NATIONAL SCIENCE FOUNDATION

DOE/NSF Nuclear Science Advisory Committee; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, a amended), the National Science Foundation announces the following meeting.

Name: Nuclear Science Advisory Committee (1176).

Date and Time: Friday, May 30, 2003; 8 a.m.–5 p.m.

Place: Comfort Inn, 1211 N. Glebe Rd., Arlington, VA 22203.

Type of Meeting: Open.

Contact Person: Dr. Bradley D. Keister, Program Director for Nuclear Physics, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: (703) 292–7377.

Purpose of Meeting: To provide advice and recommendations concerning the scientific programs of the NSF and DOE in the area of basic nuclear physics research.

Agenda: Introduction (R. Casten), Report from DOE, Report from NSF, Report from subcommittee on fundamental neutron science, Discussion of recommendations concerning fundamental neutron science, Status of subcommittees on education and nuclear theory, (Pending) Introduction of additional charges, Public Comment.

Dated: April 30, 2003.

Susanne Bolton,

Committee Management Officer.

[FR Doc. 03–11081 Filed 5–5–03; 8:45 am]

BILLING CODE 7555–01–M

NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

AGENCY: Nuclear Regulatory Commission (NRC).

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a current valid OMB control number.

1. *Type of submission, new, revision, or extension:* Extension.

2. *The title of the information collection:* 10 CFR Part 62—''Criteria and Procedures for Emergency Access to Non-Federal and Regional Low-Level Waste Disposal Facilities''.

3. *The form number if applicable: Not applicable.*

4. *How often the collection is required:* Requests are made only when access to a non-Federal low-level waste disposal facility is denied, which results in a public health and safety and/or common defense and security.

5. *Who will be required or asked to report:* Generators of low-level waste who are denied access to a non-Federal low-level waste facility.

6. *An estimate of the number of annual responses:* 1 every 3 years.

7. *The number of annual respondents:* 1 every 3 years (No requests have been received to date).

8. *An estimate of the total number of hours needed annually to complete the requirement or request:* 680 hours per request, or 227 hours annually.

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

10. *Abstract:* 10 CFR Part 62 sets out the information which will have to be provided to the NRC by any low-level waste generator seeking emergency access to an operating low-level waste disposal facility. The information is required to allow NRC to determine if denial of disposal constitutes a serious and immediate threat to public health and safety or common defense and security.

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 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 should be directed to the OMB reviewer listed below by June 5, 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 (3150–0143), 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 30th day of April 2003.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 03–11160 Filed 5–5–03; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–440]

FirstEnergy Nuclear Operating Co., Perry Nuclear Power Plant; Exemption

1.0 Background

The FirstEnergy Nuclear Operating Company (FENOC/ the licensee) is the holder of Facility Operating License No. NPF–58 which authorizes operation of Perry Nuclear Power Plant (PNPP). 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 boiling water reactor located on FENOC's PNPP site, which is located in Lake County, Ohio.

2.0 Request/Action

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 ''[t]he appropriate requirements on * * * the pressure-temperature limits and minimum permissible temperature must be met for all conditions.'' Appendix G of 10 CFR part 50 specifies that the requirements for these limits are the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (Code), Section XI, Appendix G Limits.

To address provisions of amendments to the technical specifications P–T limits in the submittal dated June 4, 2002, the licensee requested that the staff exempt PNPP from application of specific requirements of 10 CFR part 50, § 50.60(a) and Appendix G, and substitute use of ASME Code Case N–640. Code Case N–640 permits the use of an alternate reference fracture toughness (K_{Ic} fracture toughness curve instead of K_{Ia} fracture toughness curve) for reactor vessel materials in determining the P–T limits. Since the K_{ic} fracture toughness curve shown in ASME Code, Section XI, Appendix A, Figure A–2200–1 provides greater allowable fracture toughness than the

corresponding K_{Ia} fracture toughness curve of ASME Code, Section XI, Appendix G, Figure G–2210–1, using the K_{ic} fracture toughness, as permitted by Code Case N–640, in establishing the P–T limits would be less conservative than the methodology currently endorsed by 10 CFR part 50, appendix G. Considering this, an exemption to apply the Code Case would be required by 10 CFR 50.60.

The licensee proposed to revise the P–T limits for PNPP using the K_{Ic} fracture toughness curve, in lieu of the K_{Ia} fracture toughness curve, as the lower bound for fracture toughness.

Use of the K_{Ic} curve in determining the lower bound fracture toughness in the development of P–T operating limits curve is more technically correct than the K_{Ia} curve 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} curve appropriately implements the use of static initiation fracture toughness behavior to evaluate the controlled heatup and cooldown process of a reactor vessel. The staff has required use of the initial conservatism of the K_{Ia} curve since 1974 when the curve was codified. This initial conservatism was necessary due to the limited knowledge of RPV materials. Since 1974, additional knowledge has been gained about RPV materials, which demonstrates that the lower bound on fracture toughness provided by the K_{Ia} curve is well beyond the margin of safety required to protect the public health and safety from potential RPV failure.

In summary, the ASME Code, Section XI, Appendix G, procedure was conservatively developed based on the level of knowledge existing in 1974, concerning RPV materials and the estimated effects of operation. Since 1974, the level of knowledge about these topics has been greatly expanded. The NRC staff concurs that this increased knowledge permits relaxation of the ASME Code Section XI, Appendix G requirements by applying the K_{Ic} fracture toughness, as permitted by Code Case N–640, because compliance with ASME Code, Section XI, Appendix G is not necessary to achieve the underlying purpose of 10 CFR 50.60 and part 50, appendix G.

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. The staff accepts the licensee's determination that an exemption would be required to approve the use of Code Case N–640. The staff examined the licensee's rationale to support the exemption request and concurred that the use of the Code Case N–640 would meet the underlying intent of these regulations. Based upon a consideration of the conservatism that is explicitly incorporated into the methodologies of 10 CFR part 50, Appendix G; Appendix G of the Code; and Regulatory Guide 1.99, ''Radiation Embrittlement of Reactor Vessel Material,'' Revision 2, the staff concluded that compliance with ASME Code, Appendix G is not necessary to achieve the underlying purpose of 10 CFR 50.60 and 10 CFR part 50, Appendix G because the application of Code Case N–640 as described would provide an adequate margin of safety against brittle failure of the RPV. This is also consistent with the determination that the staff has reached for other licensees under similar conditions based on the same considerations. Therefore, the staff concludes that requesting exemption under the special circumstances of 10 CFR 50.12(a)(2)(ii) is appropriate and that the methodology of Code Case N–640 may be used to revise the P–T limits for PNPP.

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. Therefore, the Commission hereby grants FENOC, exemption from the requirements of 10 CFR part 50, § 50.60(a) and 10 CFR part 50, Appendix G, for PNPP.

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 (68 FR 13335).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 29th day of April 2003.

For the Nuclear Regulatory Commission.

John A. Zwolinski,

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

[FR Doc. 03–11159 Filed 5–5–03; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Sunshine Act Meeting

AGENCY: Nuclear Regulatory Commission.

DATES: Weeks of May 5, 12, 19, 26, June 2, 9, 2003.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

MATTERS TO BE CONSIDERED:

Week of May 5, 2003

There are no meetings scheduled for the Week of May 5, 2003.

Week of May 12, 2003—Tentative

Wednesday, May 14, 2003

1:30 p.m.—Discussion of Security Issues (Closed—Ex. 1).

Thursday, May 15, 2003

9:30 a.m.—Briefing on Results of Agency Action Review Meeting (Public Meeting) (*Contact:* Robert Pascarelli, 301–415–1245). Morning session.

12:30 p.m.—Briefing on Results of Agency Action Review Meeting (Public Meeting) (*Contact:* Robert Pascarelli, 301–415–1245). Afternoon session.

This meeting will be webcast live at the Web address—*http://www.nrc.gov.*

Week of May 19, 2003—Tentative

There are no meetings scheduled for the Week of May 19, 2003.

Week of May 26, 2003—Tentative

Wednesday, May 28, 2003

9:30 a.m.—Meeting with Advisory Committee on the Medical Uses of Isotopes (ACMUI) (Public Meeting) (*Contact:* Angela Williamson, 301–415–5030).

This meeting will be webcast live at the Web address—*http://www.nrc.gov.*

2:45 p.m.—Discussion of Management Issues (Closed—Ex. 2).

Thursday, May 29, 2003

9:30 a.m.—Briefing on Status of Revisions to the Regulatory Framework for Steam Generator Tube Integrity (Public Meeting) (*Contact:* Louise Lund, 301–415–3248).

This meeting will be webcast live at the Web address—*http://www.nrc.gov.*

2 p.m.—Briefing on Equal Employment Opportunity Program (Public Meeting) (*Contact:* Corenthis Kelley, 301–415–7380).