

December 04, 1998

Mr. Ted C. Feigenbaum
Executive Vice President and
Chief Nuclear Officer
North Atlantic Energy Service Corporation
c/o Mr. Terry L. Harpster
P.O. Box 300
Seabrook, NH 03874

SUBJECT: NOTICE OF CONSIDERATION OF APPROVAL OF TRANSFER AND ISSUANCE
OF CONFORMING AMENDMENT TO FACILITY OPERATING LICENSE, AND
OPPORTUNITY FOR A HEARING - SEABROOK STATION, UNIT NO. 1 (TAC
NO. MA3842)

Dear Mr. Feigenbaum:

Enclosed is a copy of a "Notice of Consideration of Approval of Transfer of License and
Issuance of Conforming Amendment to Facility Operating License, and Opportunity for a
Hearing" related to the applications submitted under cover of your letter dated September 29,
1998, (NYN-98096). The applications (pursuant to 10 CFR 50.80 and 10 CFR 50.90) seek
approval of the transfer of the Seabrook Station, Unit No. 1 license to the extent held by
Montaup Electric Company to Little Bay Power Corporation, and the issuance of a conforming
amendment to the license.

This notice is being forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by:
John Harrison, Project Manager
Project Directorate I-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-443
Enclosure: Notice
cc w/encl: See next page

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DATE	12/4/98		12/3/98, 12/8/98		12/4/98		11/23/98 <i>12/7/98</i>	

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

December 04, 1998

Mr. Ted C. Feigenbaum
Executive Vice President and
Chief Nuclear Officer
North Atlantic Energy Service Corporation
c/o Mr. Terry L. Harpster
P.O. Box 300
Seabrook, NH 03874

SUBJECT: NOTICE OF CONSIDERATION OF APPROVAL OF TRANSFER OF FACILITY
OPERATING LICENSE AND ISSUANCE OF CONFORMING AMENDMENT, AND
OPPORTUNITY FOR A HEARING - SEABROOK STATION, UNIT NO. 1 (TAC
NO. MA3842)

Dear Mr. Feigenbaum:

Enclosed is a copy of a "Notice of Consideration of Approval of Transfer of Facility Operating License and Issuance of Conforming Amendment, and Opportunity for a Hearing" related to the applications submitted under cover of your letter dated September 29, 1998, (NYN-98096). The applications (pursuant to 10 CFR 50.80 and 10 CFR 50.90) seek approval of the transfer of the Seabrook Station, Unit No. 1 license to the extent held by Montaup Electric Company to Little Bay Power Corporation, and the issuance of a conforming amendment to the license.

This notice is being forwarded to the Office of the Federal Register for publication.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Harrison".

John Harrison, Project Manager
Project Directorate I-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-443

Enclosure: Notice

cc w/encl: See next page

T. Feigenbaum
North Atlantic Energy Service Corporation
cc:

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U.S. Nuclear Regulatory Commission
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Board of Selectmen
Town of Amesbury
Town Hall
Amesbury, MA 01913

Mr. Dan McElhinney
Federal Emergency Management Agency
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Courthouse Building, Room 401
Boston, MA 02109

Seabrook Station, Unit No. 1

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UNITED STATES NUCLEAR REGULATORY COMMISSION
NORTH ATLANTIC ENERGY SERVICE CORPORATION, ET AL.

DOCKET NO. 50-443

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 the interest held by Montaup Electric Company in Facility Operating License No. NPF-86 for the Seabrook Station, Unit No.1 (Seabrook Station), located in Rockingham County, New Hampshire, and considering issuance of a conforming amendment under 10 CFR 50.90.

Consent to the proposed transfer would authorize Little Bay Power Corporation (Little Bay) to possess the ownership interest in the Seabrook Station now held by Montaup Electric Company (Montaup). Little Bay is a wholly owned subsidiary of BayCorp Holdings, Ltd., which is the holding company that also owns Great Bay Power Corporation, an existing owner of the Seabrook Station. North Atlantic Energy Service Corporation, the sole licensed operator of the facility, would remain as the Managing Agent for the 11 Joint Owners of the facility and would continue to have exclusive responsibility for the management, operation and maintenance of the Seabrook Station. The license would be amended for administrative purposes to reflect the transfer of Montaup's ownership interest to Little Bay.

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The proposed transfer does not involve a change in the rights, obligations, or interests of the other co-owners of the Seabrook Station.

Pursuant to 10 CFR 50.80, the Commission may approve the transfer of a license, or any right thereunder, after notice to interested persons. Such approval is contingent upon the Commission's determination that the transferee is qualified to hold the license and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders of the Commission.

Before issuance of the proposed 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 transfer application, are discussed below.

By **January 4, 1999**, any person whose interest may be affected by the Commission's action on the application may request a hearing and, if not the applicant, 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 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 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 should address the factors that the Commission will also consider, in reviewing untimely requests, set forth in 10 CFR 2.1308(b)(1)-(2).

Requests for a hearing and petitions for leave to intervene should be served upon the applicant; the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555; 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
January 13, 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 applications for consent to
transfer Montaup's interest in the license and issuance of a conforming amendment submitted
under cover of a letter dated September 29, 1998, from North Atlantic Energy Service
Corporation which are 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 Exeter Public Library, Founders Park, Exeter, NH 03833.

Dated at Rockville, Maryland, this **4th** day of December, 1998.

FOR THE NUCLEAR REGULATORY COMMISSION



Cecil O. Thomas, Director
Project Directorate I-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation