

Commission (NRC or Commission) to operate the facility. The facility is located at the licensee's site 8 miles northwest of Cedar Rapids, Iowa.

## II

By application dated January 20, 2006 (the application), FPL Energy Duane Arnold requested that the NRC, pursuant to 10 CFR 50.80, consent to the proposed indirect transfer of control of the license to the extent currently held by FPL Energy Duane Arnold. The other co-owners of the facility, Central Iowa Power Cooperative and Corn Belt Power Cooperative, are not involved in this action.

According to the application filed by FPL Energy Duane Arnold, FPL Energy Duane Arnold will continue to own a 70 percent ownership interest in the facility.

As stated in the application, in connection with the proposed merger of FPL Energy Duane Arnold's ultimate parent company, FPL Group, Inc. (FPL Group), and Constellation Energy Group, Inc. (CEG, Inc.), FPL Group will become a wholly owned subsidiary of CEG, Inc. At the closing of the merger, the former shareholders of FPL Group will own approximately 60 percent of the outstanding stock of CEG, Inc., and the premerger shareholders of CEG, Inc., will own the remaining approximately 40 percent. In addition, the CEG, Inc., Board of Directors will be composed of fifteen members, nine of whom will be named by FPL Group, and six of whom will be named by the current CEG, Inc.

Approval of the indirect transfer of the facility operating license was requested by FPL Energy Duane Arnold pursuant to 10 CFR 50.80. Notice of the request for approval and an opportunity for a hearing was published in the **Federal Register** on February 22, 2006 (71 FR 9172). No comments or petitions to intervene were received.

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. Upon review of the information in the application by FPL Energy Duane Arnold and other information before the Commission, the NRC staff concludes that the proposed merger and resulting indirect transfer of control of the license will not affect the qualifications of FPL Energy Duane Arnold as holder of the facility license, and that the indirect transfer of control of the license as held by FPL Energy Duane Arnold, is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

The findings set forth above are supported by a safety evaluation dated August 3, 2006.

## III

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

Should the proposed merger not be completed within one year from the date of issuance, this Order shall become null and void, provided, however, upon written application and good cause shown, such date may in writing be extended.

This Order is effective upon issuance.

For further details with respect to this Order, see the application dated January 20, 2006, and the safety evaluation dated August 3, 2006, which are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area 01 F21, 11555 Rockville Pike (first floor), Rockville, Maryland and accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland this 3rd day of August 2006.

For the Nuclear Regulatory Commission.

**Catherine Haney,**

*Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-443; License No. NPF-86]

### In the Matter of FPL Energy Seabrook, LLC (Seabrook Station, Unit No. 1); Order Approving Application Regarding Proposed Corporate Merger

## I

FPL Energy Seabrook, LLC (FPL Energy Seabrook or the licensee) is a holder of Facility Operating License No.

NPF-86, which authorizes the possession, use, and operation of the Seabrook Station, Unit 1 (Seabrook or the facility). FPL Energy Seabrook is licensed by the U.S. Nuclear Regulatory Commission (NRC or Commission) to operate the facility. The facility is located at the licensee's site 13 miles south of Portsmouth, New Hampshire.

## II

By application dated January 20, 2006 (the application), FPL Energy Seabrook requested that the NRC, pursuant to 10 CFR 50.80, consent to the proposed indirect transfer of control of the license to the extent currently held by FPL Energy Seabrook. The other co-owners of the facility, Hudson Light & Power Department, Massachusetts Municipal Wholesale Electric Company, and Taunton Municipal Light Plant, are not involved in this action.

According to the application filed by FPL Energy Seabrook, FPL Energy Seabrook will continue to own an 88.23 percent ownership interest in the facility.

As stated in the application, in connection with the proposed merger of FPL Energy Seabrook's ultimate parent company, FPL Group, Inc. (FPL Group), and Constellation Energy Group, Inc. (CEG, Inc.), FPL Group will become a wholly owned subsidiary of CEG, Inc. At the closing of the merger, the former shareholders of FPL Group will own approximately 60 percent of the outstanding stock of CEG, Inc., and the premerger shareholders of CEG, Inc., will own the remaining approximately 40 percent. In addition, the CEG, Inc., Board of Directors will be composed of fifteen members, nine of whom will be named by FPL Group, and six of whom will be named by the current CEG, Inc.

Approval of the indirect transfer of the facility operating license was requested by FPL Energy Seabrook pursuant to 10 CFR 50.80. Notice of the request for approval and an opportunity for a hearing was published in the **Federal Register** on February 22, 2006 (71 FR 9173). No comments or petitions to intervene were received.

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. Upon review of the information in the application by FPL Energy Seabrook and other information before the Commission, the NRC staff concludes that the proposed merger and resulting indirect transfer of control of the license will not affect the qualifications of FPL Energy Seabrook as a holder of the facility license, and

that the indirect transfer of control of the license as held by FPL Energy Seabrook, is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

The findings set forth above are supported by a safety evaluation dated August 3, 2006.

### III

Accordingly, pursuant to Sections 161b, 161i and 184 of the Atomic Energy Act of 1954, as amended (the Act), 42 U.S.C. 2201(b), 2201(i) and 2234; and 10 CFR 50.80, it is hereby ordered that the application regarding the proposed merger and indirect license transfer is approved, subject to the following condition:

Should the proposed merger not be completed within one year from the date of issuance, this Order shall become null and void, provided, however, upon written application and good cause shown, such date may in writing be extended.

This Order is effective upon issuance.

For further details with respect to this Order, see the application dated January 20, 2006, and the safety evaluation dated August 3, 2006, which are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area 01 F21, 11555 Rockville Pike (first floor), Rockville, Maryland and accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, 301-415-4737, or by E-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland this 3rd day of August 2006.

For the Nuclear Regulatory Commission.

**Catherine Haney,**

*Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards; Meeting Notice

In accordance with the purposes of sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the

Advisory Committee on Reactor Safeguards (ACRS) will hold a meeting on September 7-9, 2006, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Tuesday, November 22, 2005 (70 FR 70638).

#### Thursday, September 7, 2006, Conference Room T-2b3, Two White Flint North, Rockville, Maryland

**8:30 a.m.-8:35 a.m.: Opening Remarks by the ACRS Chairman** (Open): The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

**8:35 a.m.-10 a.m.: Final Review of the License Renewal Application for the Monticello Nuclear Generating Plant** (Open): The Committee will hear presentations by and hold discussions with representatives of the NRC staff and Nuclear Management Company, LLC regarding the license renewal application for the Monticello Nuclear Generating Plant and the associated NRC staff's final Safety Evaluation Report.

**10:15 a.m.-11:45 a.m.: Lessons Learned from the Review of the Early Site Permit Applications** (Open): The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the lessons learned from the review of the early site permit applications for the Grand Gulf, North Anna, and Clinton sites.

**12:45 p.m.-2:45 p.m.: Draft Final Revision to 10 CFR 50.68, "Criticality Accident Requirements"** (Open): The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the draft final revision to 10 CFR 50.68, "Criticality Accident Requirements".

**3 p.m.-4 p.m.: State-of-the Art Consequence Analysis** (Open): The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the staff's plans to perform a state-of-the art consequence analysis for each site and compare the results with those in NUREG/CR-2239, "Technical Guidance for Siting Criteria Development".

**4 p.m.-4:30 p.m.: EDO Response to the ACRS Report on the Review of Ongoing Security-Related Activities** (Closed): The Committee will hold discussions with representatives of the NRC staff regarding the June 29, 2006 response from the NRC Executive Director for Operations (EDO) to the comments and recommendations included in the April 24, 2006 ACRS

report on Review of Ongoing Security-Related Activities.

**Note:** This session will be closed to protect information classified as National Security information as well as safeguards information pursuant to 5 U.S.C. 552b( c) (1) and (3)].

**4:45 p.m.-7 p.m.: Preparation of ACRS Reports** (Open/Closed): The Committee will discuss proposed ACRS reports on matters considered during this meeting.

#### Friday, September 8, 2006, Conference Room T-2b3, Two White Flint North, Rockville, Maryland

**8:30 a.m.-8:35 a.m.: Opening Remarks by the ACRS Chairman** (Open): The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

**8:30 a.m.-10:30 a.m.: Risk-Informed Criteria for Societal Risk** (Open): The Committee will hear a report by and hold discussions with the cognizant ACRS member regarding risk-informed criteria for societal risk.

**10:45 a.m.-11:45 a.m.: Draft Report on the Quality Assessment of Selected NRC Research Projects** (Open): The Committee will discuss a draft ACRS report on the quality assessment of the NRC research projects on Containment Capacity Study at Sandia National Laboratories and on Molten Core Coolant Interaction Study at the Argonne National Laboratory.

**11:45 a.m.-12 Noon: Subcommittee Report** (Open): Report by and discussions with the Chairman of the ACRS Subcommittee on Thermal-Hydraulic Phenomena regarding industry perspectives on PWR sump performance issues that were discussed at the August 23-24, 2006 Subcommittee meeting.

**1 p.m.-2 p.m.: Future ACRS Activities/Report of the Planning and Procedures Subcommittee** (Open): The Committee will discuss the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the full Committee during future meetings. Also, it will hear a report of the Planning and Procedures Subcommittee on matters related to the conduct of ACRS business, including anticipated workload and member assignments.

**2 p.m.-2:15 p.m.: Reconciliation of ACRS Comments and Recommendations** (Open): The Committee will discuss the responses from the NRC Executive Director for Operations to comments and recommendations included in recent ACRS reports and letters.

**2:30 p.m.-4 p.m.: Preparation for Meeting With the NRC Commissioners**