13, 1993, as supplemented by later filings. Under these requested license amendment, the license would reflect the transfer of ownership of GSU to become a wholly-owned susbisdiary of Entergy as a result of a merger between GSU and Entergy, and control over the operation of River Bend would be transferred from GSU to EOI, another wholly-owned subsidiary of Entergy. Notice of these applications for transfer and proporsed no significant hazards consideration determinations were published in the Federal Register on July 7, 1993 (58 FR 36435 and 58 FR 36436).

IV

This Order was originally issued on December 16, 1993. By other dated March 14, 1995, the Court of Appeals for the D.C. Circuit ordered that the two orders for (1) the merger of Gulf States Utilities and Entergy and (2) the operation of River Bend Station by EOI be vacted and the case remanded to the NRC.

v

The transfer of rights under license NPF-47 is subject to the NRC's approval under 10 CFR 50.80. Based on information provided by GSU and Entergy, and other information before the Commission, it is determined that the proposed transfer of the control of operations of River Bend from GSU to EOI, and the proposed transfer of ownership of GSU to Entergy, subject to the conditions set forth herein, are in the public interest and are consistent with the applicable provisions of law, regulations and orders issued by the Commission. These actions were evaluated by the staff as documented in Safety Evaluations, dated December 16, 1993, which contain final no significant hazards consideration determinations. The conditions of the transfer, to which GSU has not objected, are:

2.C.(3) Antitrust Conditions

a. GSU shall comply with the antitrust license conditions set forth in Appendix C, attached hereto and incorporated in this license.

b. EOI shall not market or broker power or energy from River Bend Station, Unit 1. GSU is responsible and accountable for the actions of its agent, EOI, to the extent said agent's actions affect the marketing or brokering of power or energy from River Bend Station, Unit 1 and, in any way, contravene the antitrust conditions of this paragraph or Appendix C of this license.

2.C.(16) Merger Related Reports

GSU shall inform the Director, NRR: a. Sixty days prior to a transfer (excluding grants of security interests or liens) from GSU to Entergy or any other entity of facilities for the production, transmission or distribution of electric energy having a depreciated book value exceeding one percent (1%) of GSU's consolidated net utility plant, as recorded on GSU's books of account.

b. Of an award of damages in litigation initiated against GSU by Cajun Electric Power Cooperative regarding River Bend within 30 days of the award.

VI

Accordingly, pursuant to sections 103, 105, 161b, 161i, and 187 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2201 et seq. and 10 CFR part 50, *it is hereby ordered* That the transfers to Entergy Corporation and Entergy Operations Inc., discussed above, are approved, and notice is given that license amendments providing for the transfer of control of operation of River Bend to EOI, subject to the license conditions set our and herein, and the transfer of ownership of GSU to Entergy are issued, effective immediately.

Dated at Rockville, MD., this 8th day of June 1995.

William T. Russell,

Director, Office of Nuclear Reactor Regulation. [FR Doc. 95–14502 Filed 6–13–95; 8:45 am] BILLING CODE 7590–01–M

[Docket No. 50-267; License No. DPR-34]

Public Service Company of Colorado, (Fort St. Vrain Nuclear Generating Station); Exemption

Ι

The Public Service Company of Colorado (PSC or the licensee) is the holder of Possession-Only License (POL) No. DPR–34, which authorized possessions and maintenance of the Fort St. Vrain Nuclear Generating Station (FSV). The license provides, among other things, that the plant is subject to all rules, regulations, and Orders of the Nuclear Regulatory Commission (NRC) now or hereafter in effect.

FSV is a high-temperature, gas-cooled reactor that is located at the licensee's site in Weld County, Colorado. FSV operated from January 31, 1974, to August 18, 1989. PSC shut down FSV because of control rod drive failures and subsequently made the shutdown permanent because of a discovery of degradation of the steam generator ring headers. On November 5, 1990, PSC submitted a Decommissioning Plan (DP) pursuant to § 50.82 of title 10, Code of Federal Regulations (10 CFR 50.82) that proposed the dismantling of FSV. On May 21, 1991, the NRC revised License No. DPR-34 to a POL, which allows possession but not operation of FSV. The DP was approved by NRC Order dated, November 23, 1993. PSC is actively dismantling FSV and decommissioning is approximately 65 percent complete. In addition, FSV has been defueled and all fuel was transferred to the PSC independent spent fuel storage installation (ISFSI). The ISFSI (Materials License No. SNM-2504) is licensed under 10 CFR part 72.

Π

By letter dated February 16, 1995, PSC requested an exemption in accordance with 10 CFR 50.12 from the requirements of 10 CFR 50.54(w) to maintain onsite property damage insurance. This rule states the following:

* * * Each electric utility licensee under this part for a production or utilization facility of the type described in 10 CFR 50.21(b) and 10 CFR 50.22 shall take reasonable steps to obtain insurance available at reasonable costs and on reasonable terms from private sources or to demonstrate to the satisfaction of the Commission that it possesses an equivalent amount of protection covering the licensee's obligation in the event of an accident at the licensee's reactor, to stabilize and decontaminate the reactor and the reactor station site at which the reactor experiencing the accident is located, provided that: * * *.

III

The justification presented by the licensee for the exemption request is that FSV is not authorized to operate, all nuclear fuel has been removed from the reactor facility and transferred to the ISFSI, decommissioning of FSV is approximately 65 percent complete, and the risk of accident resulting in a radiological release is now considerably less than during plant operation. The licensee contends that with all nuclear fuel removed from the reactor facility. and with the activated graphite blocks removed from the reactor building and disposed of at an authorized low-level waste disposal facility, the potential accidents as evaluated in the FSV DP only involve events such as fires, electrical power outages, and the dropping of activated or contaminated materials during dismantling. PSC concludes that any events at the facility would only result in doses to individuals located at the emergency planning zone boundary. In addition, PSC concludes these doses would be orders of magnitude below 10 CFR part