

1. By delivery to: Secretary, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, between 7:45 am and 4:15 pm, Federal workdays; or

2. By mail or facsimile addressed to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Attention: Rulemakings and Adjudications Staff.

In accordance with 10 CFR 2.1205(f), each request for a hearing must also be served, by delivering it personally, or by mail, to:

1. The applicant, Molycorp, Inc., 300 Caldwell Avenue, Washington, PA 15301, Attention: George Dawes, and,

2. The NRC staff, by delivery to the General Counsel, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Room 0-15 D21, Rockville, MD 20852-2738, between 7:45 am and 4:15 pm, Federal workdays, or by mail, addressed to the General Counsel, U.S. Nuclear Regulatory Commission, Mailstop 0-15 D21, Washington, DC 20555-0001.

In addition to meeting other applicable requirements of 10 CFR Part 2 of NRC's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

1. The interest of the requester in the proceeding;

2. How that interest may be affected by the results of the proceeding, including the reasons why the requester should be permitted a hearing, with particular reference to the factors set out in § 2.1205(h);

3. The requester's areas of concern about the licensing activity that is the subject matter of the proceeding; and,

4. The circumstance establishing that the request for a hearing is timely in accordance with § 2.1205(d).

**FOR FURTHER INFORMATION CONTACT:** The application for the license amendment and supporting documentation are available for inspection at NRC's Public Document Room, 11545 Rockville Pike, Rockville MD, 20055, and at NRC's Public Electronic Reading Room on the NRC web site at <http://www.nrc.gov/NRC/ADAMS/index.html>. Any questions with respect to this action should be referred to Tom McLaughlin, Decommissioning Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: (301) 415-5869. Fax: (301) 415-5398.

Dated at Rockville, Maryland, this 16th day of February 2001.

For the Nuclear Regulatory Commission.

**Tom McLaughlin,**

*Project Manager, Facilities Decommissioning Section, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 01-4626 Filed 2-23-01; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[Docket No. 50-318]**

### **Calvert Cliffs Nuclear power Plant, Inc.; Calvert Cliffs Nuclear Power Plant, Unit No. 2, Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of a temporary exemption from the provisions of 10 CFR 50.44, 10 CFR 50.46, and Appendix K to 10 CFR part 50 for Renewed Facility Operating License No. DPR-69 issued to Calvert Cliffs Nuclear Power Plant, Inc. (CCNPP) or the licensee) for operation of the Calvert Cliffs Nuclear Power Plant, Unit 2 (CCNPP2) located in Calvert County, Maryland.

### **Environmental Assessment**

#### *Identification of the Proposed Action*

The proposed action would allow the licensee to use a lead fuel assembly with a limited number of fuel rods with advanced cladding material, a zirconium-based alloy, that does not meet the definition of Zircaloy or ZIRLO, which are referred to in Title 10 of the *Code of Federal Regulations*. The lead fuel assembly is scheduled to be loaded into the CCNPP2 reactor core during the upcoming refueling outage and would remain in the core for Cycle 14. The proposed action is in accordance with the licensee's application for exemption dated September 14, 2000, as supplemented on December 21, 2000.

#### *The Need for the Proposed Action*

The proposed temporary exemption from 10 CFR 50.44, 10 CFR 50.46, and Appendix K to 10 CFR part 50 is needed because these regulations specifically refer to light-water reactors containing fuel consisting of uranium oxide pellets enclosed in zircaloy or ZIRLO tubes. A new zirconium-based alloy cladding has been developed, which is not the same chemical composition as zircaloy or ZIRLO. Therefore, the licensee needs an exemption to insert an assembly containing fuel rods with the new cladding material into the CCNPP2 reactor core and test it during power operation.

### *Environmental Impacts of the Proposed Action*

The NRC has completed its evaluation of the proposed action and concludes that, with regard to potential radiological impacts to the general public, the proposed temporary exemption involves features located entirely within the restricted area as defined in 10 CFR Part 20. The lead fuel assembly, with the zirconium-based alloy cladding, meets the same design basis as the Zircaloy-4 fuel that is currently in the CCNPP2 reactor core. No safety limits will be changed or setpoints altered as a result of using the lead fuel assembly. The Updated Final Safety Analysis Report analyses are bounding for the lead fuel assembly as well as the remainder of the core. The mechanical properties and behavior of the lead fuel assembly during postulated loss-of-coolant-accidents (LOCAs) and non-LOCA transients and operational transients will be essentially the same as those for the current fuel. In addition, the lead fuel assembly represents a small portion of the total core and will be placed in a non-limiting location.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released off site, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action involves features located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect non-radiological plant effluents and has no other environmental impact. The proposed action does not involve any historic sites. Therefore, there are no significant nonradiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

### *Alternatives to the Proposed Action*

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the "no-action" alternative). Denial of the exemption would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

*Alternative Use of Resources*

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for CCNPP2.

*Agencies and Persons Contacted*

In accordance with its stated policy, on January 18, 2001, the staff consulted with the Maryland State official, Mr. Richard McLean of the Department of Natural Resources, regarding the environmental impact of the proposed action. The State official had no comments.

**Finding of No Significant Impact**

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed exemption.

For further details with respect to this action, see the licensee's letters dated September 14, 2000, and December 21, 2000, which are available for public inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the ADAMS Public Library component on the NRC Web site, <http://www.nrc.gov> (the Electronic Reading Room).

Dated at Rockville, Maryland, this 20th day of February 2001.

For the Nuclear Regulatory Commission.

**Donna M. Skay,**

*Project Manager, Section 1, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 01-4628 Filed 2-23-01; 8:45 am]

**BILLING CODE 7590-01-P**

**NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-286]

**Entergy Nuclear Operations, Inc.; Indian Point Nuclear Generating Unit No. 3; 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. DPR-64, issued to Entergy Nuclear Operations, Inc. (the licensee), for operation of the Indian Point Nuclear Generating Unit No. 3 (IP3) located in Westchester County, New York.

**Environmental Assessment***Identification of the Proposed Action*

The proposed action would modify the Technical Specifications (TSs) by replacing them with Improved Standard Technical Specifications (ISTS). The amendment would also change requirements regarding setpoints or allowable values associated with power range flux, pressurizer pressure, overtemperature delta T, overpower delta T, low reactor coolant loop flow, high pressurizer water level, steam generator water level, containment pressure, auto stop oil pressure, high steam line differential pressure and high steam flow; it would extend the allowable time to restore an inoperable power operated relief valve to service; it would extend the frequency for the pressure isolation valve leakage testing surveillance from 18 to 24 months; it would change current TS requirements by focusing on ensuring containment integrity at individual component level rather than at a zone level; and it would add main steam check valve operability conditions.

The proposed action is in accordance with the licensee's application for amendment dated December 11, 1998, as supplemented by letters dated December 15, 1998, May 17, 1999, August 16, 2000, September 8, 2000, September 14, 2000, September 27, 2000, November 30, 2000, January 8, 2001, and January 11, 2001.

*The Need for the Proposed Action*

The proposed action is necessary to allow the licensee to implement the ISTS. The ISTS are based on standard Westinghouse Technical Specifications and have been implemented by several utilities. They are widely considered an improvement over current TSs.

*Environmental Impacts of the Proposed Action*

The NRC has completed its evaluation of the proposed action and concludes that the proposed amendment will have no significant environmental impact. The ISTS are based on the standard Westinghouse TSs and are widely used throughout the industry.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released off site, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does not involve any historic sites. It does not affect nonradiological plant effluents and has no other environmental impact. Therefore, there are no significant nonradiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

*Alternatives to the Proposed Action*

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the "no-action" alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

*Alternative Use of Resources*

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for IP3.

*Agencies and Persons Consulted*

In accordance with its stated policy, on January 24, 2001, the staff consulted with the New York State official, Jay Dunkelberger of the New York Department of Radiation Health, regarding the environmental impact of the proposed action. The State official had no comments.

**Finding of No Significant Impact**

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated December 11, 1998, as supplemented by letters dated December 15, 1998, May 17, 1999, August 16, 2000, September 8, 2000, September 14, 2000, September 27, 2000, November 30, 2000, January 8, 2001, and January 11, 2001. Documents 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, Maryland. Publicly available records will be accessible electronically from the ADAMS Public Library component on the NRC Web site, <http://www.nrc.gov> (the Electronic Reading Room).