

Dated: April 13, 1999.

Raymond L. Bramucci,

Assistant Secretary for Employment and Training.

[FR Doc. 99-9685 Filed 4-16-99; 8:45 am]

BILLING CODE 4510-30-P

NATIONAL CAPITAL PLANNING COMMISSION

Review of a Mixed-Use Waterfront Destination Resort in Prince George County, MD; Final Environmental Impact Statement

AGENCY: National Capital Planning Commission.

ACTION: Notice.

SUMMARY: The National Capital Planning Commission (NCP) has prepared a Final Environmental Impact Statement (FEIS) on the construction and operation of the proposed National Harbor project in accordance with section 102(2)(c) of the National Environmental Policy Act of 1969 (NEPA), the National Historic Preservation Act of 1966 (NHPA), and the Environmental Policies and Procedures implemented by NCP. As the lead federal agency for the preparation and completion of the draft and final EIS, NCP announces the availability of the FEIS on April 20, 1999.

DATES: Written comments on the FEIS may be submitted until close of business on May 24, 1999.

ADDRESSES: All such comments should be addressed to: National Capital Planning Commission, Attention: Eugene Keller, 801 Pennsylvania Avenue, NW, Suite 301, Washington, D.C. 20576.

Comments may also be sent by e-mail to eugene@ncpc.gov. Faxes may be sent to (202) 482-7272. All comments will be fully considered when the Commission reviews the project at a later date.

FOR FURTHER INFORMATION CONTACT: Eugene Keller, Environmental Officer, National Capital Planning Commission, (202) 482-7251 or Sandra Shapiro, General Counsel, National Capital Planning Commission, (202) 482-7223.

SUPPLEMENTARY INFORMATION: The National Harbor resort development is proposed to be built on two parcels totaling 533.9 acres in Prince George County just south of the Capital Beltway interchange at Indian Head Highway (Maryland Route 210). Approximately 241 acres of the site consists of land under Smoot Bay in the Potomac River. The development would include hotels, restaurants, retail and entertainment

facilities, office space, and a visitor's center, as well as associated vehicular transportation and parking facilities, pedestrian walkways, and other infrastructure improvements. On April 20, 1999 the FEIS will be available at the offices of the National Capital Planning Commission and at the Prince George's Country Branch Library at 6200 Oxon Hill Road, Oxon Hill, Maryland.

Sandra H. Shapiro,

General Counsel, National Capital Planning Commission.

[FR Doc. 99-9688 Filed 4-16-99; 8:45 am]

BILLING CODE 7520-01-M

NATIONAL CREDIT UNION ADMINISTRATION

Sunshine Act Meeting; Notice of Changes in Subject of Meeting

The National Credit Union Administration Board determined that its business requires the addition of the following two items to the previously announced closed meeting (Federal Register, Vol. 64, No. 69, page 17688, Monday, April 12, 1999) scheduled for Thursday, April 15, 1999.

4. Administrative Action under Section 206 of the Federal Credit Union Act. Closed pursuant to exemptions (8), (9)(A)(ii) and (9)(B).

5. Y2K 1999 Examination Program. Closed pursuant to exemption (8).

The Board voted unanimously that agency business requires that these items be considered with less than the usual seven days notice, that they be closed to the public, and that no earlier announcement of these changes was possible.

The previously announced items were:

1. Administrative Action under Section 107 of the Federal Credit Union Act and Part 701 of NCUA's Rules and Regulations. Closed pursuant to exemption (8).

2. Administrative Action under Section 206 of the Federal Credit Union Act. Closed pursuant to exemptions (4), (7) and (8).

3. Two (2) Personnel Actions. Closed pursuant to exemptions (2) and (6).

FOR FURTHER INFORMATION CONTACT: Becky Baker, Secretary of the Board, Telephone (703) 518-6304.

Becky Baker,

Secretary of the Board.

[FR Doc. 99-9831 Filed 4-15-99; 11:47 am]

BILLING CODE 7535-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-289]

GPU Nuclear, Inc., et al.; Three Mile Island, Unit No. 1; Order Approving Transfer of License and Conforming Amendment

I

GPU Nuclear, Inc., (GPUN or the licensee), Metropolitan Edison Company (Met-Ed), Jersey Central Power and Light Company (JCP&L), and Pennsylvania Electric Company (Penelec) are the holders of Facility Operating License No. DPR-50, which authorizes operation of Three Mile Island Nuclear Station, Unit No. 1 (TMI-1 or the facility) at steady-state power levels not in excess of 2568 megawatts thermal. The facility is located at the licensee's site in Dauphin County, Pennsylvania. The license authorizes GPUN to maintain and operate the facility and Met-Ed, JCP&L, and Penelec to possess but not operate TMI-1. GPUN is authorized to act as agent for Met-Ed, JCP&L, and Penelec in connection with the license. Met-Ed, JCP&L, and Penelec do business as GPU Energy and are wholly owned subsidiaries of GPU, Inc., which is also the parent of GPUN.

II

Under cover of a letter dated December 3, 1998, GPUN and AmerGen Energy Company, LLC, jointly submitted an application requesting approval of the proposed transfer of the TMI-1 facility operating license to AmerGen Energy Company, LLC. The licensee and AmerGen also jointly submitted an application for a conforming amendment to reflect the transfer. Supplemental information was provided under cover of letters dated January 11, February 4, March 4, March 10, and March 15, 1999. Hereinafter, the December 3, 1998, license transfer application and supplemental information will be referred to collectively as the "application." GPUN stated that it was acting on behalf of itself and Met-Ed, JCP&L, and Penelec, co-owners of TMI-1, in submitting the application. AmerGen is a limited liability company that was formed to acquire and operate nuclear power plants in the United States. PECO Energy Company (PECO) and British Energy, Inc., each owns a 50 percent interest in AmerGen. The conforming amendment would remove the current licensees from the facility operating license and would add AmerGen in their place. After completion of the

proposed transfer, AmerGen will be the sole owner and operator of TMI-1.

Approval of the transfer of the facility operating license and conforming license amendment was requested by GPUN and AmerGen pursuant to 10 CFR 50.80 and 50.90. Notice of the applications for approval and an opportunity for a hearing was published in the **Federal Register** on December 21, 1998 (63 FR 70436). Pursuant to such notice, the Commission received a request for hearing dated January 11, 1999, from Camille "Bud" George, a Pennsylvania State representative. Mr. George also submitted a February 11, 1999, supplemental letter. The Commission issued a Memorandum and Order¹ on February 11, 1999, denying Mr. George's request for a hearing. The Commission received one comment postmarked January 15, 1999, from H. E. Williams, Jr. and forwarded that comment and Mr. George's two letters to the staff for its consideration. The comments contained in these letters are addressed in the staff's safety evaluation dated April 12, 1999.

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 in the application by GPUN and AmerGen, and other information before the Commission, and relying upon the representations and agreements contained in the application, the NRC staff has determined that AmerGen is qualified to hold the license, and that the transfer of the license to AmerGen is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission, subject to the conditions set forth below. 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, and the Commission's rules and regulations set forth in 10 CFR chapter 1; 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 amendment will be in accordance with 10 CFR part 51 of the Commission's regulations and all applicable requirements have been satisfied.

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 transfer of the license as described herein to AmerGen is approved, subject to the following conditions:

(1) The AmerGen Limited Liability Company Agreement dated August 18, 1997, may not be modified in any material respect concerning decision-making authority over "safety issues" as defined therein without the prior written consent of the Director, Office of Nuclear Reactor Regulation.

(2) At least half of the members of AmerGen's Management Committee shall be appointed by a non-foreign member group, all of which appointees shall be U.S. citizens.

(3) The Chief Executive Officer (CEO), Chief Nuclear Officer (CNO) (if someone other than the CEO), and Chairman of the Management Committee of AmerGen shall be U.S. citizens. These individuals shall have the responsibility and exclusive authority to ensure, and shall ensure, that the business and activities of AmerGen with respect to the TMI-1 license are at all times conducted in a manner consistent with the protection of the public health and safety and common defense and security of the United States, as set forth in Title 10 of the Code of Federal Regulations and Operating License No. DPR-50, including the Technical Specifications attached thereto.

(4) AmerGen shall cause to be transmitted to the Director, Office of Nuclear Reactor Regulation within 30 days of filing with the Securities and Exchange Commission, any Schedules 13D or 13G filed pursuant to the Securities and Exchange Act of 1934 that disclose beneficial ownership of a registered class of PECO stock.

(5) For purposes of ensuring public health and safety, AmerGen shall provide decommissioning funding assurance of no less than \$303 million, after payment of any taxes, to be held in the decommissioning trust(s) for TMI-1 following the transfer of the TMI-1 license to AmerGen, including any amounts held in any decommissioning trust(s) that may

continue to be maintained by GPU Energy for TMI-1 after such license transfer.

(6) AmerGen shall take all necessary steps to ensure that the decommissioning trust is maintained in accordance with the application for the transfer of the TMI-1 license and the requirements of this order and the safety evaluation.

(7) If the assets of any decommissioning trust maintained by GPU Energy for TMI-1 are retained in such trust following the transfer of the TMI-1 license to AmerGen instead of being transferred to any trust established by AmerGen, GPU Energy shall maintain the assets as retained in such trust in accordance with the application for the transfer of the TMI-1 license. In addition, the trust agreement shall contain the following provisions or be consistent with the following:

(a) In Article II of the trust agreement, section 2.01 shall include provisions to limit the use of assets in both the qualified and non-qualified funds, in the first instance, to the expenses related to decommissioning of TMI-1 as defined by the NRC in its regulations and issuances, and as provided in the TMI-1 license and any amendments thereto.

(b) In Article II, section 2.01(c) shall be deleted or the term "property" therein shall be limited to liquid assets.

(c) In Articles II and V, investments in the securities or other obligations of GPU Nuclear, Inc., PECO Energy, British Energy, plc, AmerGen, or affiliates thereof, or their successors or assigns shall be prohibited. 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 is prohibited.

(d) In Article II, section 2.02 shall be amended to contain a provision that no disbursements or payments from the trust shall be made by the trustee until the trustee has first given the NRC 30 days notice of the payment. The section shall be further amended to contain a provision that no disbursements or payments from the trust shall be made if the trustee receives prior written notice of objection from the Director, Office of Nuclear Reactor Regulation.

(e) Article IV shall provide that the trust agreement cannot be modified in any material respect without the prior written consent of the Director, Office of Nuclear Reactor Regulation.

(f) Section 4 of the Special Terms shall specify that assets cannot be withdrawn from the decommissioning trust funds, but may be transferred

¹ GPU Nuclear, Inc., *et al.* (Three Mile Island, Unit No. 1), CLI-99-02, 49 NRC ____ slip. op. (February 11, 1999).

between the qualified and non-qualified funds for the purposes specified in this section.

(g) The appropriate section of the trust agreement shall reflect that the trustee, investment advisor, or anyone else directing the investments made in the trust must adhere to a "prudent investor" standard as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission regulations.

(8) AmerGen, shall take no action to cause PECO or British Energy, plc to void, cancel, or diminish the \$65 million contingency fund commitment from PECO and British Energy for TMI-1, the existence of which is represented in the application, or cause them to fail to perform or impair their performance under the commitment, or remove or interfere with AmerGen's ability to draw upon the commitment. Further, AmerGen shall inform the Director, Office of Nuclear Reactor Regulation, in writing, at such time that it draws upon the \$65 million contingency fund. This provision does not affect the NRC's authority to assure that adequate funds will remain available to fund the transition to safe shutdown, should any question arise regarding availability of funds for such a purpose.

(9) AmerGen shall, prior to completion of the sale and transfer of TMI-1 to it, provide the Director, Office of Nuclear Reactor Regulation, satisfactory documentary evidence that AmerGen has obtained the appropriate amount of insurance required of licensees under 10 CFR part 140 of the Commission's regulations.

(10) After receipt of all required regulatory approvals of the transfer of TMI-1, GPU Nuclear, Inc., and AmerGen shall inform the Director, Office of Nuclear Reactor Regulation, in writing of such receipt within five business days, and of the date of the closing of the sale and transfer of TMI-1 no later than seven business days prior to the date of closing. Should the transfer of the license not be completed by December 31, 1999, this Order shall become null and void, provided, however, on written application and for good cause shown, such date may in writing be extended.

It is further ordered that, consistent with 10 CFR 2.1315(b), a license amendment that makes changes, as indicated in enclosure 2 to the cover letter forwarding this Order, to conform the license to reflect the subject license transfer is approved. The amendment shall be issued and made effective at the time the proposed license transfer is completed.

This Order is effective upon issuance.

For further details with respect to this Order, see the application dated December 3, 1998, and supplemental submittals dated January 11, February 4, March 4, March 10, and March 15, 1999, 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 Law/Government Publications Section, State Library of Pennsylvania (REGIONAL DEPOSITORY), Walnut Street and Commonwealth Avenue, Box 1601, Harrisburg, PA 17105.

Dated at Rockville, Maryland, this 12th day of April 1999.

For the Nuclear Regulatory Commission.

Roy P. Zimmerman,

Acting Director, Office of Nuclear Reactor Regulation.

[FR Doc. 99-9748 Filed 4-16-99; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-334]

Duquesne Light Company; Ohio Edison Company; Pennsylvania Power Company; Beaver Valley Power Station, Unit No. 1; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-66, issued to Duquesne Light Company, (the licensee), for operation of the Beaver Valley Power Station, Unit 1 (BVPS-1), located in Beaver County, Pennsylvania.

Environmental Assessment

Identification of the Proposed Action

The proposed action would authorize changes to the Updated Final Safety Analysis Report (UFSAR) for the facility. Specifically, the proposed action would authorize changes to the UFSAR to reflect revisions to the Control Room radiological dose calculations for the waste gas system line break accident analysis. The BVPS-1 UFSAR would be revised as follows: in Table 11.3-7, the reported Gamma (whole body) dose value would be revised from 0.0031 REM to less than 0.01 REM; the reported Beta dose value would be revised from 0.013 REM to less than 1.0 REM; and Table 14.2-8 would be revised to reflect the assumptions that (1) the fraction of fuel with defects is one percent, and (2) the

control room radiation monitors will not initiate control room isolation, which were used in the reanalysis.

The proposed action is in accordance with the licensee's application for amendment dated January 17, 1998, as supplemented by letters dated February 10, 1998, November 9, 1998, February 8, 1999, and February 26, 1999.

The Need for the Proposed Action

As a result of issues involving control room habitability, the licensee re-evaluated Beaver Valley Power Station, Units 1 and 2, (BVPS-1 and BVPS-2) control room dose calculations for Design Basis Accidents (DBA) which credited isolation of the control room during the DBA. When analyses associated with the waste gas system rupture were reviewed, an arithmetic error was discovered in the control room dose calculation for BVPS-1 which resulted in the associated values listed in the BVPS-1 UFSAR being incorrect. Therefore, it is necessary to correct the analysis and revise the BVPS-1 UFSAR.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that the assumptions and methodology used by the licensee in the reanalysis are acceptable and that there is reasonable assurance, in the event of a postulated Waste Gas System Line Break, that the postulated control room operator doses would continue to be less than the criteria of 10 CFR part 50, Appendix A, General Design Criterion 19; and well within the occupational dose limits of 10 CFR part 20.

The proposed action will not increase the probability or consequences of accidents (although the corrections result in a higher calculated control room operator dose), no changes are being made in the types of any effluents that may be released off site, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does not involve any historic sites. It does not affect nonradiological plant effluents and has no other environmental impact. Therefore, there are no significant nonradiological environmental impacts associated with the proposed action.

Accordingly, the Commission concludes that there are no significant