

**United States Nuclear Regulatory Commission Official Hearing Exhibit**

**In the Matter of:** NUCLEAR INNOVATION NORTH AMERICA LLC  
(South Texas Project Units 3 and 4)



**ASLBP #:** 09-885-08-COL-BD01  
**Docket #:** 05200012 | 05200013  
**Exhibit #:** STP000086-00-BD01  
**Admitted:** 1/6/2014  
**Rejected:**  
**Other:**

**Identified:** 1/6/2014  
**Withdrawn:**  
**Stricken:**

*Average Time per Response:* Time per response ranges from 5 minutes to maintain records to 4 hours to complete a referral medical examination.

*Estimated Total Burden Hours:* 125,195.

*Estimated Cost (Operation and Maintenance):* \$8,179,921.

### III. Authority and Signature

Charles N. Jeffress, Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506) and Secretary of Labor's Order No. 6-96 (62 FR 111).

Signed at Washington, D.C., on December 17, 1999.

**Charles N. Jeffress,**

*Assistant Secretary of Labor.*

[FR Doc. 99-33480 Filed 12-23-99; 8:45 am]

**BILLING CODE 4510-26-M**

## NATIONAL CREDIT UNION ADMINISTRATION

### Community Development Revolving Loan Program for Credit Unions

**AGENCY:** National Credit Union Administration.

**ACTION:** Notice of application period.

**SUMMARY:** The National Credit Union Administration (NCUA) will accept applications for participation in the Community Development Revolving Loan Program for Credit Unions throughout calendar year 2000, subject to availability of funds. Application procedures for qualified low-income credit unions are set forth in Part 705, NCUA Rules and Regulations.

**ADDRESSES:** Applications for participation may be obtained from and should be submitted to: NCUA, Office of Community Development Credit Unions, 1775 Duke Street, Alexandria, VA 22314-3428.

**DATES:** Applications may be submitted throughout calendar year 2000.

**FOR FURTHER INFORMATION CONTACT:** The Office of Community Development Credit Unions at the above address or telephone (703)518-6610.

**SUPPLEMENTARY INFORMATION:** Part 705 of the NCUA Rules and Regulations implements the Community Development Revolving Loan Program for Credit Unions. The purpose of the Program is to assist officially designated "low-income" credit unions in providing basic financial services to residents in their communities which result in increased income, ownership and employment. The Program makes

available low interest loans and deposits in amounts up to \$300,000 in the aggregate to qualified participating "low-income" credit unions. Program participation is limited to existing credit unions with an official "low-income" designation. Student credit unions are not eligible to participate in this program.

This notice is published pursuant to Part 705.9 of the NCUA Rules and Regulations which states that NCUA will provide notice in the **Federal Register** when funds in the program are available.

By the National Credit Union Administration Board on December 16, 1999.

**Becky Baker,**

*Secretary, NCUA Board.*

[FR Doc. 99-33275 Filed 12-23-99; 8:45 am]

**BILLING CODE 7535-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-250 and 50-251]

### Florida Power and Light Company, Turkey Point Unit Nos. 3 and 4; Notice of Partial Denial of Amendment to Facility Operating Licenses and Opportunity For Hearing

The U.S. Nuclear Regulatory Commission (the Commission) has denied a portion of a request by Florida Power and Light Co. (licensee), for an amendment to Facility Operating License Nos. DPR-31 and DPR-41 issued to the licensee for operation of the Turkey Point Plant, Unit Nos. 3 and 4, located in Dade County, Florida. Notice of Consideration of Issuance of these amendments was published in the **Federal Register** on June 2, 1999.

The purpose of the licensee's amendment request was to revise the Technical Specifications (TS) to correct the TS Index, remove inconsistencies, and make administrative changes. The NRC staff has concluded that a portion of the licensee's request, related to the proposed deletion of dates for approved security plans, cannot be granted. The basis of the denial is detailed in the safety evaluation related to Amendment Nos. 203 and 197 dated December 20, 1999.

By January 26, 2000, the licensee may demand a hearing with respect to the partial denial described above. Any person whose interest may be affected by this proceeding may file a written petition for leave to intervene.

A request for hearing or petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission,

Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date.

A copy of any petitions should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Mr. Mitchell Ross, General Counsel, Florida Power and Light Company, P.O. Box 14000, Juno Beach, Florida, 33408-0420, attorney for the licensee.

For further details with respect to this action, see (1) the application for amendment dated April 26, 1999, (2) Amendment Nos. 203 and 197 to Facility Operating License Nos. DPR-31 and DPR-41, and (3) the Commission's related safety evaluation.

These documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC. Publically available records will be accessible electronically from the ADAMS Public Library component on the NRC Web site, <http://www.nrc.gov> (the Electronic Reading Room).

Dated at Rockville, Maryland, this 20th day of December 1999.

For the Nuclear Regulatory Commission.

**Herbert N. Berkow,**

*Director, Project Directorate II, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 99-33483 Filed 12-23-99; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-423]

### Northeast Nuclear Energy Company, et al. (Millstone Nuclear Power Station, Unit 3); Order Approving Application Regarding Merger of New England Electric System and the National Grid Group PLC

I

Northeast Nuclear Energy Company is authorized to act as agent for the joint owners of the Millstone Nuclear Power Station, Unit 3 (Millstone 3), and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility as reflected in Facility Operating License No. NPF-49. New England Power Company (NEP), one of the joint

owners, holds a 12.2-percent<sup>1</sup> possessory interest in Millstone 3. The U.S. Nuclear Regulatory Commission issued Facility Operating License No. NPF-49 on January 31, 1986, pursuant to Part 50 of Title 10 of the Code of Federal Regulations (10 CFR Part 50). The facility is located in New London County, on the southern coast of the State of Connecticut.

## II

Under cover of a letter dated March 15, 1999, NEP, a subsidiary of New England Electric System (NEES), and National Grid Group plc (National Grid) submitted an application requesting approval of the transfer of control of the license, to the extent held by NEP in connection with its 12.2-percent ownership interest in Millstone 3, regarding a proposed change in the economic ownership of NEES. The application was supplemented May 20 and June 17, 1999 (collectively hereinafter "the application").

NEP is incorporated in the Commonwealth of Massachusetts. NEES owns all of NEP's common stock and 99.71-percent of its voting securities, with the other 0.29-percent being owned by the public in the form of preferred stock with common voting rights. The requested transfer approval relates to a proposed merger in which NEES is to be acquired by National Grid, a British company. NEES and National Grid entered into a merger agreement on December 11, 1998.

National Grid is a public limited company incorporated under the laws of England and Wales. It is the only transmission company in England and Wales and is an independent company created as a result of the privatization and restructuring of the British electric system in 1990. The application states that National Grid, with its United Kingdom assets and through interconnections with Scotland and France and through its acquisitions of interests in transmission systems in other nations, is the largest privately owned transmission company in the world.

National Grid has formed NGG Holdings LLC (NGG Holdings), a U.S. entity that is a limited liability company organized in Massachusetts and a wholly owned subsidiary of National Grid. NGG Holdings will merge with and into NEES, with NEES being the surviving entity from that transaction and maintaining its status as a U.S.

<sup>1</sup> A pending merger of New England Electric System with Eastern Utilities Associates, which owns Montaup Electric Company, would result in an increase in NEP's ownership interest in Millstone 3 to approximately 16.2 percent.

entity subject to all applicable U.S. laws and regulations. The application states that, for tax purposes, immediately after the merger, NEES will be converted from a Massachusetts business trust into a corporation; specifically, NEES will be merged into a Massachusetts corporation to be named NEES Holdings, Inc., which will then be the surviving entity. The post-acquisition capital structure of NEES Holdings, Inc., will be identical to the capital structure of NEES, and NEES Holdings, Inc., will become a wholly owned indirect subsidiary of National Grid, with NEP being a subsidiary of NEES Holdings, Inc., and thus also becoming an indirect subsidiary of National Grid. The application also provides details regarding several companies that will be created for various business reasons as intermediates between National Grid and NEES Holdings, Inc., after the merger is approved, and all of these companies will be either directly or indirectly wholly owned by National Grid. National Grid will register as a public utility holding company under the Public Utility Holding Company Act of 1935.

Approval of the indirect license transfer that would result from the foregoing transactions was requested pursuant to 10 CFR 50.80. Notice of the application for approval and an opportunity for a hearing was published in the **Federal Register** on June 30, 1999 (64 FR 35191). Pursuant to such notice, joint Millstone 3 owners Connecticut Light and Power Company (CL&P) and Western Massachusetts Electric Company (WMECO) filed a timely intervention petition and hearing request. Following the submission of further pleadings by the applicants and petitioners, the Commission found that the petitioners had demonstrated standing and proffered two admissible issues (regarding foreign ownership and financial qualifications). The Commission set the case for hearing and issued a schedule for the proceeding. Subsequently, on November 4, 1999, the petitioners filed a notice of withdrawal of their petitions to intervene, and the petitioners and the applicants jointly moved for termination of the proceeding due to a settlement reached between the parties. The Commission granted the motion on November 19, 1999. In doing so, it noted that the staff, in its review of transfer applications, examines financial qualifications and foreign ownership issues, and should consider concerns specifically raised in the proceeding relating to those matters when it takes action on the transfer application. North Atlantic Energy

Service Corp., *et al.* (Seabrook, Unit 1 and Millstone Station, Unit 3), CLI-99-28, 50 NRC \_\_\_\_\_, slip op. (Nov. 19, 1999). The staff has considered those concerns, which are addressed in the safety evaluation supporting this Order.

Under 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. Upon review of the information in the application, and other information before the Commission, the NRC staff has determined that the proposed merger of National Grid and NEES will not affect the qualifications of NEP as a holder of Facility Operating License NPF-49, and that the indirect transfer of the license, to the extent effected by the proposed merger, is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission, subject to the conditions set forth herein. The foregoing findings are supported by a safety evaluation dated December 10, 1999.

## III

Accordingly, pursuant to Sections 161b, 161i, 161o, and 184 of the Atomic Energy Act of 1954 (AEA), as amended, 42 U.S.C. 2201(b), 2201(i), 2201(o), and 2234; and 10 CFR 50.80, *It Is Hereby Ordered* that the indirect license transfer referenced above is approved, subject to the following conditions:

(1) No later than the time the proposed merger with National Grid is consummated, NEP shall establish and make operational a Special Nuclear Committee, as described in the application, having the composition, authority, responsibilities, and obligations specified in the application, provided, however, the Special Nuclear Committee may also have exclusive authority on behalf of NEP over taking any action which is ordered by the NRC or any other agency or court of competent jurisdiction. No material changes with respect to the Special Nuclear Committee may be made without the prior written consent of the Director, Office of Nuclear Reactor Regulation. The foregoing provisions may be modified by the Commission upon application and for good cause shown.

(2) The Special Nuclear Committee shall have the responsibility and exclusive authority to ensure, and shall ensure, that the business and activities of NEP with respect to the Millstone 3 license are at all times conducted in a manner consistent with the protection of the public health and safety and

common defense and security of the United States.

(3) NEP shall provide the Director of the Office of Nuclear Reactor Regulation a copy of any application, at the time it is filed, to transfer (excluding grants of security interests or liens) from NEP to its direct or indirect parent, or to any other affiliated company, facilities for the production, transmission, or distribution of electric energy having a depreciated book value exceeding ten percent (10 percent) of NEP's consolidated net utility plant, as recorded on its books of account.

(4) Should the proposed merger not be completed by December 30, 2000, this Order shall become null and void, provided, however, upon application and for good cause shown, such date may be extended.

This Order is effective upon issuance.

For further details with respect to this Order, see the initial application dated March 15, 1999, and the supplements dated May 20 and June 17, 1999, and the safety evaluation dated December 10, 1999, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site <http://www.nrc.gov>.

Dated at Rockville, Maryland, this 10th day of December 1999.

For the Nuclear Regulatory Commission.

**Roy P. Zimmerman,**

*Acting Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 99-33482 Filed 12-23-99; 8:45 am]

BILLING CODE 7590-01-P

## OFFICE OF PERSONNEL MANAGEMENT

### Excepted Service

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** This gives notice of positions placed or revoked under Schedules A and B, and placed under Schedule C in the excepted service, as required by Civil Service Rule VI, Exceptions from the Competitive Service.

**FOR FURTHER INFORMATION CONTACT:** Director, Staffing Reinvention Office, Employment Service (202) 606-0830.

**SUPPLEMENTARY INFORMATION:** The Office of Personnel Management published its last monthly notice updating appointing authorities established or revoked under the Excepted Service provisions of 5

CFR part 213 on November 23, 1999 (64 FR 65738). Individual authorities established or revoked under Schedules A and B and established under Schedule C between October 1, 1999, and October 31, 1999, appear in the listing below. Future notices will be published on the fourth Tuesday of each month, or as soon as possible thereafter. A consolidated listing of all authorities as of June 30, is published each year.

### Schedule A

No Schedule A authorities were established or revoked during October 1999.

### Schedule B

No Schedule B authorities were established or revoked during October 1999.

### Schedule C

The following Schedule C authorities were established during October 1999.

#### *Broadcasting Board of Governors*

Staff Director to the Chairman, Advisory Board for Cuba Broadcasting. Effective October 1, 1999.

Writer to the Director, Office of Policy, International Broadcasting Bureau. Effective October 1, 1999.

Confidential Assistant to the Director, Office of Cuba Broadcasting. Effective October 1, 1999.

Public Affairs Officer to the Director, Voice of America. Effective October 1, 1999.

#### *Department of Agriculture*

Administrative Assistant to the Administrator, Cooperative State Research, Education, and Extension Service. Effective October 6, 1999.

Associate Administrator to the Administrator, Agricultural Marketing Service. Effective October 7, 1999.

Confidential Assistant to the Administrator, Rural Utilities Service. Effective October 7, 1999.

Special Assistant to the Administrator, Agricultural Research Service. Effective October 12, 1999.

#### *Department of Commerce*

Special Assistant to the Director, Office of Business Liaison. Effective October 1, 1999.

Senior Advisor to the Director, Minority Business Development Agency. Effective October 7, 1999.

Director of Communications to the Under Secretary for Technology. Effective October 22, 1999.

Confidential Assistant to the Director, Minority Business Development Agency. Effective October 28, 1999.

#### *Department of Defense*

Special Assistant to the Assistant Secretary of Defense, Strategy and Threat Reduction. Effective October 12, 1999.

Foreign Affairs Specialist to the Deputy Assistant Secretary for Peacekeeping and Humanitarian Affairs. Effective October 28, 1999.

Foreign Affairs Specialist to the Deputy Assistant Secretary for Inter-American Affairs. Effective October 29, 1999.

#### *Department of Education*

Confidential Assistant to the Special Assistant, Office of the Counselor to the Secretary. Effective October 14, 1999.

Confidential Assistant to the Director, Office of Public Affairs. Effective October 20, 1999.

Special Assistant to the Director, Office of Public Affairs. Effective October 20, 1999.

Special Assistant to the Assistant Secretary, Office for Civil Rights. Effective October 28, 1999.

#### *Department of Energy*

Staff Assistant to the Director of Scheduling and Advance. Effective October 12, 1999.

Special Assistant to the Deputy Secretary of Energy. Effective October 15, 1999.

Special Assistant to the Director, Office of Consumer Information. Effective October 20, 1999.

Special Assistant to the Principal Deputy Assistant Secretary. Effective October 20, 1999.

Daily Scheduler to the Director, Office of Scheduling and Advance. Effective October 27, 1999.

Special Assistant to the Assistant Secretary for International Affairs. Effective October 28, 1999.

Senior Policy Advisor to the Assistant Secretary for Defense Programs. Effective October 28, 1999.

Senior Advisor to the Assistant Secretary for Congressional and Intergovernmental Affairs. Effective October 28, 1999.

#### *Department of Health and Human Services*

Speechwriter to the Director of Speechwriting. Effective October 14, 1999.

Confidential Assistant (Scheduling) to the Director of Scheduling. Effective October 22, 1999.

Special Assistant to the Director, Office of Intergovernmental Affairs. Effective October 28, 1999.

Special Assistant to the Principal Deputy Assistant Secretary for Children and Families. Effective October 29, 1999.