

that it would be inconsistent with the public interest to grant the application of Y & M. The Administrator finds the lack of knowledge concerning the proposed customers, the number of proposed suppliers and customers currently under investigation, and the lack of an adequately demonstrated legitimate supply of and demand for List I chemical products creates an environment conducive to diversion, and thus poses an unacceptable risk of diversion.

Accordingly, the Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 28 CFR 0.100(b) and 0.104, hereby orders that the application for a DEA Certificate of Registration submitted by Y & M be denied. This order is effective April 5, 2002.

Dated: February 22, 2002.

Asa Hutchinson,
Administrator.

[FR Doc. 02-5243 Filed 3-5-02; 8:45 am]

BILLING CODE 4410-09-M

NATIONAL SCIENCE FOUNDATION

Sunshine Act; Meeting

AGENCY HOLDING MEETING: National Science Foundation National Science Board

DATE AND TIME: March 13, 2002: 2:00 p.m.—3:00 p.m. Closed Session.

March 14, 2002: 2:00 p.m.—12:30 p.m. Closed Session.

March 14, 2002: 1:30 p.m.—4:00 p.m. Open Session.

PLACE: The National Science Foundation, Room 1235, 4201 Wilson Boulevard, Arlington, VA 22230, www.nsf.gov/nsb.

STATUS: Part of this meeting will be closed to the public.

Part of this meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Wednesday, March 13, 2002

Closed Session (2:00 P.M.—3:00 P.M.)

—Closed Session Minutes, November, 2001

—NSB Vannevar Bush Award

—NSF Waterman Award

—NSB Member Proposals

—Election NSB Nominating Committee

Thursday, March 14, 2002

Closed Session (12:30 P.M.—1:30 P.M.)

—Awards and Agreements

NSF Budget, FY 2003, 2004

Open Session (1:30 P.M.—4:00 P.M.)

- Open Session Minutes, November, 2001
- Closed Session Items for May, 2002
- Chairman's Report
- Director's Report
- Director's Merit Review Report
- Environmental Activities Report
- Committee Reports
- NSF Long Range Planning Environment
- Other Business

Marta Cehelsky,

Executive Officer.

[FR Doc. 02-5436 Filed 3-4-02; 12:00 pm]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-285]

Omaha Public Power District Fort Calhoun Station Exemption

1.0 Background

The Omaha Public Power District (OPPD/the licensee) is the holder of Facility Operating License No. DPR-40 which authorizes operation of the Fort Calhoun Station. The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC, the Commission) now or hereafter in effect.

The facility consists of a pressurized-water reactor located in Washington County, Nebraska.

2.0 Purpose

Title 10 of the *Code of Federal Regulations* (10 CFR) part 50, Appendix G, requires that pressure-temperature (P-T) limits be established for reactor pressure vessels (RPVs) during normal operating and hydrostatic or leak-rate testing conditions. Specifically, 10 CFR part 50, Appendix G, states that, "The appropriate requirements on both the pressure-temperature limits and the minimum permissible temperature must be met for all conditions." In addition, 10 CFR part 50, Appendix G, specifies that the requirements for these limits "must be at least as conservative as the limits obtained by following the methods of analysis and the margins of safety of Appendix G of Section XI of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code)." The approved methods of analysis in Appendix G of Section XI require the use of K_{Ia} fracture toughness curve in the determination of the P-T limits.

By letter dated December 14, 2001, OPPD submitted a license amendment

request to update the P-T limit curves for the Fort Calhoun Station. By letter dated December 14, 2001, OPPD requested NRC approval for an exemption to use Code Case N-640 as an alternative method for complying with the fracture toughness requirements in 10 CFR part 50, Appendix G, for generating the P-T limit curves. Requests for such exemptions may be submitted pursuant to 10 CFR 50.60(b), which allows licensees to use alternatives to the requirements of 10 CFR part 50, Appendices G and H, if the Commission grants an exemption pursuant to 10 CFR 50.12 to use the alternatives.

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

Code Case N-640 permits application of the lower bound static initiation fracture toughness value equation (K_{Ic} equation) as the basis for establishing the curves in lieu of using the lower bound crack arrest fracture toughness value equation (i.e., the K_{Ia} equation, which is based on conditions needed to arrest a dynamically propagating crack, and which is the method invoked by Appendix G to Section XI of the ASME Code). Use of the K_{Ic} equation in determining the lower bound fracture toughness in the development of the P-T operating limits curve is more technically correct than the use of the K_{Ia} equation since the rate of loading during a heatup or cooldown is slow and is more representative of a static condition than a dynamic condition. The K_{Ic} equation appropriately implements the use of the static initiation fracture toughness behavior to evaluate the controlled heatup and cooldown process of a reactor vessel. However, since use of Code Case N-640 constitutes an alternative to the requirements of Appendix G, licensees need staff approval to apply the code 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