



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 66

TO FACILITY OPERATING LICENSE NO. NPF-49

NORTHEAST NUCLEAR ENERGY COMPANY, ET AL.

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3

DOCKET NO. 50-423

1.0 INTRODUCTION

By letter dated March 21, 1991, as supplemented June 11, 1991, Northeast Nuclear Energy Company (NNECO) requested an amendment to Facility Operating License No. NPF-49 for the Millstone Nuclear Power Station, Unit No. 3. The proposed amendment would change Facility Operating License NPF-49, to reflect the transfer of control of Public Service Company of New Hampshire's (PSNH's) 2.8475 percent ownership in Millstone Unit No. 3 through the merger of PSNH with a wholly owned subsidiary of Northeast Utilities (NU), with PSNH emerging as the surviving entity from the merger as a wholly owned subsidiary of NU. The change would be effective the date of the merger between NU and PSNH. NNECO has informed us that this transfer is expected to be completed by May 1992. The June 11, 1991 letter provided clarifying information that did not change the initial proposed no significant hazards consideration determination.

2.0 EVALUATION

Public Service Company of New Hampshire (PSNH) presently owns 2.8475 percent of Millstone Unit No. 3. Millstone Unit No. 3 is a nuclear powered generating station which is being operated by Northeast Nuclear Energy Company (NNECO) on behalf of 14 co-owners, one of which is PSNH. A merger is occurring between Northeast Utilities (NU) and PSNH which will result in PSNH becoming a wholly owned subsidiary of NU. There is technically no transfer of the interest owned by PSNH but there is a change in that PSNH will be a wholly owned subsidiary of NU.

NNECO notes that the change:

1. Will not reduce the funds available to NNECO to carry out activities under its operating license.
2. Will not adversely affect the management of NNECO's operations.

3. Will not result in NNECO being owned, controlled, or dominated by an alien, foreign corporation, or foreign government.

The proposed change to the license does not involve a change in the safety analysis, the Technical Specifications or day-to-day operation of the facility. Based on NNECO's operation of Millstone Unit No. 3 to date and the fact that the transaction involves a change in the control of a small ownership share in the facility, the staff has determined that the proposed license amendment is acceptable. We have further determined that NNECO remains qualified to be a holder of Facility Operating License No. NPF-49 and that the transfer of license rights is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission, pursuant to 10 CFR 50.80(a).

We have also taken this opportunity to correct an administrative error in License Amendment 35 issued May 25, 1989. Amendment 35 added a footnote listing 14 utilities as owners of Millstone Unit No. 3, but Section 1.A on page 1 retained the description of "15 utilities." We have changed Section 1.A so that it now refers to "14 utilities" which is the correct description, and is consistent with the footnote.

### 3.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Connecticut State official was notified of the proposed issuance of the amendment. The State official had no comments.

### 4.0 ENVIRONMENTAL CONSIDERATION

Pursuant to 10 CFR 51.21, 51.32 and 51.35, an environmental assessment and finding of no significant impact was prepared and published in the Federal Register (57 FR 22278). Accordingly, based upon the environmental assessment, the NRC staff has determined that the issuance of this amendment will not have a significant effect on the quality of the human environment.

### 5.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

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Date: May 29, 1992