

February 19, 1999

Mr. John Paul Cowan
Vice President, Nuclear Operations
Florida Power Corporation
ATTN: Manager, Nuclear Licensing (SA2A)
Crystal River Energy Complex
15760 W. Power Line Street
Crystal River, Florida 34428-6708

SUBJECT: NOTICE OF CONSIDERATION OF APPROVAL OF TRANSFER OF FACILITY
OPERATING LICENSE AND ISSUANCE OF CONFORMING AMENDMENT, AND
OPPORTUNITY FOR A HEARING - CRYSTAL RIVER UNIT 3 (TAC NO. MA4527)

Dear Mr. Cowan:

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 application dated December 29, 1998, filed by Florida Power Corporation. The application (pursuant to 10 CFR 50.80) seeks approval of the proposed transfer of the Crystal River Unit 3 Facility Operating License No. DPR-72 to the extent held by the City of Tallahassee to Florida Power Corporation. The application also seeks (pursuant to 10 CFR 50.90) the issuance of a conforming amendment to the license to reflect the transfer.

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

Sincerely,

Original signed by S. Flanders for:

L. A. Wiens, Senior Project Manager
Project Directorate II-3
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-302

Enclosure: Notice

cc w/encl: See next page

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

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Vice President, Nuclear Operations
Florida Power Corporation
ATTN: Manager, Nuclear Licensing (SA2A)
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Sincerely,

A handwritten signature in black ink, appearing to read "L. A. Wiens".

L. A. Wiens, Senior Project Manager
Project Directorate II-3
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-302

Enclosure: Notice

cc w/encl: See next page

Mr. John Paul Cowan
Florida Power Corporation

CRYSTAL RIVER UNIT NO. 3

cc:

Mr. R. Alexander Glenn
Corporate Counsel
Florida Power Corporation
MAC-A5A
P.O. Box 14042
St. Petersburg, Florida 33733-4042

Ms. Sherry L. Bernhoft, Director
Nuclear Regulatory Affairs (SA2A)
Florida Power Corporation
Crystal River Energy Complex
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Crystal River, Florida 34428-6708

Mr. Charles G. Pardee, Director
Nuclear Plant Operations (NA2C)
Florida Power Corporation
Crystal River Energy Complex
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Crystal River, Florida 34428-6708

Senior Resident Inspector
Crystal River Unit 3
U.S. Nuclear Regulatory Commission
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Crystal River, Florida 34428

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Crystal River, Florida 34428-6708

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Department of Legal Affairs
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Tallahassee, Florida 32304

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Chairman
Board of County Commissioners
Citrus County
110 North Apopka Avenue
Inverness, Florida 34450-4245

UNITED STATES NUCLEAR REGULATORY COMMISSION
FLORIDA POWER CORPORATION
CRYSTAL RIVER UNIT 3
DOCKET NO. 50-302
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 the City of Tallahassee (the City) in Facility Operating License No. DPR-72 for Crystal River Unit 3 (CR-3). The transfer would be to Florida Power Corporation (FPC). The Commission is also considering amending the license for administrative purposes to reflect the proposed transfer.

According to an application for approval filed by FPC, the City and FPC have reached an agreement that provides for the transfer of the City's 1.3333 percent ownership interest in CR-3 to FPC in exchange for FPC assuming responsibility for certain future liabilities. FPC presently owns about 90 percent of CR-3, and is exclusively authorized under the license to operate, maintain, and decommission the facility. No physical changes to, or operational changes for CR-3 are being proposed in the application. Also, no changes to FPC's authority to operate, maintain, and decommission the facility are being requested. The application seeks, in addition to the Commission's consent to the transfer, approval of a license amendment to remove the City from the license once the transfer is approved and completed.

Pursuant to 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, 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 a hearing and petitions for leave to intervene, and written comments with regard to the license transfer application, are discussed below.

By **March 18, 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 R. Alexander Glenn, General Counsel, Florida Power Corporation, MAC-A5A, P. O. Box 14042, St. Petersburg, Florida 33733-4042; 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 a hearing and petitions to intervene, by **March 29, 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 December 29, 1998, 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 Coastal Region Library, 8619 W. Crystal Street, Crystal River, Florida 34428.

Dated at Rockville, Maryland this 19th day of February 1999.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script, appearing to read "Cecil O. Thomas".

Cecil O. Thomas, Director
Project Directorate II-3
Division of Licensing Project Management
Office of Nuclear Reactor Regulation