135 is amended to reflect a change in ownership of the facility as follows:

   All references to "applicants" shall exclude:
   Commonwealth Electric Company (formerly New Bedford Gas and Edison Light Company)
   and shall include:
   Canal Electric Company
   Washington Electric Cooperative, Inc.

*The current permit holders are: Bangor Hydro-Electric Company, Central Maine Power Company, Central Vermont Public Service Corporation, Commonwealth Electric Company, Connecticut Light & Power Company, Fitchburg Gas & Electric Light Company, Hudson Light & Power Department, Maine Public Service Company, Massachusetts Municipal Wholesale Electric Company, Montaup Electric Company, New England Power Company, New Hampshire Electric Cooperative, Inc., Public Service Company of New Hampshire, Taunton Municipal Lighting Plant Commission, The United Illuminating Company, and Vermont Electric Cooperative, Inc.

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3. This amendment is effective as of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Original
Darrell G. Eisenhut

Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

Date of Issuance: JUN 23 1982

No legal objection

OFFICE	LB#3: DL	LB#3: DL	LB#3: DL	OELD	AD: DL	D: DL	
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DATE	6/11/82	6/14/82	6/21/82	6/19/82	6/24/82	6/22/82	

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, ET. AL.

DOCKET NO. 50-444

SEABROOK STATION, UNIT 2

AMENDMENT TO CONSTRUCTION PERMIT

Amendment No. 5
Construction Permit No.: CPPR-136

1. The Nuclear Regulatory Commission (the Commission) having found that:

   A. The applications for amendment filed by Public Service Company of New Hampshire on behalf of itself and the other applicants*, in letters dated May 13 and December 16, 1981, comply with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in 10 CFR Chapter 1;

   B. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and

   C. Issuance of this amendment will not result in any environmental impacts not previously considered.

2. Accordingly, Construction Permit No. CPPR-136 is amended to reflect a change in ownership of the facility as follows:

   All references to "applicants" shall exclude:
   Commonwealth Electric Company (formerly New Bedford Gas and Edison Light Company)
   and shall include:
   Canal Electric Company
   Washington Electric Cooperative, Inc.

*The current permit holders are: Bangor Hydro-Electric Company, Central Maine Power Company, Central Vermont Public Service Corporation, Commonwealth Electric Company, Connecticut Light & Power Company, Fitchburg Gas & Electric Light Company, Hudson Light & Power Department, Maine Public Service Company, Massachusetts Municipal Wholesale Electric Company, Montaup Electric Company, New England Power Company, New Hampshire Electric Cooperative, Inc., Public Service Company of New Hampshire, Taunton Municipal Lighting Plant Commission, The United Illuminating Company, and Vermont Electric Cooperative, Inc.

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3. This amendment is effective as of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION
Original signed by
Darrell G. Eisenhut

Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

Date of Issuance: JUN 23 1982

Not legal objection

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SURNAME	JLee:cz	LWheeler	MDuggelia	RLessy	RTedesco	DGEisenhut	
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SAFETY EVALUATION

SEABROOK STATION, UNITS 1 AND 2

INTRODUCTION

By application dated May 13, 1981, the Public Service Company of New Hampshire (PSNH) submitted a request for amendments to Construction Permits CPPR-135 and CPPR-136 to secure approval of a transfer of the current ownership share of Commonwealth Electric Company (formerly named New Bedford Gas and Edison Light Company) in Seabrook Units 1 and 2 to Canal Electric Company (Canal) which is a new participant. That ownership share amounts to 3.52317 percent of the facility. Subsequently, PSNH filed antitrust information on October 8, 1971, regarding Canal.

By application dated December 16, 1981, PSNH submitted an additional request for amendments to CPPR-135 and CPPR-136. This request was to secure approval of a transfer of 0.08261 percent ownership in Seabrook Units 1 and 2 from the Connecticut Light and Power Company to Washington Electric Cooperative, Incorporated (WEC). We have reviewed the two requests and our evaluation is as follows.

ANALYSIS

PSNH, as Project Manager and Operating Agent, has exclusive responsibility for the design and construction of Seabrook Station. Commonwealth and Canal are Massachusetts public service corporations authorized to generate, transmit, purchase and sell electricity and are both subsidiary corporations of the New England Gas and Electric Association (NEGEA). Canal owns and operates fossil fuel electric generating stations and is a primary supplier of electricity to other NEGEA subsidiaries as well as to other electric companies. Thus, a review on antitrust matters was appropriate. At our request, the Attorney General reviewed the antitrust information submitted by PSNH with regard to ownership by Canal. The Attorney General determined that an antitrust hearing was not required.

According to information filed with the proposed amendment for the WEC transfer, WEC owns less than 200 megawatts of generating capacity. We have determined that the proposed WEC transfer is a de minimus transfer and subject to the provisions of 10 CFR 2.101(a)(5) and 10 CFR 50.33a(a)(3).

The other issue which required an evaluation is the proposed co-owners' financial qualifications to assume their respective shares of Seabrook Station. The NRC regulations relating to the determination of an applicant's financial qualifications are in Section 50.33(f) of 10 CFR Part 50.

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A PDR

These regulations, as amended on March 31, 1982, state that a financial review of an applicant to construct a production facility (commercial nuclear power plant) shall not be conducted if the applicant is an electric utility. Since Seabrook Station is a production facility and since Canal and WEC are electric utilities, a financial review of the proposed transfers of ownership shares is not required.*

CONCLUSION

On the basis of the above evaluation, the staff finds that the issuance of the requested amendments (1) transferring ownership of 3.52317 percent of Seabrook Station from Commonwealth Electric Company to Canal Electric Company and (2) authorizing WEC to become a co-owner will not be inimical to the common defense and security or to the health and safety of the public. The staff finds that the requested amendments do not involve a significant hazards consideration because this action will not involve any significant increase in the probability or consequences of any accident, and this action will not involve any significant decrease in safety margin.

Date Issued: June 23, 1982

*The requests for CP amendments were filed prior to the change in Section 50.33(f) of 10 CFR Part 50 which deleted the requirements for the review of financial qualifications for electric utility applicants. At the time that Section 50.33(f) was amended on March 31, 1982, the staff's review of the financial information filed with the May 13th request for CP amendment had reached the point where the staff could conclude that Canal is financially qualified to assume the proposed ownership share in Seabrook Station. The staff had not begun a review of the December 16th request before the change in the regulations; therefore, no determination was made with respect to the financial qualifications of WEC.

Make change in 2nd FP w/ analysis. OGCB 6/16/82

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SURNAME	LWheeler:cz	FMiraglia					
DATE	6/14/82	6/21/82					

UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NOS. 50-443 AND 50-444

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, ET. AL.

SEABROOK STATION, UNITS 1 AND 2

NOTICE OF ISSUANCE OF AMENDMENTS TO CONSTRUCTION PERMITS

Notice is hereby given that the U. S. Nuclear Regulatory Commission (the Commission) has issued Amendments No. 5 to Construction Permit Nos. CPPR-135 and CPPR-136. The amendments add Washington Electric Cooperative, Inc. and reflect a transfer of ownership interest from Commonwealth Electric Company (formerly New Bedford Gas and Edison Light Company) to Canal Electric Company for the Seabrook Station, Units 1 and 2 (the facilities), located in Rockingham County, New Hampshire. The amendments are effective as of their date of issuance.

The applications for the amendments comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations. The Commission has made appropriate findings as required by the Act and the Commission's regulations in 10 CFR Chapter 1, which are set forth in the amendments. The Commission has also concluded that the amendments involve actions which are insignificant from the standpoint of environmental impact and that, pursuant to 10 CFR Section 51.5(d)(4), an environmental impact statement or negative declaration and an environmental impact appraisal need not be prepared in connection with the issuance of the amendments. Prior public notice of the amendments was not required since the amendments do not involve a significant hazards consideration.

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For further details with respect to this action, see (1) the applications for amendments, dated May 13 and December 16, 1981, and a supplemental letter dated October 8, 1981; (2) Amendments No. 5 to Construction Permit Nos. CPPR-135 and CPPR-136 and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection in the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Exeter Public Library, Front Street, Exeter, New Hampshire 03833. Items 2 and 3 may be requested by writing to the U. S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 23 day of June, 1982.

FOR THE NUCLEAR REGULATORY COMMISSION
Original signed by
Frank J. Miraglia

Frank J. Miraglia, Chief
Licensing Branch No. 3
Division of Licensing

OFFICE	DL:LB#3	DL:LB#3	OELD	DL:LB#3			
SURNAME	JLee:cz	LWheeler		FJMiraglia			
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