

Case methods to the P-T limit calculations.

### 3.0 Discussion

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 50, when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present. Special circumstances are present whenever, according to 10 CFR 50.12(a)(2)(ii), "Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule."

*Code Case N-640 (formerly Code Case N-626)*

Entergy has requested, pursuant to 10 CFR 50.60(b), an exemption to use ASME Code Case N-640 (previously designated as Code Case N-626) as the basis for establishing the P-T limit curves. Appendix G to 10 CFR Part 50 has required use of the initial conservatism of the  $K_{Ia}$  equation since 1974 when the equation was codified. This initial conservatism was necessary due to the limited knowledge of RPV materials. Since 1974, the industry has gained additional knowledge about RPV materials, which demonstrates that the lower bound on fracture toughness provided by the  $K_{Ic}$  equation is well beyond the margin of safety required to protect the public health and safety from potential RPV failure. In addition, the RPV P-T operating window is defined by the P-T operating and test limit curves developed in accordance with the ASME Code, Section XI, appendix G, procedure.

The ASME Working Group on Operating Plant Criteria (WGOPC) has concluded that application of Code Case N-640 to plant P-T limits is still sufficient to ensure the structural integrity of RPVs during plant operations. The staff has concurred with ASME's determination. The staff had concluded that application of Code Case N-640 would not significantly reduce the safety margins required by 10 CFR part 50, appendix G. The staff also concluded that relaxation of the requirements of appendix G to the Code by application of Code Case N-640 is acceptable and would maintain, pursuant to 10 CFR 50.12(a)(2)(ii), the underlying purpose of the NRC regulations to ensure an acceptable margin of safety for the Pilgrim RPV and

reactor coolant pressure boundary (RCPB). Therefore, the staff concludes that Code Case N-640 is acceptable for application to the Pilgrim P-T limits.

The staff has determined that Entergy has provided sufficient technical bases for using the methods of Code Case N-640 for the calculation of the P-T limits for the Pilgrim RCPB. The staff has also determined that application of Code Case N-640 to the P-T limit calculations will continue to serve the purpose in 10 CFR part 50, appendix G, for protecting the structural integrity of the Pilgrim RPV and RCPB. In this case, since strict compliance with the requirements of 10 CFR part 50, appendix G, is not necessary to serve the underlying purpose of the regulation, the staff concludes that application of Code Case N-640 to the P-T limit calculations meets the special circumstance provisions stated in 10 CFR 50.12(a)(2)(ii), for granting this exemption to the regulation.

### 4.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), the exemption is authorized by law, will not endanger life or property or common defense and security, and is, otherwise, in the public interest. Also, special circumstances are present. Therefore, the Commission hereby grants Entergy Nuclear Generation Company an exemption from the requirements of 10 CFR part 50, appendix G, for Pilgrim.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (66 FR 18986).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 13th day of April 2001.

For the Nuclear Regulatory Commission.

**John A. Zwolinski,**

*Director, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 01-9729 Filed 4-18-01; 8:45 am]

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### NUCLEAR REGULATORY COMMISSION

**[Docket No. 50-286]**

#### **Entergy Nuclear Operations, Inc., Indian Point Nuclear Generating Unit No. 3; Notice of Withdrawal of Application For Amendment to Facility Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has

granted the request of Entergy Nuclear Operations, Inc. (the licensee) to withdraw its June 7, 2000, application for a proposed amendment to Facility Operating License No. DPR-64 for the Indian Point Nuclear Generating Unit No. 3, located in Westchester County, New York.

The proposed amendment would have revised the facility Technical Specifications pertaining to operations management qualifications.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on August 9, 2000 (65 FR 48756). However, by letter dated April 2, 2001, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated June 7, 2000, and the licensee's letter dated April 2, 2001, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>).

Dated at Rockville, Maryland, this 12th day of April 2001.

For the Nuclear Regulatory Commission.

**Richard J. Laufer,**

*Project Manager, Section 1, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 01-9730 Filed 4-18-01; 8:45 am]

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### NUCLEAR REGULATORY COMMISSION

#### **Advisory Committee on the Medical Uses of Isotopes: Call for Nominations**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Call for nominations.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is advertising for nominations for the position of nuclear medicine physician on the Advisory Committee on the Medical Uses of Isotopes (ACMUI).

**DATES:** Nominations are due on or before June 18, 2001.

**ADDRESSES:** Submit nominations to the Office of Human Resources, Attn: Ms. Joyce Riner, Mail Stop T2D32, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

**FOR FURTHER INFORMATION CONTACT:**

Angela R. Williamson, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555; telephone (301) 415-5030; e-mail arw@nrc.gov.

**SUPPLEMENTARY INFORMATION:**

The ACMUI advises NRC on policy and technical issues that arise in the regulation of the medical use of byproduct material. Responsibilities include providing comments on changes to NRC rules, regulations, and guidance documents; evaluating certain non-routine uses of byproduct material; providing technical assistance in licensing, inspection, and enforcement cases; and bringing key issues to the attention of NRC, for appropriate action.

ACMUI members possess the medical and technical skills needed to address evolving issues. The current membership is comprised of the following professionals: (a) Nuclear medicine physician; (b) nuclear cardiologist; (c) medical physicist in nuclear medicine unsealed byproduct material; (d) therapy physicist; (e) radiation safety officer; (f) nuclear pharmacist; (g) two radiation oncologists; (h) patients' rights advocate; (i) Food and Drug Administration representative; (j) State representative; and (k) health care administrator.

NRC is inviting nominations for the nuclear medicine physician appointment to the ACMUI. The term of the individual currently occupying this position will end April 2001. Committee members serve a 3-year term, with possible reappointment to an additional 3-year term.

Nominees must be U.S. citizens and be able to devote approximately 80 hours per year to Committee business. Members who are not Federal employees are compensated for their service. In addition, members are reimbursed travel (including per-diem in lieu of subsistence) and are reimbursed secretarial and correspondence expenses. Full-time Federal employees are reimbursed travel expenses only. Nominees will undergo a security background check and will be required to complete financial disclosure statements to avoid conflict-of-interest issues.

Dated: April 13, 2001.

**Annette Vietti-Cook,**

*Acting, Advisory Committee Management Officer.*

[FR Doc. 01-9726 Filed 4-18-01; 8:45 am]

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**NUCLEAR REGULATORY COMMISSION****Advisory Committee on Reactor Safeguards; Meeting Notice**

In accordance with the purposes of Sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards will hold a meeting on May 10-12, 2001, in Conference Room T-2B3, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Friday, November 17, 2000 (65 FR 69578).

**Thursday, May 10, 2001**

- 8:15 A.M.-8:20 A.M.: Opening Remarks by the ACRS Chairman (Open)**—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.
- 8:20 A.M.-10:20 A.M.: Final Review of the License Renewal Application for Arkansas Nuclear One (ANO), Unit 1 (Open)**—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and Entergy Operations, Inc. regarding the license renewal application for ANO, Unit 1 and the associated staff's Safety Evaluation Report.
- 10:30 A.M.-12:30 P.M.: Members Attendance at the Commission Meeting on the Office of Nuclear Regulatory Research Programs and Performance (Open)**—Drs. Powers and Wallis are scheduled to participate in this meeting which will be held in the Commissioners' Conference Room, One White Flint North. Other members will be attending this meeting as observers.
- 1:30 P.M.-3:30 P.M.: Draft Final Safety Evaluation Report for the South Texas Project Nuclear Operating Company (STPNOC) Exemption Request (Open)**—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the staff's draft final Safety Evaluation Report for the STPNOC exemption request to exclude certain components from the scope of special treatment requirements required by NRC regulations.
- 3:50 P.M.-4:45 P.M.: Discussion of General Design Criteria (Open)**—The Committee will hear a presentation by and hold discussions with Mr. Sorensen, ACRS Senior Fellow, regarding his views on risk-informing the General Design Criteria that are included in Appendix A to 10 CFR part 50.
- 4:45 P.M.-7 P.M.: Discussion of Proposed ACRS Reports (Open)**—The Committee will discuss proposed ACRS reports on matters considered during this meeting, as well as a proposed ACRS report on Management Directive 6.4 associated with the revised Generic Safety Issue Process.

**Friday, May 11, 2001**

- 8:30 A.M.-8:35 A.M.: Opening Remarks by**

*the ACRS Chairman (Open)*—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

- 8:35 A.M.-10 A.M.: Discussion of Topics for Meeting with the NRC Commissioners (Open)**—The Committee will discuss topics scheduled for its meeting with the NRC Commissioners.
- 10:30 A.M.-12:30 P.M.: Meeting with the NRC Commissioners (Open)**—The Committee will meet with the NRC Commissioners, Commissioners' Conference Room, One White Flint North to discuss: proposed framework for risk-informed changes to 10 CFR part 50; South Texas Project Exemption Request; Issues Associated with Thermal-Hydraulic Codes; Status Report on Steam Generator Tube Integrity Issues; and Status of ACRS Activities Associated with License Renewal.
- 1:30 P.M.-2:45 P.M.: Spent Fuel Accident Risk at Decommissioning Nuclear Power Plants (Open)**—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the proposed options paper on this matter.
- 3 P.M.-4:30 P.M.: "Risk-Based Performance Indicators (Open)**—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the staff's draft document entitled, "Risk-Based Performance Indicators: Results of Phase 1 Development," and related matters.
- 4:50 P.M.-5:30 P.M.: Future ACRS Activities/ Report of the Planning and Procedures Subcommittee (Open)**—The Committee will discuss the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the full Committee during future meetings. Also, it will hear a report of the Planning and Procedures Subcommittee on matters related to the conduct of ACRS business, and organizational and personnel matters relating to the ACRS.
- 5:30 P.M.-5:45 P.M.: Reconciliation of ACRS Comments and Recommendations (Open)**—The Committee will discuss the responses from the NRC Executive Director for Operations (EDO) to comments and recommendations included in recent ACRS reports and letters. The EDO responses are expected to be made available to the Committee prior to the meeting.
- 5:45 P.M.-7:30 P.M.: Discussion of Proposed ACRS Reports (Open)**—The Committee will discuss proposed ACRS reports.

**Saturday, May 12, 2001**

- 8:30 A.M.-12:30 P.M.: Proposed ACRS Reports (Open)**—The Committee will continue its discussion of proposed ACRS reports.
- 12:30 P.M.-1 P.M.: Miscellaneous (Open)**—The Committee will discuss matters related to the conduct of Committee activities and matters and specific issues that were not completed during previous meetings, as time and availability of information permit.