

acceptance criteria for that performance in order to assure that the ECCS functions to transfer heat from the reactor core following a loss-of-coolant-accident (LOCA) such that (1) fuel and clad damage that could interfere with continued effective core cooling is prevented, and (2) clad metal-water reaction is limited to negligible amounts. The licensee has performed a calculation demonstrating adequate ECCS performance for CCNPP2 and has shown that use of the lead fuel assembly does not have a significant impact on that previous calculation. The lead fuel assembly, with the zirconium-based alloy cladding, meets the same design basis as the Zircaloy-4 fuel which is currently in the CCNPP2 reactor core and has similar thermal-hydraulic characteristics. Because the LFA will be placed in a non-limiting location (Technical Specification 4.2.1 limits placement of the LFA to a non-limiting location in the core), the placement scheme and the similarity of the advanced alloys to Zircaloy-4 will assure that the behavior of the fuel rods clad with these alloys are bounded by the fuel performance and safety analyses performed for the Zircaloy-4 clad rods currently in the Unit 2 core. No safety limits will be changed or setpoints altered as a result of using the lead fuel assembly.

In similar reviews of applications to use advanced fuel, the staff found that fuels with advanced cladding do not introduce a mixed core penalty in licensing safety analyses, provided that the resident fuel and the LFA were of like geometry. The LFA and fuel currently in use at CCNPP2 are of like geometry. Therefore, the staff concludes that use of the LFA will not introduce a mixed core penalty into the safety analyses for CCNPP2.

Based on the above, the staff finds that the licensee has achieved the underlying purpose of 10 CFR 50.46 and 10 CFR part 50, appendix K with respect to use of the LFA at CCNPP2.

The underlying purpose of 10 CFR 50.44 is to ensure that means are provided for the control of hydrogen gas that may be generated following a postulated LOCA. The small number of fuel rods in the lead fuel assembly containing advanced zirconium-based claddings in conjunction with the chemical similarity of the advanced claddings to zircaloy and ZIRLO ensures that previous calculations of hydrogen production resulting from a metal-water reaction would not be significantly changed. The licensee calculated the metal-water reaction rate for the advanced zirconium-based cladding material and determined that the

amount of hydrogen generated will be within the design basis. As such, the licensee has achieved the underlying purpose of 10 CFR 50.44.

The staff examined the licensee's rationale to support the exemption request and concurred that the use of an LFA in the Unit 2 core for Cycle 14 would meet the underlying purpose of 10 CFR 50.44, 10 CFR 50.46, and 10 CFR part 50, appendix K. Application of these regulations in these circumstances would not serve the underlying purpose of the rule.

Therefore, the staff concludes that granting an exemption under the special circumstances of 10 CFR 50.12(a)(2)(ii) is appropriate and that an LFA containing fuel rods with advanced zirconium alloy cladding may be used in CCNPP Unit 2, Cycle 14.

#### 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 CCNPP1 an exemption from the requirements of 10 CFR part 50, §§ 50.44, 50.46, and 10 CFR part 50, appendix K, for CCNPP2.

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 11608).

This exemption is effective upon issuance. Dated at Rockville, Maryland, this 6th day of March 2001.

For the Nuclear Regulatory Commission.

**John A. Zwolinski,**

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

[FR Doc. 01-6304 Filed 3-13-01; 8:45 am]

**BILLING CODE 7590-01-P**

## 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 April 5-7, 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, April 5, 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.-10:30 A.M.: Interim Review of the License Renewal Application for Edwin I. Hatch Nuclear Plant Units 1 and 2 (Open)*—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and Southern Nuclear Operating Company regarding the license renewal application for Hatch Units 1 and 2, associated staff's Safety Evaluation Report (SER), selected Boiling Water Reactor Vessel and Internals Project (BWRVIP) reports and the related staff's safety evaluations.

*10:50 A.M.-12:00 Noon: Proposed Final License Renewal Guidance Documents (Open)*—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the proposed final Regulatory Guide DG-1104 and Standard Review Plan associated with license renewal, Generic Aging Lessons Learned (GALL) report, and Nuclear Energy Institute (NEI) 95-10, "Industry Guideline for Implementing the Requirements of 10 CFR Part 54—The License Renewal Rule."

*1:00 P.M.-2:30 P.M.: Safety Issues Associated with the Use of Mixed Oxide (MOX) and High-Burnup Fuels (Open)*—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding safety issues associated with the use of MOX and high-burnup fuels in commercial light water reactors.

*2:50 P.M.-4:15 P.M.: Thermal-Hydraulic Issues Associated with the AP1000 Passive Plant Design (Open/Closed)*—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and the Westinghouse Electric Corporation regarding thermal-hydraulic issues associated with the AP1000 design. [NOTE: A portion of this session may be closed to discuss Westinghouse proprietary information applicable to this matter.]

*4:15 P.M.-5:15 P.M.: Break and Preparation of Draft ACRS Reports (Open)*—Cognizant ACRS members will prepare draft reports, as needed, for consideration by the full Committee.

*5:15 P.M.-7:00 P.M.: Discussion of Proposed ACRS Reports (Open)*—

The Committee will discuss proposed ACRS reports on matters considered during this meeting.

Friday, April 6, 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.–10:30 A.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 and STPNOC 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.
- 10:50 A.M.–11:45 A.M.: *Closure of Generic Safety Issues (GSI)–170, "Reactivity Transients and Fuel Damage Criteria for High Burnup Fuel"* (Open)—The Committee will hear a report from the cognizant Subcommittee Chairman, and hold discussions with representatives of the NRC staff, as needed, regarding the closure of GSI–170.
- 1:00 P.M.–1:15 P.M.: *Subcommittee Report* (Open)—Report by the Chairman of the Materials and Metallurgy Subcommittee regarding risk-informing 10 CFR 50.46, which was discussed during a joint meeting of the ACRS Subcommittees on Materials and Metallurgy, Thermal-Hydraulic Phenomena, and Reliability and Probabilistic Assessment on March 16, 2001.
- 1:15 P.M.–1:45 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.
- 1:45 P.M.–2:00 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.

- 2:00 P.M.–3:00 P.M.: *Break and Preparation of Draft ACRS Reports* (Open)—Cognizant ACRS members will prepare draft reports, as needed, for consideration by the full Committee.
- 3:00 P.M.–7:00 P.M.: *Discussion of Proposed ACRS Reports* (Open)—The Committee will discuss proposed ACRS reports.

Saturday, April 7, 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.–1:00 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.

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 11, 2000 (65 FR 60476). In accordance with these procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Electronic recordings will be permitted only during the open portions of the meeting and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify Mr. James E. Lyons, ACRS, five days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during the meeting may be limited to selected portions of the meeting as determined by the Chairman. Information regarding the time to be set aside for this purpose may be obtained by contacting Mr. James E. Lyons prior to the meeting. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with Mr. James E. Lyons if such rescheduling would result in major inconvenience.

In accordance with Subsection 10(d) P.L. 92–463, I have determined that it is necessary to close a portion of this meeting noted above to discuss Westinghouse proprietary information per 5 U.S.C. 552b(c)(4).

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted therefor can be obtained by contacting Mr. James E. Lyons (telephone 301–415–7371), between 7:30 a.m. and 4:15 p.m., EST.

ACRS meeting agenda, meeting transcripts, and letter reports are available for downloading or viewing on the internet at <http://www.nrc.gov/ACRSACNW>.

Videoteleconferencing service is available for observing open sessions of ACRS meetings. Those wishing to use this service for observing ACRS meetings should contact Mr. Theron Brown, ACRS Audio Visual Technician (301–415–8066), between 7:30 a.m. and 3:45 p.m., EST, at least 10 days before the meeting to ensure the availability of this service. Individuals or organizations requesting this service will be responsible for telephone line charges and for providing the equipment facilities that they use to establish the videoteleconferencing link. The availability of videoteleconferencing services is not guaranteed.

Dated: March 8, 2001.

**Andrew L. Bates,**  
Advisory Committee Management Officer.  
[FR Doc. 01–6302 Filed 3–13–01; 8:45 am]  
BILLING CODE 7590–01–P

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards Subcommittee Meeting on Reactor Fuels; Notice of Meeting

The ACRS Subcommittee on Reactor Fuels will hold a meeting on April 4, 2001, 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:

Wednesday, April 4, 2001–8:30 a.m. until the conclusion of business

The Subcommittee will discuss the safety issues associated with the use of mixed oxide fuel and high burnup fuel. 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