

Arts, Room 618, 1100 Pennsylvania Ave., NW, Washington, DC 20506 (202/682-5482).

**William I. Hummel,**

*Coordinator, Cooperative Agreements and Contracts.*

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## NATIONAL SCIENCE FOUNDATION

### Notice of Permits Issued Under the Antarctic Conservation Act of 1978

**AGENCY:** National Science Foundation.

**ACTION:** Notice of permits issued under the Antarctic Conservation Act of 1978, Public Law 95-541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978. This is the required notice.

**FOR FURTHER INFORMATION CONTACT:** Nadene G. Kennedy, Permit Office, Office of Polar Programs, Rm. 755, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

**SUPPLEMENTARY INFORMATION:** On August 17, 1999, the National Science Foundation published a notice in the **Federal Register** of permit application received. Permits were issued on September 21, 1999 to the following applicants:

Steven D. Emslie—Permit No. 2000-001  
Paul J. Poganis—Permit No. 2000-004  
Wayne Z. Trivelpiece—Permit No. 2000-006

W. Berry Lyons—Permit No. 2000-008  
Ron Naveen—Permit No. 2000-012  
Gary D. Miller—Permit No. 2000-014

**Nadene G. Kennedy,**

*Permit Officer.*

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-220 and 50-410]

### Niagara Mohawk Power Corporation; New York State Electric & Gas Corporation; Nine Mile Point Nuclear Station, Units 1 and 2; Notice of Consideration of Approval of Transfer of Facility Operating Licenses and Conforming Amendments, and Opportunity for a Hearing

The US Nuclear Regulatory Commission (the Commission) is considering the issuance of orders under 10 CFR 50.80 approving the transfer of Facility Operating License No. DRP-63

for Nine Mile Point Nuclear Station, Unit 1 (NMP1), and Facility Operating License No. NPF-69 for Nine Mile Point Nuclear Station, Unit 2 (NMP2). Niagara Mohawk Power Corporation (NMPC) is currently the sole owner and operator of NMP1. The transfer of the license for NMP1 would be to AmerGen Energy Company, LLC (AmerGen). NMPC currently holds a 41% undivided ownership interest in NMP2, is its exclusive licensed operator, and acts as agent for its other co-owners. The other current co-owners, who may possess but not operate NMP2, are New York Electric & Gas Corporation (NYSEG) with an 18% interest, Long Island Lighting Company with an 18% interest, Rochester Gas and Electric Corporation with a 14% interest, and the Central Hudson Gas & Electric Company with a 9% interest. Under the proposed transfer for NMP2, NMPC's and NYSEG's interests, and NMPC's operating authority under the license for NMP2, would be transferred to AmerGen. Accordingly, following the proposed transfers, AmerGen would become the licensed operator of both NMP units, the sole owner of NMP1, and a 59% co-owner of NMP2. The Commission is also considering amending the licenses for administrative purposes to reflect the proposed transfers. The NMP facility is located in Oswego County, New York.

Under the proposed transfers, AmerGen would be authorized to possess, use, and operate NMP1 and NMP2 under essentially the same conditions and authorizations included in the existing licenses. In addition, no physical changes would be made to either NMP1 or NMP2 as a result of the proposed transfer, and there would be no significant changes in the day-to-day operations of either unit. The proposed amendments to each unit's license would delete all references to "Niagara Mohawk Power Corporation" and "New York State Electric & Gas Corporation" (including variations of these names) and substitute "AmerGen Energy Company, LLC" (or its new position of "licensee" or "applicant"). The proposed amendments would also add to the licenses certain additional conditions arising from the license transfers; these conditions would (1) Preserve AmerGen's decision-making authority over safety issues, (2) Limit the foreign membership of AmerGen's Management Committee, (3) Assign to AmerGen's Chief Executive Officer and Chief Nuclear Officer the responsibility and authority for ensuring that AmerGen's business and activities with respect to the NMP units are conducted

consistent with the protection of the public health and safety and common defense and security of the United States, and (4) Require AmerGen to report to the Commission the filing of any Schedules 13D or 13G with the U.S. Securities and Exchange Commission that disclose beneficial ownership of a registered class of Philadelphia Electric Energy Company (PECO Energy) stock.

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. The Commission will approve an application for the transfer of a license, if the Commission determines that the proposed transferee is qualified to hold the license, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

Before issuance of the proposed conforming license amendments, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

As provided in 10 CFR 2.1315, unless otherwise determined by the Commission with regard to a specific application, the Commission has determined that any amendment to the license of a utilization facility which does no more than conform the license to reflect the transfer action involves no significant hazards consideration. No contrary determination has been made with respect to this specific license amendments application. In light of the generic determination reflected in 10 CFR 2.1315, no public comments with respect to significant hazards considerations are being solicited, notwithstanding the general comment procedures contained in 10 CFR 50.91.

The filing of requests for hearing and petitions for leave to intervene, and written comments with regard to the application for transfers of licenses, are discussed below.

By October 20, 1999, any person whose interest may be affected by the Commission's action on the application may request a hearing, and, if not the applicants, may petition for leave to intervene in a hearing proceeding on the Commission's action. Requests for a hearing and petitions for leave to intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart M, "Public Notification, Availability of Documents and Records, Hearing Requests and Procedures for Hearings on License Transfer Applications," of 10 CFR part