

## NATIONAL TRANSPORTATION SAFETY BOARD

### Sunshine Act Meeting Notice

#### Agenda; National Transportation Safety Board

**TIME AND DATE:** 9:30 a.m., Tuesday, September 21, 1999.

**PLACE:** NTSB Board Room, 5th Floor, 490 L'Enfant Plaza, SW., Washington, DC 20594.

**STATUS:** Open to the public.

#### MATTERS TO BE CONSIDERED:

7010A—Highway Special Investigation Report: Bus Crashworthiness.

7120A—Hazardous Materials Accident Report: Overflow of Gasoline and Fire at a Service Station-Convenience Store, Biloxi, Mississippi on August 9, 1998.

**NEWS MEDIA CONTACT:** Telephone: (202) 314-6100.

Individuals requesting specific accommodation should contact Mrs. Barbara Bush at (202) 314-6220 by Friday, September 17, 1999.

**FOR MORE INFORMATION CONTACT:** Rhonda Underwood, (202) 314-6065.

Dated: September 10, 1999.

#### Rhonda Underwood,

*Federal Register Liaison Officer.*

[FR Doc. 99-24094 Filed 9-10-99; 4:21 pm]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-302]

### In the Matter of Florida Power Corporation et al. (Crystal River Unit 3); Order Approving the Transfer of License and a Conforming Amendment

#### I

Florida Power Corporation (FPC), owner of 90.4473 percent of Crystal River Unit 3 (CR-3), has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility as reflected in Operating License DPR-72. The City of Tallahassee (the City), one of the several joint owners of the facility, holds a 1.3333-percent ownership interest in CR-3. The Nuclear Regulatory Commission (NRC or Commission) issued License No. DPR-72 on December 3, 1976, pursuant to Part 50 of Title 10 of the Code of Federal Regulations (10 CFR part 50). The facility is located in Citrus County, Florida.

#### II

By application dated December 29, 1998, as supplemented on June 18, 1999 (collectively hereinafter referred to as the application), FPC requested approval of the proposed transfer of the City's rights under the Operating License for CR-3 to FPC. FPC also requested approval of a conforming amendment to reflect the transfer.

According to the application, the City has agreed to sell its 1.3333-percent ownership interest in CR-3 to FPC, subject to obtaining all necessary regulatory approvals. FPC would continue to have exclusive responsibility for the management, operation, and maintenance of CR-3. The conforming amendment would remove the City from the Facility Operating License and indicate that the City is no longer a licensee.

Approval of the transfer and conforming license amendment was requested pursuant to 10 CFR 50.80 and 50.90. Notice of the application for approval and an opportunity for a hearing was published in the **Federal Register** on February 26, 1999 (64 FR 9544). No hearing requests were filed.

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 submitted in the application, the NRC staff has determined that FPC is qualified to hold the license with respect to the additional ownership interest of the City, and that the transfer of the license, to the extent it is held by the City, to FPC is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission.

The NRC staff has further found that the application for the proposed license amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Ch. I; the facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission; there is reasonable assurance that the activities authorized by the proposed license amendment can be conducted without endangering the health and safety of the public and that such activities will be conducted in compliance with the Commission's regulations; the issuance of the proposed license amendment will not be inimical to the common defense and security or to the health and safety of

the public; and the issuance of the proposed license amendment is in accordance with 10 CFR part 51 of the Commission's regulations, and all applicable requirements have been satisfied. The findings previously set forth herein are supported by a Safety Evaluation dated September 8, 1999.

#### III

Accordingly, pursuant to Sections 161b, 161i, and 184 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2201(b), 2201(i), and 2234, and 10 CFR 50.80, *it is hereby ordered* that the license transfer referenced above is approved, subject to the following conditions:

(a) The use of assets in the City's existing non-qualified decommissioning trust fund for CR-3 (Decommissioning Trust Fund) shall be limited to the expenses related to decommissioning of CR-3 as defined by the NRC in its regulations and issuances, and as provided in the CR-3 license and any amendments thereto.

(b) Decommissioning Trust Fund investments in the securities or other obligations of the City or FPC, or affiliates thereof, or their successors or assigns, shall be prohibited. In addition, except for investments tied to market indexes or other non-nuclear sector mutual funds, investments in any entity owning one or more nuclear power plants shall be prohibited.

(c) No disbursements or payments from the Decommissioning Trust Fund shall be made by the trustee until the trustee has first given the NRC thirty (30) days notice of payment. No disbursements or payments from the Decommissioning Trust Fund shall be made if the trustee receives prior written notice of objection from the Director, Office of Nuclear Reactor Regulation, NRC.

(d) The agreement governing the Decommissioning Trust Fund shall be amended, to the extent necessary, to be consistent with this Order. It then shall not be modified in any material respect without prior written consent of the Director, Office of Nuclear Reactor Regulation, NRC.

(e) FPC shall take all necessary steps to ensure that the maintenance of, and disbursement of funds from, the Decommissioning Trust Fund is in accordance or consistent with the application, this Order, and the supporting safety evaluation.

(f) After receipt of all required regulatory approvals of the transfer of the City's interest in CR-3 to FPC, FPC shall inform the Director, Office of Nuclear Reactor Regulation, in writing, of such receipt within five business