

supplemental application for the proposed license amendments to reflect the transfers occurring in two phases complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I; the facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission; there is reasonable assurance that the activities authorized by the proposed license amendments can be conducted without endangering the health and safety of the public and that such activities will be conducted in compliance with the Commission's regulations; the issuance of the proposed license amendments will not be inimical to the common defense and security or to the health and safety of the public; and the issuance of the proposed license amendments will be in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied. These findings are supported by a safety evaluation dated December 21, 2000.

III

Accordingly, pursuant to Sections 161b, 161i, and 184 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. §§ 2201(b), 2201(i), and 2234, and 10 CFR 50.80, *It Is Hereby Ordered* that the effectiveness of the Order dated April 21, 2000, is extended to December 31, 2001. Any concurrent transfer of the DP&L and ACE interests to PSEG Nuclear LLC shall remain subject to the terms and conditions of the April 21, 2000, Order.

It Is Further Ordered that the license transfers from DP&L and ACE to PSEG Nuclear LLC may occur in two phases, as described above, subject to the following conditions:

1. DP&L shall transfer to the PSEG Nuclear LLC decommissioning trusts for Salem at the time its interests in the Salem licenses are transferred to PSEG Nuclear LLC, all of DP&L's accumulated decommissioning trust funds for Salem Unit Nos. 1 and 2. Immediately following such transfer, the amounts in the PSEG Nuclear LLC decommissioning trusts must, with respect to the interests in Salem Unit Nos. 1 and 2 PSEG Nuclear LLC would then hold, be at a level no less than the formula amounts under 10 CFR Section 50.75.

2. ACE shall transfer to the PSEG Nuclear LLC decommissioning trusts for Salem at the time its interests in the Salem licenses are transferred to PSEG Nuclear LLC, all of ACE's accumulated

decommissioning trust funds for Salem Unit Nos. 1 and 2. Immediately following such transfer, the amounts in the PSEG Nuclear LLC decommissioning trusts must, with respect to the interests in Salem Unit Nos. 1 and 2 PSEG Nuclear LLC would then hold, be at a level no less than the formula amounts under 10 CFR Section 50.75.

3. Conditions 3.a. through 3.e. of the April 21, 2000, Order, which have now been incorporated into the Salem licenses by a separate licensing action, shall remain applicable to the PSEG Nuclear LLC decommissioning trust agreements for Salem Unit Nos. 1 and 2. The citation in the foregoing condition 3.e. is corrected to read "10 CFR 35.32(a)(3)".

4. PSEG Nuclear LLC shall inform the Director, Office of Nuclear Reactor Regulation, in writing, of the date of closing of each subject transfer no later than 2 business days before the date of each closing. If the transfer of the DP&L or ACE interests is not completed by December 31, 2001, this Order shall become null and void with respect to any such transfer not yet completed; however, on application and for good cause shown, such date may be extended.

It Is Further Ordered that, consistent with 10 CFR 2.1315(b), license amendments that make changes, as indicated in Enclosure 2 to the cover letter forwarding this Order, to conform each Salem license to reflect each subject license transfer are approved. To the extent the license pages in Enclosure 2 reflect intervening events and completed licensing actions that have occurred since the issuance of the April 21, 2000, Order, and therefore are inconsistent with the license pages referenced in that Order showing the changes to the licenses approved by that Order, the amendment pages approved by this Order supersede the previously approved license pages. Those amendments approved by this Order appropriate to the particular license transfers in fact occurring shall be issued and made effective at the time the corresponding license transfers are completed.

This Order is effective upon issuance.

For further details with respect to this Order, see the submittal dated October 10, 2000, the previous related application dated December 20, 1999, and supplements thereto dated February 11, and February 25, 2000, which may be examined, and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, MD, and are accessible electronically

through the ADAMS Public Electronic Reading Room link at the NRC Web site <http://www.nrc.gov>.

Dated at Rockville, Maryland, this 21st day of December 2000.

For the Nuclear Regulatory Commission.

Samuel J. Collins,

Director, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Nuclear Waste; Notice of Meeting

The Advisory Committee on Nuclear Waste (ACNW) will hold its 124th meeting on January 16-18, 2001, at 11545 Rockville Pike, Rockville, Maryland, Room T-2B3.

The entire meeting will be open to public attendance.

The schedule for this meeting is as follows:

Tuesday, January 16, 2001

A. 8:30-10:00 A.M.: *Opening Statement/Planning and Procedures (Open)*—The Chairman will open the meeting with brief opening remarks. The Committee will then review items under consideration at this meeting and consider topics proposed for future consideration by the full Committee.

B. 10:15-12:00 Noon: Progress on ACNW's Sufficiency Review Application Task Action Plan (TAP) (Open)—The Committee will discuss the ACNW's TAP, its approach to conducting a sufficiency review and its progress on proposed vertical slices.

C. 1:00-2:00 P.M.: Entombment Option for Decommissioning Power Reactors (Open)—The Committee will discuss with cognizant NMSS staff selected issues related to this topic.

D. 2:00-7:00 P.M.: Discussion of Proposed ACNW Reports (Open)—The Committee will discuss proposed ACNW Reports on Entombment, Key Technical Issue Resolution, Staff's Progress on Total Performance Assessment, Annual Research Report to the Commission and other matters considered during this meeting.

Wednesday, January 17, 2001

E. 8:30-8:40 A.M.: Opening Remarks by the ACNW Chairman (Open)—The ACNW Chairman will make opening remarks regarding the conduct of the meeting.

F. 8:40-9:40 A.M.: *Institutional Control Status (Open)*—The Committee will discuss and hear a presentation

from the NRC staff on the status of considerations regarding long-term custodial responsibilities for sites whose license is terminated under restricted release conditions.

G. 9:40–10:50 A.M.: *National Research Council Report, "Long-Term Institutional Management of U.S. Department of Energy Legacy Waste Sites"* (Open)—The Committee will discuss and hear a presentation by Dr. Thomas S. Leschine, Chairman of The Academy group that authored the report.

H. 11:00–12:30 P.M.: *Meeting with the Director, Office of Nuclear Material Safety and Safeguards, (NMSS)* (Open)—The Committee will meet with the Director, NMSS to discuss items of mutual interest.

I. 1:30–7:30 P.M.: *ACNW 2001 Action Plan* (Open)—The Committee will review the ACNW 2000 Action Plan and discuss relevant changes for its 2001 Action Plan.

Thursday, January 18, 2001

J. 8:30–8:35 A.M.: *Opening Remarks by the ACNW Chairman* (Open)—The ACNW Chairman will make opening remarks regarding the conduct of the meeting.

K. 8:35–11:30 A.M.: *Preparation for Meeting with the NRC Commissioners* (Open)—The next meeting with the Commissioners is scheduled to be held in the Commission Conference Room in One White Flint North on March 22, 2001. The Committee will review its proposed presentations.

L. 12:30–5:00 P.M.: *Discussion of Proposed ACNW Reports* (Open)—The Committee will continue its discussion of proposed ACNW reports.

M. 5:00–5:30 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 ACNW meetings were published in the **Federal Register** on October 11, 2000 (65 FR 60475). In accordance with these procedures, oral or written statements may be presented by members of the public, 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 Committee, its consultants, and staff. Persons desiring to make oral statements should notify Howard J. Larson, ACNW, as far in advance as practicable so that appropriate arrangements can be made to schedule the necessary time during

the meeting for such statements. Use of still, motion picture, and television cameras during this meeting will be limited to selected portions of the meeting as determined by the ACNW Chairman. Information regarding the time to be set aside for taking pictures may be obtained by contacting the ACNW office, prior to the meeting. In view of the possibility that the schedule for ACNW meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should notify Mr. Larson as to their particular needs.

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 therefore can be obtained by contacting Mr. Howard J. Larson, ACNW (Telephone 301/415-6805), between 8:00 A.M. and 5:00 P.M. EST.

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

Videoteleconferencing service is available for observing open sessions of ACNW meetings. Those wishing to use this service for observing ACNW meetings should contact Mr. Theron Brown, ACNW Audiovisual 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 and facilities that they use to establish the videoteleconferencing link. The availability of videoteleconferencing services is not guaranteed.

Dated: December 21, 2000.

Annette Vietti-Cook,
Acting Advisory Committee Management Officer.

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards Subcommittee Meeting on Planning and Procedures Notice of Meeting

The ACRS Subcommittee on Planning and Procedures will hold a meeting on January 22–24, 2001, in Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed pursuant to 5 U.S.C. 552b(c) (2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of ACRS, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.

The agenda for the subject meeting shall be as follows:

Monday, January 22, 2001—8:30 a.m. until the close of business: The Subcommittee will discuss stakeholder views of ACRS activities, self-assessment of ACRS performance in CY 2000, potential operational areas for improved effectiveness, and other activities related to the conduct of ACRS business. It will also discuss identification and quantification of design margins, adequacy of PRA models and codes, risk-informed regulation, AP1000 review issues, and potential future ACRS activities.

Tuesday, January 23, 2001—8:30 a.m. until the conclusion of business: The Subcommittee will continue to discuss self-assessment of ACRS performance in CY 2000, potential operational areas for improved effectiveness, and other activities related to the conduct of ACRS business. It will also continue the discussion on the identification and quantification of design margins, adequacy of PRA models and codes, risk-informed regulation, AP1000 review issues, and potential future ACRS activities.

Wednesday, January 24, 2001—8:30 a.m.–1:00 p.m.: The Subcommittee will discuss the annual ACRS report to the Commission on the NRC Safety Research Program and potential future ACRS activities.

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 Subcommittee, its consultants, and staff. Persons desiring to make oral statements should notify the cognizant ACRS staff person named below five days prior to the meeting, if possible, so that appropriate arrangements can be made.