

Satisfaction Surveys and NRC Form 671, Request for Review of a Customer Satisfaction Survey Under Generic Clearance.

3. *The form number if applicable:* NRC Form 671.

4. *How often the collection is required:* On occasion.

5. *Who will be required or asked to report:* Voluntary reporting by the public and NRC licensees.

6. *An estimate of the number of responses:* 1,727.

7. *The number of annual respondents:* 1,727.

8. *An estimate of the number of hours needed annually to complete the requirement or request:* 386 hours.

9. *An indication of whether Section 3507(d), Pub. L. 104-13 applies:* Not applicable.

10. *Abstract:* Voluntary customer satisfaction surveys will be used to contact users of NRC services and products to determine their needs, and how the Commission can improve its services and products to better meet those needs. In addition, focus groups will be contacted to discuss questions concerning those services and products. Results from the surveys will give insight into how NRC can make its services and products cost effective, efficient, and responsive to its customer needs. Each survey will be submitted to OMB for its review.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F23, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide Web site: <http://www.nrc.gov/public-involve/doc-comment/OMB/index/html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by May 19, 2003. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date. Bryon Allen, Office of Information and Regulatory Affairs (3150-0197), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395-3087.

The NRC Clearance Officer is Brenda Jo. Shelton, 301-415-7233.

Dated at Rockville, Maryland, this 10th day of April 2003.

For the Nuclear Regulatory Commission.

**Brenda Jo. Shelton,**

*NRC Clearance Officer, Office of the Chief Information Officer.*

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**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

### Agency Information Collection Activities: Proposed Collection; Comment Request

**AGENCY:** Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment.

**SUMMARY:** The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35).

Information pertaining to the requirement to be submitted:

1. *The title of the information collection:* 10 CFR part 40, "Domestic Licensing of Source Material"; NRC Form 244, "Registration Certificate—Use of Depleted Uranium under General License"; and NRC Form 484, "Domestic Monitoring Data Report."

2. *Current OMB approval number:* 3150-0020 and 3150-0031.

3. *How often the collection is required:* Reports required under 10 CFR part 40 are collected and evaluated on a continuing basis as events occur. There is a one-time submittal of information to receive a license. Renewal applications are submitted every 5 to 10 years. NRC Form 244 is submitted when depleted uranium is received or transferred under general license. NRC Form 484 is submitted biannually.

4. *Who is required or asked to report:* 10 CFR part 40: Applicants for and holders of NRC licenses authorizing the receipt, possession, use, or transfer of radioactive source and byproduct material.

NRC Form 244: Persons receiving, possessing, using, or transferring depleted uranium under the general license established in 10 CFR 40.25(a).

NRC Form 484: Uranium recovery facility licensees reporting ground-water monitoring data pursuant to 10 CFR 40.65.

5. *The number of annual respondents:* 10 CFR part 40: 271 (99 for NRC licensees and 172 for Agreement State licensees).

NRC Form 484: Included in 10 CFR part 40, above.

NRC Form 244: 60 (20 for NRC licensees and 40 for Agreement State licensees).

6. *The number of hours needed annually to complete the requirement or request:*

10 CFR part 40: 59,367 total hours (21,886 for NRC Licensees (16,182 hours for reporting and 5,703 hours for recordkeeping) and (37,481 for Agreement State Licensees (28,083 hours for reporting and 9,398 hours for recordkeeping).

NRC Form 484: Included in 10 CFR part 40, above.

NRC Form 244: 60 hours (20 hours for NRC licensees and 40 hours for Agreement State licensees for reporting requirements).

7. *Abstract:* 10 CFR part 40 establishes requirements for licensees for the receipt, possession, use, and transfer of radioactive source and byproduct material. NRC Form 244 is used to report receipt and transfer of depleted uranium under general license, as required by 10 CFR part 40. NRC Form 484 is used to report certain groundwater monitoring data required by 10 CFR part 40 for uranium recovery licensees. The application, reporting, and recordkeeping requirements are necessary to permit the NRC to make a determination on whether the possession, use, and transfer of source and byproduct material is in conformance with the Commission's regulations for protection of public health and safety.

Submit, by June 16, 2003, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T-6 E 6, Washington, DC 20555-0001, by telephone at (301) 415-7233, or by Internet electronic mail at [infocollects@nrc.gov](mailto:infocollects@nrc.gov).

Dated in Rockville, Maryland, this 10th day of April, 2003.

For the Nuclear Regulatory Commission.

**Brenda Jo. Shelton,**

*NRC Clearance Officer, Office of the Chief Information Officer.*

[FR Doc. 03-9441 Filed 4-16-03; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-318]

### Calvert Cliffs Nuclear Power Plant, Inc., Calvert Cliffs Nuclear Power Plant, Unit No. 2; Exemption

#### 1.0 Background

Calvert Cliffs Nuclear Power Plant, Inc. (CCNPP1 or the licensee) is the holder of Renewed Facility Operating License No. DPR-69, which authorizes operation of Calvert Cliffs Nuclear Power Plant, Unit No. 2 (CCNPP2). 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 Calvert County in Maryland.

#### 2.0 Purpose

Title 10 of the Code of Federal Regulations (10 CFR), part 50, section 50.46 and Appendix K identify requirements for calculating emergency core cooling system (ECCS) performance for reactors containing fuel with zircaloy or ZIRLO cladding, and 10 CFR 50.44 relates to the control of hydrogen gas generated in part from a metal-water reaction between the reactor coolant and reactor fuel having zircaloy or ZIRLO cladding.

Since 10 CFR 50.44, 10 CFR 50.46, and Appendix K specifically relate to the use of zircaloy or ZIRLO cladding, the licensee has requested a temporary exemption to 10 CFR 50.44, 10 CFR 50.46, and Appendix K that would allow CCNPP2 to operate in Cycles 15 and 16 with a core containing up to eight lead fuel assemblies (LFAs) clad with an advanced zirconium-based alloy (up to four LFAs containing fuel rods

clad with Framatome proprietary zirconium-based M5 alloy, and up to four LFAs containing fuel rods clad with Westinghouse proprietary advanced zirconium-based alloys).

#### 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. Under section 50.12(a)(2), special circumstances include, among other things, when application of the regulation in the particular circumstance would not serve, or is not necessary to achieve, the underlying purpose of the rule.

The underlying purpose of 10 CFR 50.46 and 10 CFR part 50, Appendix K, is to establish requirements for the calculation of ECCS performance and 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 assessments of plant transients and accidents, including LOCAs, using methodologies approved for application to the Calvert Cliffs plants. Though the methodologies may not have been approved for licensing-basis analyses for some of the LFAs, the licensee provided information that confirmed that the methodologies were adequate for assessing them.

The licensee's analyses indicate that the LFAs will not affect the present design basis analyses for CCNPP2 during Cycles 15 and 16. The licensee attributed this finding in part to positioning of the LFAs in non-limiting locations. The licensee has clarified that it will place the LFAs in locations that represent the normal CCNPP2 operational fuel duty, including in "hot," though non-limiting, locations. The licensee believes this will provide data representative of the fuel operation and burnup for two cycles.

Because the LFAs will be placed in non-limiting locations (Technical Specification 4.2.1 limits placement of LFAs to non-limiting locations in the core), the placement scheme and the similarity of the advanced zirconium-

based alloy cladding used in the LFAs to the Zircaloy-4 clad rods, which are currently in the reactor core, will assure that the behavior of the LFAs will be bounded by the fuel performance and safety analyses performed for the Zircaloy-4 clad rods. No safety limits will be changed or setpoints altered as a result of using the LFAs.

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 licensee has indicated that the LFAs and fuel currently in use at CCNPP2 are of like geometry. Therefore, the staff concludes that use of the LFAs will not introduce a mixed core penalty into the safety analyses for CCNPP2.

Based on the above, the staff finds that, with the LFAs in use, the ECCS performance calculations assure that the ECCS will function to achieve the goals stated in 10 CFR 50.46 and 10 CFR part 50, Appendix K. Accordingly, the staff finds that application of section 50.46 and Appendix K with respect to use of the LFAs with advanced zirconium-based alloy cladding at CCNPP2 is not necessary to achieve the underlying purpose of these regulations.

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 licensee submitted supporting documentation that shows that the use of the Baker-Just equation to determine the metal-water reaction rate is conservative for the Framatome M5™ cladding and the Westinghouse advanced zirconium alloy cladding. Therefore, the amount of hydrogen generated by metal-water reaction in these materials will be within the design basis. As such, the licensee has achieved the underlying purpose of 10 CFR 50.44, and application of that rule with respect to use of the LFAs with advanced zirconium-based alloy cladding at CCNPP2 is not necessary to achieve that purpose.

The staff examined the licensee's rationale to support the exemption request and, as set forth above, has determined that the use of LFAs with advanced zirconium-based alloy cladding in the Unit 2 core for Cycles 15 and 16 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 is not necessary to achieve the underlying purpose of the rule.