

subsidiary owners would each remain an "electric utility" as defined in 10 CFR 50.2, engaged in the generation, transmission, and distribution of electric energy for wholesale and retail sale. No physical changes to the facilities or operational changes are being proposed in the application. Notice of this request for approval was published in the **Federal Register** on April 7, 2000 (65 FR 18381). Pursuant to the notice, a petition for leave to intervene and request for hearing regarding the proposed indirect transfer of the licenses for the Millstone units has been received from the Connecticut Coalition Against Millstone and the Long Island Coalition Against Millstone and the matter is currently pending before the Commission.

Under 10 CFR 50.80, no license shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission gives its consent in writing. Upon review of the information submitted in the application and other information before the Commission, the NRC staff has determined that the corporate merger will not affect the qualifications of WMECO, CL&P, PSNH, and NNEC as holders of the licenses referenced above, and that the indirect transfer of the licenses, to the extent effected by the merger, is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission subject to the conditions set forth herein. These findings are supported by a Safety Evaluation dated August 22, 2000.

### III

Accordingly, pursuant to Sections 161b, 161i, 161o, and 184 of the Atomic Energy Act of 1954, as amended, 42 USC 2201(b), 2201(i), 2201(o), and 2234; and 10 CFR 50.80, *It Is Hereby Ordered*, That the application regarding the indirect license transfers referenced above is approved subject to the following conditions: (1) CL&P, WMECO, and PSNH, as applicable, 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 CL&P, WMECO, or PSNH, respectively, to its proposed 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%) of the subject licensee's consolidated net utility plant, as recorded in the licensee's books of account, and (2) should the corporate merger of CEI and NU not be completed

by December 31, 2001, this Order shall become null and void, provided, however, on application and for good cause shown, such date may be extended.

For further details with respect to this action, see the initial application dated January 13, 2000, the supplemental letter dated May 2, 2000, and the Safety Evaluation dated August 22, 2000, 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 22nd day of August 2000.

For the Nuclear Regulatory Commission.

**Samuel J. Collins,**

*Director, Office of Nuclear Reactor Regulation.*

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**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-003 and 50-247]

### In the Matter of Consolidated Edison Company of New York, Inc. (Indian Point Nuclear Generating Units 1 and 2); Order Approving Application Regarding Corporate Merger of Consolidated Edison, Inc., and Northeast Utilities

#### I

Consolidated Edison Company of New York, Inc. (CEI of NY), a subsidiary of Consolidated Edison, Inc. (CEI), holds 100-percent ownership interest in Indian Point Nuclear Generating Units 1 and 2 (Indian Point Units 1 and 2). CEI of NY holds the facility Operating Licenses Nos. DPR-5 and DPR-26 issued by the U.S. Atomic Energy Commission pursuant to Part 50 of Title 10 of the Code of Federal Regulations (10 CFR Part 50) on March 26, 1962, for Indian Point Unit 1 and September 28, 1973, for Indian Point Unit 2, respectively. Under these licenses, CEI of NY has the authority to possess and operate Indian Point Units 1 and 2, which are located in Westchester County, New York.

#### II

Pursuant to Section 184 of the Atomic Energy Act of 1954 (the Act), as amended, and 10 CFR 50.80, CEI of NY and North Atlantic Energy Service Corporation and Northeast Nuclear Energy Company, subsidiaries of

Northeast Utilities (NU), jointly filed an application dated January 13, 2000, as supplemented by a letter dated May 2, 2000 (collectively herein referred to as the application), requesting the Commission's approval of the indirect transfer of the licenses for the Indian Point units in connection with the proposed corporate mergers involving CEI and NU. The applicants informed the Commission that CEI and NU were in the process of implementing a corporate merger in which CEI and NU will be combined through two simultaneous mergers: the merger of CEI into New CEI, a Delaware corporation, and the merger of an indirect, wholly owned subsidiary of New CEI with NU. New CEI would become the parent corporation to, and sole owner of, CEI of NY and NU. CEI of NY would continue to remain a 100-percent owner and possession licensee as well as the operator of Indian Point Units 1 and 2. The NU indirect interests in the Millstone Nuclear Power Station Units 1, 2, and 3 and the Seabrook Station Unit 1 will be the subject of separate orders. CEI of NY would remain an "electric utility" as defined in 10 CFR 50.2 engaged in the generation, transmission, and distribution of electric energy for wholesale and retail sale. No physical changes to the facilities or operational changes are being proposed in the application. Notice of this request for approval was published in the **Federal Register** on April 7, 2000 (65 FR 18378). No hearing requests were received concerning Indian Point Units 1 and 2.

Under 10 CFR 50.80, no license shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission gives its consent in writing. Upon review of the information submitted in the application and other information before the Commission, the NRC staff has determined that the corporate merger will not affect the qualifications of CEI of NY as the holder of the Indian Point Units 1 and 2 licenses referenced above, and that the indirect transfer of the licenses, to the extent effected by the merger, is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission subject to the conditions set forth herein. These findings are supported by a Safety Evaluation dated August 22, 2000.

#### III

Accordingly, pursuant to Sections 161b, 161i, 161o, and 184 of the Atomic Energy Act of 1954, as amended, 42 USC §§ 2201(b), 2201(i), 2201(o), and 2234; and 10 CFR 50.80, *It Is Hereby*

*Ordered*, That the application regarding the indirect license transfers referenced above is approved subject to the following conditions: (1) CEI of NY 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 CEI of NY to its proposed 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%) of CEI of NY's consolidated net utility plant, as recorded on CEI of NY's books of accounts, and (2) should the corporate merger of CEI and NU not be completed by December 31, 2001, this Order shall become null and void, provided, however, on application and for good cause shown, such date may be extended.

For further details with respect to this action, see the initial application dated January 13, 2000, the supplemental letter dated May 2, 2000, and the Safety Evaluation dated August 22, 2000, 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 22nd day of August 2000.

For the Nuclear Regulatory Commission.

**Samuel J. Collins,**

*Director, Office of Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

[Louisiana License LA-7396-L01]

### **Gulf Coast International Inspection, Inc.— Houma, LA; Environmental Assessment, Finding of No Significant Impact, and Notice of Opportunity for a Hearing**

The Nuclear Regulatory Commission is considering authorizing Gulf Coast International Inspection, Inc. (Gulf Coast) an exemption to use pipeliners on lay barges in the Gulf of Mexico.

#### **Environmental Assessment**

##### *Identification of the Proposed Action*

Gulf Coast International Inspection Incorporated (Gulf Coast) is licensed by the State of Louisiana to conduct

industrial radiography operations. They have requested, in their letter dated November 16, 1999, that the United States Nuclear Regulatory Commission (NRC) grant them reciprocity and an exemption from 10 CFR 34.20 (a)(1) to use their pipeliner type radiography cameras (pipeliners) for pipeline radiography on lay barges in areas under exclusive federal jurisdiction in the Gulf of Mexico. Pipeliners are older model radiography cameras that do not meet the requirements of 10 CFR 34.20(a)(1) which requires equipment used in industrial radiographic operations to meet the requirements in ANSI N432-1980, "Radiological Safety for the Design and Construction of Apparatus for Gamma Radiography (ANSI N432-1980)," (published as NBS Handbook 136, issued January 1981). Gulf Coast is allowed to conduct similar operations in the State of Louisiana under an exemption granted in license number LA-7396-L01.

##### *Need for the Proposed Action*

The exemption is needed so that Gulf Coast can carry out its business of pipeline radiography on lay barges for the continuation of pipeline operations in the oil and gas industry. Gulf Coast contends that due to the design of the lay barges and the limited space that is available, the pipeliner is the only device that will keep up with production on a lay barge and provide a safe working environment for their radiographers and surrounding barge personnel.

##### *Environmental Impacts of the Proposed Action*

There will be no significant environmental impact from the proposed action due to the fact that no material is being released into the environment and all of the material is wholly contained within the radiography camera which is only used in a fully enclosed radiography stall on a lay barge. During normal operation the radiation dose will not be significantly greater than an approved radiography camera's normal operating external radiation dose levels.

##### *Alternatives to the Proposed Action*

As required by Section 102(2)(E) of NEPA (42 U.S.C. 4322(2)(E)), possible alternatives to the final action have been considered. The only alternative is to deny the exemption. This option was not considered practical because there would be no gain in protecting the human environment. Denying the exemption request would force Gulf Coast to revert to radiography cameras that are designed to meet ANSI N432-

1980, but these cameras are not practical for radiography operations on a lay barge. These newer cameras would be similar to the pipeliners in that their radioactive material is housed as a sealed source and there would be no release of material to the environment. However, these newer cameras have associated equipment, such as a drive cable and guide tube, that would require additional space to perform radiography on pipeliners. This equipment becomes cumbersome and may get in the way as the pipe is moved through the lay barge. In the newer devices, the sealed source would have to be cranked out of the shielded position in the camera housing through a guide tube to the exposure head location where the radiograph takes place. This "crank out" action causes the source to be unshielded while the source is cranked out to the exposure head. This results in an increase in the "restricted area" boundary causing a greater potential for non-radiography personnel on the lay barge to become exposed to radiation.

##### *Alternative Use of Resources*

No alternative use of resources was considered due to the reasons stated above.

##### *Agencies and Persons Consulted*

The State of Louisiana was contacted by telephone on August 7, 2000 regarding this proposed action. The State of Louisiana is in agreement with the proposed action and had no additional comments.

##### *Identification of Sources Used*

Letter from Gulf Coast International Inspection, Inc. to U.S. Nuclear Regulatory Commission, Region IV, Re: Louisiana License No. LA-7396-L01, dated November 16, 1999.

##### **Finding of No Significant Impact**

Based on the above environmental assessment, the Commission has concluded that environmental impacts that would be created by the proposed action would not have a significant effect on the quality of the human environment and does not warrant the preparation of an Environmental Impact Statement. Accordingly, it has been determined that a Finding of No Significant Impact is appropriate.

Gulf Coast's application is available for inspection and copying for a fee in the Region IV Public Document Room, 611 Ryan Plaza Drive, Suite 400, Arlington, TX 76011-8064. The documents may also be viewed in the Agency-wide Documents Access and Management System (ADAMS) located on the NRC website at [www.nrc.gov](http://www.nrc.gov).