

Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395-7318.

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

Dated at Rockville, Maryland, this 5th day of February, 2001.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

NRC Clearance Officer, Office of the Chief Information Officer.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-325 and 50-324]

In the Matter of Carolina Power & Light Company (Brunswick Steam Electric Plant, Units 1 and 2); Exemption

I

The Carolina Power & Light Company (CP&L) is the holder of Facility Operating License Nos. DPR-71 and DPR-62, which authorize operation of the Brunswick Steam Electric Plant, Units 1 and 2. The licenses provide, 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 two boiling water reactors located in Brunswick County in North Carolina.

II

Title 10 of the Code of Federal Regulations, part 50, Section 36a(a)(2) (10 CFR 50.36a(a)(2)) requires each licensee to submit a report to the Commission annually that specifies the quantity of each of the principal radionuclides released to unrestricted areas in liquid and in gaseous effluents during the previous 12 months, including any other information as may be required by the Commission to estimate maximum potential annual radiation doses to the public resulting from effluent releases. The report must be submitted as specified in § 50.4, and the time between submission of the reports must be no longer than 12 months. CP&L has proposed an amendment to Technical Specification 5.6.3 to change the submittal date for the report to "prior to May 1." The approval of the amendment necessitates the required submittal date for the year 2000 report be changed to "prior to May 1, 2001."

In summary, the exemption does not affect the information required to be

submitted or the time period the report covers, only the date the report is submitted.

III

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. These circumstances include the special circumstances that would provide only temporary relief from the applicable regulation and the license or applicant has made good faith efforts to comply with the regulation.

Therefore, the staff concludes that granting an exemption under the special circumstances of 10 CFR 50.12(a)(2)(v) is appropriate.

IV

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 CP&L an exemption from the requirements of 10 CFR 50.36a9a)(2), for Brunswick Steam Electric Plant, Units 1 and 2.

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 8813).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 6th day of February 2001.

For the Nuclear Regulatory Commission.

John A. Zwolinski,

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

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-344]

Portland General Electric Company; Trojan Nuclear Plant; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering

issuance of an amendment to Facility Operating License No. NPF-1 issued to Portland General Electric Company (PGE), the licensee, for the Trojan Nuclear Plant (TNP), a permanently shutdown nuclear reactor facility located in Columbia County, Oregon.

Environmental Assessment

Identification of the Proposed Action

The proposed action would approve the TNP license termination plan (LTP) and an LTP change process to allow certain changes once the LTP is approved by license amendment. The approval of the LTP is essential only for the approval of the licensee's proposed final radiation survey plan design. In accordance with the regulations, the licensee has, and will continue to have, the authority to remediate the site without an approved LTP. Site remediation is performed under the provisions of Title 10, *U.S. Code of Federal Regulations* (10 CFR) 50.82(a)(6) and 50.59. The proposed license amendment does not authorize additional plant activities beyond those that are already authorized and, therefore, is administrative.

The proposed action is in accordance with the licensee's application for amendment dated August 5, 1999, as supplemented by letters dated November 23, 1999, December 27, 1999, May 4, 2000, October 19, 2000, and November 22, 2000.

The Need for the Proposed Action

The proposed action would allow the licensee to meet the requirements of 10 CFR 50.82(a)(9), in which a licensee is required to submit an LTP to the NRC for approval. Further, in accordance with the requirements of 10 CFR 50.82(a)(10) and (11), the staff will: (1) Approve an LTP by license amendment if the remaining decommissioning activities will be performed in accordance with the regulations, will not be inimical to the common defense and security or the health and safety of the public, and will not have a significant effect on the quality of the environment; and (2) terminate the license if the remaining dismantlement has been performed in accordance with the approved LTP, and that the final radiation survey and associated documents demonstrate the facility and site are suitable for release.

Environmental Impacts of the Proposed Action

Background

The Trojan site, 2.57 square kilometers (634 acres) owned by the licensee, is located in Columbia County,