

between biennial exercises would be 29 months, which is within the parameters of the existing general policy and practice.

The Commission, pursuant to 10 CFR 50.12(a)(1), may grant exemptions from the requirements of 10 CFR Part 50 that are authorized by law, will not present an undue risk to public health and safety, and are consistent with the common defense and security. The Commission, however, pursuant to 10 CFR 50.12(a)(2), will not consider granting an exemption unless special circumstances are present. Under 10 CFR 50.12(a)(2)(ii), special circumstances are present when 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. Under 10 CFR 50.12(a)(2)(v), special circumstances are present whenever the exemption would provide only temporary relief from the applicable regulation and the licensee or applicant has made good faith efforts to comply with the regulation.

III

The staff has completed its evaluation of Entergy's request for an exemption and the measures that will be taken to maintain the level of emergency preparedness at Pilgrim between December 1999 and May 2002. By letter dated September 23, 1999, the licensee provided supplemental information in support of the exemption request. The existing training and drill schedule currently in place for emergency response activities will remain in place to ensure the readiness of both onsite and offsite emergency response personnel. For onsite emergency responders, this includes annual classroom training and participation in drills. The licensee will conduct quarterly combined functional and/or activation drills and a self-evaluated annual exercise. These drills and the self-evaluated annual exercise satisfy the drill requirements of 10 CFR Part 50, Appendix E, IV.F.2.b. Offsite agencies in Massachusetts are routinely invited to, and actively participate in, these drills and exercises as a training activity for offsite responders personnel. Local response groups are offered annual training and participation in emergency operations center drills. Representatives of the licensee meet monthly with State and local emergency management and support groups. The rescheduling of the biennial exercise has been discussed in these meetings and greeted with support by both State and local representatives. Rescheduling the exercise to 1 year later

allows more freedom in the scheduling of exercises by scheduling the exercise to the years in which the licensee does not have scheduled refueling outages. The staff considers that these measures are adequate to maintain an acceptable level of emergency preparedness during this period, satisfying the underlying purpose of the rule. Therefore, the special circumstances of 10 CFR 50.12(a)(2)(ii) are satisfied.

Only temporary relief from the regulation is provided by the requested exemption since an exercise will be conducted at a future date. The licensee has made a good faith effort to comply with the regulation. The exemption is being sought by the licensee in voluntary response to a request by the NRC to accommodate an adjustment in exercise scheduling that affects multiple agencies. The revised exercise schedule allows for better balance in the utilization of Federal resources, and added flexibility to the scheduling of exercises for the licensee and State and local agencies. The exercise will be conducted in a timeframe that is within generally accepted policy. The staff, having considered the schedule and resource issues within FEMA and the NRC, and the proposed licensee compensatory measures, believes that the exemption request meets the special circumstances of 10 CFR 50.12(a)(2)(v) and should be granted.

IV

The Commission has determined that, pursuant to 10 CFR Part 50, Appendix E, this exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. Further, the Commission has determined, pursuant to 10 CFR 50.12(a), that special circumstances of 10 CFR 50.12(a)(2)(ii) and 10 CFR 50.12(a)(2)(v) are applicable in that application of the regulation is not necessary to achieve the underlying purpose of the rule, and the exemption would provide only temporary relief from the applicable regulation and the licensee has made good faith efforts to comply with the regulation. Therefore, the Commission hereby grants the exemption from Section IV.F.2.c of Appendix E to 10 CFR Part 50.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant impact on the quality of the human environment (65 FR 16972).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 30th day of March 2000.

For the Nuclear Regulatory Commission.

John A. Zwolinski,

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

[FR Doc. 00-8336 Filed 4-4-00; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-460-OL; ASLBP No. 82-479-06-OL]

Atomic Safety and Licensing Board; Washington Public Power Supply System (Nuclear Project No. 1), Memorandum and Order; (Order to Show Cause)

MARCH 30, 2000. Before Administrative Judges: G. Paul Bollwerk, III, Chairman, Dr. David R. Schink.

The Atomic Safety and Licensing Board hereby directs the parties to this proceeding to show cause as to why this litigation should not be dismissed for want of prosecution.

The locus of this case is a challenge by intervenor Coalition for Safe Power (CSP) to the operating license application of Washington Public Power Supply System (WPPSS) (now doing business as Energy Northwest) for its Nuclear Project No. 1. CSP, along with the State of Washington (State) as a 10 C.F.R. § 2.715(c) interested governmental entity, were admitted as parties to this proceeding in 1983. See *Washington Public Power Supply System* (WPPSS Nuclear Project No. 1), LBP-83-66, 18 NRC 780, 780-81 (1983). Since then, however, this proceeding has been in hiatus as a result of WPPSS declarations that it first wished to suspend facility construction and consideration of its operating license request and, thereafter, that it was canceling the project, albeit without withdrawing its operating license application.

After a number of years of filing quarterly reports indicating there had been no change in the status of its application, on January 4, 2000, WPPSS submitted a request to withdraw its operating license application and terminate this adjudicatory proceeding. The Board twice sought, and did not receive, CSP and State comments on the WPPSS withdrawal motion. Before the Board could act on the WPPSS request, however, the applicant filed a February 29, 2000 pleading asking that the Board defer action on its application withdrawal motion. In a March 7, 2000 order providing a schedule for party comments on this WPPSS deferral request, noting the lack of CSP and State

responses to its other issuances, the Board asked that on or before March 22, 2000, those participants each provide the Board with some indication it wished to continue to participate in this operating license adjudication.

The allotted time having passed without a response from CSP or the State, it appears to the Board that neither has an interest in further pursuing this litigation. As a consequence, the Board hereby gives notice that, absent some response from these parties within *thirty days* of the date of publication of this issuance in the **Federal Register** that demonstrates a continued interest in this cause, the Board will terminate the proceeding.¹ Applicant WPPSS and the NRC staff likewise are permitted to file a response to this issuance within that time frame if either wishes to do so.

It is so *Ordered*.

For the Atomic Safety and Licensing Board²

This memorandum and order is issued pursuant to the authority of the Chairman of the Atomic Safety and Licensing Board designated for this proceeding.

Rockville, Maryland.

Dated: March 30, 2000.

G. Paul Bollwerk, III,

Administrative Judge.

[FR Doc. 00-8338 Filed 4-4-00; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Joint Meeting of the ACRS Subcommittees on Materials and Metallurgy and on Reliability and Probabilistic Risk Assessment; Notice of Meeting

The ACRS Subcommittees on Materials and Metallurgy and on Reliability and Probabilistic Risk Assessment will hold a joint meeting on April 27, 2000, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

¹ As it has done in its January 11, February 16, and March 7, 2000 issuances, the Board requests that each participant who has the capability to do so send a copy of its response by facsimile transmission or internet e-mail to the two Board members, the Office of the Secretary, counsel for WPPSS, and counsel for the any other party who has provided a facsimile number and/or e-mail address.

² In addition to service by regular mail to all parties on the service list, copies of this memorandum and order were sent this date by Internet e-mail transmission to counsel for applicant WPPSS, a State representative previously identified by WPPSS, and the staff.

Thursday, April 27, 2000—1 p.m. until the conclusion of business.

The Subcommittees will review a draft Commission paper concerning options for potential revisions to the pressurized thermal shock rule acceptance criterion. The purpose of this meeting is to gather information, analyze relevant issues and facts, and to formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Subcommittees, their consultants, and staff. Persons desiring to make oral statements should notify the cognizant ACRS staff engineer named below five days prior to the meeting, if possible, so that appropriate arrangements can be made.

During the initial portion of the meeting, the Subcommittees, along with any of their consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittees will then hear presentations by and hold discussions with representatives of the NRC staff and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, and the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor, can be obtained by contacting the cognizant ACRS staff engineer, Mr. Noel F. Dudley (telephone 301/415-6888) between 7:30 a.m. and 4:15 p.m. (EST). Persons planning to attend this meeting are urged to contact the above named individual one or two working days prior to the meeting to be advised of any potential changes to the agenda, etc., that may have occurred.

Dated: March 30, 2000.

Howard J. Larson,

Acting Associate Director for Technical Support, ACRS/ACNW.

[FR Doc. 00-8339 Filed 4-4-00; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards Joint Meeting of the ACRS Subcommittees on Plant Operations and on Reliability and Probabilistic Risk Assessment; Notice of Meeting

The ACRS Subcommittees on Plant Operations and on Reliability and Probabilistic Risk Assessment will hold a joint meeting on April 28, 2000, in Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Friday, April 28, 2000—8:30 a.m. until the conclusion of business.

The Subcommittees will discuss NRC staff and industry initiatives related to risk-informed technical specifications. The purpose of this meeting is to gather information, analyze relevant issues and facts, and to formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman and written statements will be accepted and made available to the Committee. Electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Subcommittees, their consultants, and staff. Persons desiring to make oral statements should notify the cognizant ACRS staff engineer named below five days prior to the meeting, if possible, so that appropriate arrangements can be made.

During the initial portion of the meeting, the Subcommittees, along with any of their consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittees will then hear presentations by and hold discussions with representatives of the NRC staff and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, and the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor, can be obtained by contacting the cognizant ACRS staff engineer, Mr. Michael T. Markley (telephone 301/415-6885) between 7:30 a.m. and 4:15 p.m. (EST). Persons planning to attend this meeting are urged to contact the