

Quad Cities Nuclear Power Station, Units 1 and 2, to MidAmerican. The current stockholders of IIGEC and Midwest Resources, Inc. will become stockholders of MidAmerican when the merger takes effect. IIGEC requested the Commission's approval of the transfer of the ownership interest it now holds, pursuant to 10 CFR 50.80. Notice of this request for approval was published in the **Federal Register** on January 10, 1995 (60 FR 2615).

The transfer of Facility Operating License Nos. DPR-29 and DPR-30 is subject to the NPR's approval under 10 CFR 50.80(a). Upon review of information submitted in the letter of November 21, 1994, and other information before the Commission, the NRC staff has determined that MidAmerican will be an electric utility as defined in 10 CFR 50.2 and, consequently, as provided in 10 CFR 50.33(f), is not required to provide information on financial qualifications for a license to operate. The NRC staff concludes that MidAmerican is qualified to hold the licenses to the extent and for the purposes that IIGEC is now authorized to hold the licenses, and that the transfer, subject to the conditions set forth herein, is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission. These findings are supported by a Safety Evaluation dated June 20, 1995.

### III

By August 4, 1995, any person adversely affected by this Order may file a request for a hearing with respect to issuance of the Order. Any person requesting a hearing shall set forth with particularity how that interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d), in the same manner as is more fully discussed below regarding requests for hearing and petitions for leave to intervene in connection with proposed license amendments.

If a hearing is to be held, the Commission will issue an Order designating the time and place of such hearing.

If a hearing is held concerning this Order, the issue to be considered at any such hearing shall be whether this Order should be sustained.

Any request for a hearing must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above

date. Copies should also be sent to the Office of the General Counsel, and to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Michael I. Miller, Esquire, Sidley and Austin, One First National Plaza, Chicago, Illinois 60603, attorney for ComEd, and Sam Behrends, Esquire, LeBoeuf, Lamb, Greene & MacRae, 1875 Connecticut Avenue, NW., Washington, DC 20009-5728, attorney for IIGEC.

### IV

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), 2234, and 10 CFR 50.80, IT IS HEREBY ORDERED that the Commission consents to the proposed transfer of the licenses described herein from IIGEC to MidAmerican subject to the following: (1) Approved amendments describing MidAmerican as part owner of Quad Cities Nuclear Power Station, Units 1 and 2, for Facility Operating License Nos. DPR-29 and DPR-30, which when issued by the NRC, would become effective as of the date of issuance; (2) should the transfer not be completed by August 30, 1995, this Order shall become null and void; and (3) on application and for good cause shown, this Order may be extended for a short period beyond August 30, 1995.

This Order is effective upon issuance.

### V

Notice is hereby given that the Commission is considering the issuance of amendments to the licenses described herein to reflect the above transfer approved by the Commission. IIGEC stated in a letter dated November 21, 1994, again as stated by ComEd in their letter dated February 23, 1995, that the amendments are administrative in nature only because (1) IIGEC holds a minority interest (25 percent) in the facility, (2) ComEd is the sole operator of the facility, and (3) MidAmerican, as successor in interest to IIGEC, will be committed under the Ownership Agreement and the Operating Agreement to provide funds necessary on a pro-rata basis for the safe operation, maintenance, repair, decontamination, and decommissioning of the Quad Cities station in conformance with NRC regulations, subject to the same obligations, terms, and conditions that apply to IIGEC under the licenses. IIGEC further stated that MidAmerican's ability to fund these costs will be equal to, or greater than, that of IIGEC.

Before issuance of the proposed 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.

The Commission has made a proposed determination that the proposed amendments involve no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, operation of the facility in accordance with the proposed amendments would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), ComEd has provided its analysis of the issue of no significant hazards consideration. According to the licensee, the proposed amendments would not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated because:

The proposed changes are purely administrative in nature, and as such do not affect any accident precursors or initiators. Therefore, the proposed changes do not increase the probability of any previously evaluated accident. Similarly, the proposed changes do not affect any equipment or procedures used to mitigate the consequences of an accident.

2. Create the possibility of a new or different kind of accident from any accident previously evaluated because:

The proposed changes are administrative in nature and therefore have no effect on the accident analyses or system operation. Therefore, the possibility of a new or different kind of accident is not created.

3. Involve a significant reduction in the margin of safety because:

The proposed changes do not involve a relaxation of the criteria used to establish safety limits, a relaxation of the bases for limiting safety system settings, or a relaxation of the bases for limiting conditions of operation. The proposed changes are administrative in nature without consequence to the safety of the plant. Therefore, the proposed changes do not impact the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.