

**NORTHEAST DAIRY COMPACT COMMISSION****Notice of Meeting**

**AGENCY:** Northeast Dairy Compact Commission.

**ACTION:** Notice of meeting.

**SUMMARY:** The Compact Commission will hold its monthly meeting to consider matters relating to administration and the price regulation and will hold election of its officers for the forthcoming year as provided under Article IV of the Commission's Bylaws.

**DATES:** The meeting is scheduled for Wednesday, December 16, 1998 to commence at the close of the Proposed Rulemaking Public Hearing beginning at 9:00 a.m. as previously noticed at 63 FR 65563, 65565 (November 27, 1998).

**ADDRESSES:** The meeting will be held at the Tuck Library Building, Chubb Auditorium, 30 Park Street, Concord, NH (exit 14 off I-93).

**FOR FURTHER INFORMATION CONTACT:** Kenneth Becker, Executive Director, Northeast Dairy Compact Commission, 43 State Street, PO Box 1058, Montpelier, VT 05601. Telephone (802) 229-1941.

(Authority: (a) Article V, Section 11 of the Northeast Interstate Dairy Compact, and 7 U.S.C. 7256.)

**Kenneth Becker,**

*Executive Director.*

[FR Doc. 98-32618 Filed 12-8-98; 8:45 am]

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**NUCLEAR REGULATORY COMMISSION**

[Docket No. 30-16055-ML; ASLBP No. 99-756-01-ML]

**Advanced Medical Systems, Inc.; Notice of Reconstitution**

Pursuant to the authority contained in 10 CFR 2.721 and 2.1207, the Presiding Officer in the captioned Subpart L proceeding is hereby replaced by appointing Administrative Judge Charles Bechhoefer as Presiding Officer in place of Administrative Judge B. Paul Cotter, Jr.

All correspondence, documents and other material shall be filed with the Presiding Officer in accordance with 10 CFR 2.1203 (1997). The address of the new Presiding Officer is: Administrative Judge Charles Bechhoefer, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Issued at Rockville, Maryland, this 3rd day of December 1998.

**B. Paul Cotter, Jr.,**

*Chief Administrative Judge, Atomic Safety and Licensing Board Panel.*

[FR Doc. 98-32628 Filed 12-8-98; 8:45 am]

**BILLING CODE 7590-01-P**

**NUCLEAR REGULATORY COMMISSION**

[Docket No. 30-16055-ML-REN; ASLBP No. 95-707-02-ML-REN]

**Advanced Medical Systems, Inc.; Notice of Reconstitution**

Pursuant to the authority contained in 10 CFR 2.721 and 2.1207, the Presiding Officer in the captioned Subpart L proceeding is hereby replaced by appointing Administrative Judge Charles Bechhoefer as Presiding Officer in place of Administrative Judge B. Paul Cotter, Jr.

All correspondence, documents and other material shall be filed with the Presiding Officer in accordance with 10 CFR 2.1203 (1997). The address of the new Presiding Officer is: Administrative Judge Charles Bechhoefer, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Issued at Rockville, Maryland, this 3rd day of December 1998.

**B. Paul Cotter, Jr.,**

*Chief Administrative Judge, Atomic Safety and Licensing Board Panel.*

[FR Doc. 98-32629 Filed 12-8-98; 8:45 am]

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**NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-440]

**The Cleveland Electric Illuminating Company, Toledo Edison Company, Centerior Service Company, Ohio Edison Company, OES Nuclear, Inc., Pennsylvania Power Company, and Duquesne Light Company (Perry Nuclear Power Plant, Unit No. 1); Order Approving Application Regarding the Transfer of Operating Authority****I.**

The Cleveland Electric Illuminating Company (CEI), Centerior Service Company (CSC), Duquesne Light Company, Ohio Edison Company (OE), OES Nuclear, Inc., Pennsylvania Power Company (Penn Power), and Toledo Edison Company (TE) are the licensees of the Perry Nuclear Power Plant, Unit No. 1 (PNPP). CEI and CSC act as agents for the other licensees and have

exclusive responsibility for, and control over, the physical construction, operation, and maintenance of PNPP as reflected in Operating License No. NPF-58. The U.S. Nuclear Regulatory Commission (NRC) issued License No. NPF-58 on March 18, 1986, pursuant to Part 50 of Title 10 of the Code of Federal Regulations (10 CFR Part 50). The facility is located on the shore of Lake Erie in Lake County, Ohio, approximately 35 miles northeast of Cleveland, Ohio.

**II.**

By application dated June 30, 1998, as supplemented by submittals dated October 27 and November 30, 1998, the licensees requested approval of the transfer of operating authority under the license to a new company, FirstEnergy Nuclear Operating Company (FENOC), and issuance of a conforming amendment. The licensees proposed to transfer operating authority under the license to FENOC to allow it to use and operate PNPP and to possess and use related licensed nuclear materials in accordance with the same conditions and authorizations in the current operating license. The licensees have also requested the issuance of a license amendment reflecting the transfer of operating authority. FENOC, a wholly-owned subsidiary of FirstEnergy Corporation, the direct or indirect parent of the owners of PNPP except for Duquesne Light Company, would become the licensed operator for PNPP and would have exclusive control over the operation and maintenance of the facility. The present plant organization, the oversight organizations, and the engineering and support organizations would be transferred essentially intact from the current operating licensees to FENOC. The technical qualifications of the FENOC organization, therefore, would be at least equivalent to those of the existing organization responsible for operating the plant. CSC, which has no ownership interest in PNPP, and is licensed only as an operator of PNPP, would be removed from the license.

Under the proposed arrangement, ownership of PNPP would remain unchanged; each owner would retain its current ownership interest. FENOC would not own any portion of PNPP. Likewise, the owners' entitlement to capacity and energy from PNPP would not be affected by the proposed transfer of operating responsibility for PNPP to FENOC. The owners would continue to provide all funds for FENOC to operate, maintain, and decommission PNPP. The owners' responsibilities would include providing funding for any emergency situations that might arise at PNPP.

The licensees requested the Commission's approval of the transfer of operating authority to FENOC and issuance of a conforming license amendment pursuant to 10 CFR 50.80 and 50.90. Notice of this application for approval and an opportunity for a hearing were published in the **Federal Register** on August 4, 1998 (63 FR 41600), and an Environmental Assessment and Finding of No Significant Impact was published in the **Federal Register** on September 10, 1998 (63 FR 48531).

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 contained in the submittals of June 30, October 27, and November 30, 1998, and other information before the Commission, the NRC staff has determined that FENOC is qualified to hold the license to the extent and for the purposes described above, and that the transfer of the license as described above is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission, subject to the conditions set forth below. These findings are supported by a Safety Evaluation dated December 2, 1998.

### III.

Accordingly, pursuant to Sections 105, 161b, 161i, and 184 of the Atomic Energy Act of 1954, as amended; 42 USC §§ 2135, 2201(b), 2201(i), and 2234; and 10 CFR 50.80, *it is hereby ordered* that the Commission consents to the transfer of the license as described herein to FENOC, subject to the following conditions:

(1) FENOC shall not market or broker power or energy from the Perry Nuclear Power Plant, Unit No. 1. The owners are responsible and accountable for the actions of FENOC to the extent that said actions affect the marketing or brokering of power or energy from the Perry Nuclear Power Plant, Unit No. 1, and, in any way, contravene the antitrust license conditions contained in the license.

(2) Should the formation of FENOC and transfer of operating authority not be completed by December 31, 1999, this Order shall become null and void, provided, however, on application and for good cause shown, such date may be extended.

This Order is effective upon issuance. Action on the proposed conforming license amendment will be taken upon implementation of the transfer approved by this Order.

For further details with respect to this Order, see the licensees' application dated June 30, 1998, as supplemented by submittals dated October 27 and November 30, 1998, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Perry Public Library, 3753 Main Street, Perry, OH 44081.

Dated at Rockville, Maryland, this 2nd day of December.

For the Nuclear Regulatory Commission.

**Roy P. Zimmerman,**

*Acting Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 98-32630 Filed 12-8-98; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-003]

### Consolidated Edison Company; Indian Point Nuclear Generating Station, Unit 1; Notice of Public Meeting

The NRC will conduct a public meeting at the New York State Armory, 955 Washington Street, Peekskill, New York 10566-5815, on January 20, 1999, to discuss plans developed by Consolidated Edison Company (Con Edison) to decommission the Indian Point Nuclear Generating Station Unit 1. The Indian Point Station, located in Buchanan, New York, includes the permanently shutdown Unit 1 and two operating units. Unit 2 is operated by Consolidated Edison Company, and Unit 3 by New York Power Authority. The meeting is scheduled for 7:00-9:30 p.m., and will be chaired by Mr. Francis X. Cameron, Deputy Assistant General Counsel and Special Counsel for Public Liaison, NRC. The public meeting is being held pursuant to the NRC's regulations in Title 10 of the Code of Federal Regulations, Section 50.82(a)(4) regarding the requirements of a public meeting on the licensees plans for decommissioning the facility as described in the post-shutdown decommissioning activities report (PSDAR). Con Edison submitted a decommissioning plan, which was approved by the NRC in January 1996, prior to the rule change promulgated at 61 FR 39301 (July 29, 1996), requiring a PSDAR. Decommissioning plans approved prior to the revision are considered to meet the requirement for a PSDAR and are subject to the revised regulations, including the requirement for a public meeting. The meeting will

include a presentation by the NRC staff on the decommissioning process and NRC programs for regulatory oversight of decommissioning activities. There will also be a presentation by Consolidated Edison Company on planned decommissioning activities. There will be an opportunity for members of the public to ask questions of NRC staff and Con Edison representatives and make comments related to decommissioning of Indian Point Unit 1. The meeting will be transcribed.

Con Edison's decommissioning plan provides a short discussion of the plant history, a description of the unit's radiological conditions, and a description and schedule of planned decommissioning activities. This decommissioning plan and the NRC's safety evaluation associated with the plan is available for public inspection at the White Plains Public Library, 100 Martine Avenue, White Plains, NY 10601. For more information contact John L. Minns, Non-Power Reactors and Decommissioning Project Directorate, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone 301-415-3166.

Dated at Rockville, Maryland, this 3rd day of December 1998.

For the Nuclear Regulatory Commission.

**Seymour H. Weiss,**

*Director, Non-Power Reactors and Decommissioning Project Directorate Division of Reactor Program Management, Office of Nuclear Regulatory Regulation.*

[FR Doc. 98-32634 Filed 12-8-98; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-498 and 50-499]

### STP Nuclear Operating Company; Notice of Withdrawal of Application for Amendment To Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of STP Nuclear Operating Company (the licensee) to withdraw its January 28, 1997, application for proposed amendment to Facility Operating Licenses Nos. NPF-76 and NPF-80 for the South Texas Project, Unit Nos. 1 and 2, located in Matagorda County, Texas.

The proposed amendment would have relocated the details of Technical Specification (TS) 6.2.3 on the Independent Safety Engineering Group from the Administrative Controls