

(e.g., NRC regulations or Atomic Energy Act), or identify SSCs that contain defects, is related to conditions that could result in a substantial safety hazard. A substantial safety hazard is defined in 10 CFR 21.3 as meaning a loss of safety function to the extent that there is a major reduction in the degree of protection provided to public health and safety.

In the safety evaluation (SE), dated August 3, 2001, prepared in support of this exemption, the NRC describes its assessment of the attributes of the proposed treatment processes for LSS and NRS SSCs. The NRC determined that the proposed alternative treatment processes, if effectively implemented, will provide reasonable confidence that safety-related LSS and NRS SSCs remain capable of performing their safety functions under design-basis conditions. Also, as discussed in the SE, the NRC determined that the licensee's categorization process provides a reasonable method for determining that safety-related LSS and NRS SSCs have a small contribution to overall safety. Further, the sensitivity study conducted by the licensee demonstrates that for relatively large changes in availability of all of the safety-related LSS SSCs modeled in the probabilistic risk assessment, there is only a small change in the overall plant risk. Therefore, the NRC determined that it is acceptable to exclude LSS and NRS SSCs from the scope of the definition of basic component in 10 CFR 21.3 because the NRC concluded that defects in these components would not result in a substantial safety hazard and thus reporting of such defects is not necessary. On this basis, the NRC finds that the proposed exemption will not endanger life or property or the common defense and security.

The NRC also finds the proposed exemption is otherwise in the public interest since it focuses NRC and licensee attention on the most safety and risk significant SSCs. Further, the NRC finds that the proposed exemption is authorized by law. Thus, the NRC finds that the proposed exemption satisfies the criteria given in 10 CFR 21.7 and should be granted.

4.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 21.7, the exemption is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest. Therefore, the Commission hereby grants, subject to the conditions described below, STPNOC the exemption from the definition of basic

component in (1)(ii) of 10 CFR 21.3 for SSCs at STP categorized as LSS and NRS. As conditions of this exemption:

1. The licensee described the categorization, treatment, and oversight (evaluation and assessment) processes in its submittal dated July 13, 1999, as supplemented October 14 and 22, 1999, January 26 and August 31, 2000, and January 15, 18, 23, March 19, May 8 and 21, 2001. The licensee has documented these processes in a proposed Final Safety Analysis Report (FSAR) submittal dated May 21, 2001, found acceptable by the staff as the regulatory basis for granting this exemption (see the NRC's SE dated August 3, 2001). The licensee shall incorporate this proposed FSAR submittal into the STP FSAR and shall implement the categorization, treatment, and oversight processes consistent with the STP FSAR descriptions.

2. The licensee shall implement a change control process that incorporates the following requirements:

a. Changes to FSAR Section 13.7.2, "Component Categorization Process," dated May 21, 2001, and found acceptable by the NRC as described in the NRC's SE dated August 3, 2001, may be made without prior NRC approval, unless the change would decrease the effectiveness of the process in identifying high safety significant and medium safety significant components.

b. Changes to FSAR Section 13.7.3, "Treatment of Component Categories," dated May 21, 2001, and found acceptable by the NRC as described in the NRC's SE dated August 3, 2001, may be made without prior NRC approval, unless the change would result in a reduction in the assurance of component functionality.

c. Changes to FSAR Section 13.7.4, "Continuing Evaluations and Assessments," dated May 21, 2001, and found acceptable by the NRC as described in the NRC's SE dated August 3, 2001, may be made without prior NRC approval, unless the change would result in a decrease in effectiveness of the evaluations and assessments.

d. The licensee shall submit a report, as specified in 10 CFR 50.4, of changes made without prior NRC approval pursuant to these provisions. The report shall identify each change and describe the basis for the conclusion that the change does not involve a decrease in effectiveness or assurance as described above. The report shall be submitted within 60 days of the date of the change.

e. Changes to FSAR Sections 13.7.2, 13.7.3, and 13.7.4 that do not meet the criteria of a through c above shall be submitted to the NRC for prior review and approval.

Pursuant to 10 CFR 51.32, an environmental assessment and finding of no significant impact has been prepared and published in the **Federal Register** (66 FR 32397). Accordingly, based upon the environmental assessment, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment.

This exemption is effective upon submittal of a FSAR update pursuant to 10 CFR 50.71(e) incorporating the FSAR Sections described in the conditions above.

Dated at Rockville, Maryland, this 3rd day of August, 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

Advisory Committee on Nuclear Waste; Notice of Meeting

The Advisory Committee on Nuclear Waste (ACNW) will hold its 129th meeting on August 28-30, 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, August 28, 2001

A. 8:30-10:15 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 ACNW meetings.

B. 10:30-12:00 P.M.: *Status of Sufficiency Review (Open)*—The Committee will receive an information briefing from the NRC staff on the status of their sufficiency comments.

C. 1:30-3:30 P.M.: *DOE's Supplemental Science and Performance Analysis (SSPA) (Open)*—The Committee will hear a status report from DOE on its SSPA.

D. 3:45-7:00 P.M.: *Discussion of Proposed ACNW Reports (Open)*—The Committee will discuss proposed ACNW reports on Sufficiency Comments, Research Plan for Radionuclide Transport: Prioritization Methods, Greater-Than-Class C Waste and Sealed Sources, Yucca Mountain Igneous Activity Analyses and Comments on Regulatory Conservatism.

Wednesday, August 29, 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. 8:40–10:15 A.M.: *Briefing by Deputy Director, NMSS (Open)*—Ms. Federline will address the Committee on items of mutual interest.

G. 10:30–12:30 P.M.: *Update: Total System Performance Assessment and Integration (TSPA&I) (Open)*—The Committee will hear a presentation by the NRC staff on the TSPA technical exchange and management meeting with DOE held August 6–9, 2001.

H. 2:00–2:30 P.M.: *Research Working Group (Open)*—The Committee will discuss plans for the subject working group which is to be held during the 131st ACNW Meeting.

I. 2:30–4:00 P.M.: *DOE-Yucca Mountain Preclosure Plans (Open)*—The Committee will hear a briefing by and hold discussions with representatives of DOE on its current preclosure plans and activities for the proposed HLW repository at Yucca Mountain.

J. 4:15–7:00 P.M.: *Preparation of ACNW Reports (Open)*—The Committee will discuss proposed reports.

Thursday, August 30, 2001

K. 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.

L. 8:35–9:30 A.M.: *Preparations for October Visit to Nevada (Open)*—The Committee will finalize topics, agenda and public outreach sessions for the trip to Nevada, as well as plans for a visit prior to the October meeting by Members to the Envirocare Facility in Utah.

M. 9:30–2:45 P.M.: *Discussion of Proposed ACNW Reports (Open)*—The Committee will continue its discussion of proposed ACNW reports.

N. 2:45–3:00 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 4:00 P.M. EDT.

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. EDT 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: August 3, 2001.

Andrew L. Bates,

Advisory Committee Management Officer.

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Meeting Notice

In accordance with the purposes of Sections 29 and 182b of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards will hold a meeting on September 5–8, 2001, in Conference Room T–2B3, 11545 Rockville Pike, Rockville, Maryland.

Wednesday, September 5, 2001

8:30 a.m.–8:35 a.m.: *Opening Remarks by the ACRS Vice Chairman (Open)*—The ACRS Vice Chairman will make opening remarks regarding the conduct of the meeting.

8:35 a.m.–10:00 a.m.: *Duane Arnold Core Power Uprate (Open)*—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and the Alliant Energy regarding the license amendment request submitted by the Alliant Energy to increase the core thermal power by 15.3% above the current licensed value for the Duane Arnold Energy Center and the associated staff's safety evaluation report.

10:20 a.m.–12:00 Noon: *EPRI Report on Resolution of Generic Letter 96–06 Waterhammer Issues (Open)*—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and the Electric Power Research Institute (EPRI) regarding the EPRI Report, TR–113594, "Resolution of Generic Letter 96–06 Waterhammer Issues."

1:00 p.m.–2:30 p.m.: *Reactor Oversight Process (Open)*—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the use of performance indicators in the reactor oversight process, initial implementation of the significance determination process (SDP), and technical adequacy of the SDP to contribute to the reactor oversight process.

2:50 p.m.–4:00 p.m.: *Proposed Update to 10 CFR 52, "Early Site Permits; Standard Design Certification; and Combined Licenses for Nuclear Power Plants" (Open)*—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding proposed update to 10 CFR Part 52.

4:20 p.m.–7:00 p.m.: *Discussion of Proposed ACRS Reports (Open)*—The Committee will discuss proposed ACRS reports on matters considered during this meeting.

Thursday, September 6, 2001

8:30 a.m.–8:35 a.m.: *Opening Remarks by the ACRS Chairman (Open)*—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 a.m.–9:00 a.m.: *Peer Review of PRA Certification Process (Open)*—The Committee will hear a report from Mr. Markley, ACRS Senior Staff Engineer, regarding the application of the PRA certification process described in NEI 00–02, "Probabilistic Risk Assessment (PRA) Peer Review Process Guidance," for the North Anna Power Station that was conducted by the Westinghouse Owners Group and discussed with the licensee on July 16–20, 2001, in Richmond, Virginia.

9:00 a.m.–10:00 a.m.: *Meeting with the NRC Commissioner Merrifield (Open)*—The Committee will meet with the NRC Commissioner Merrifield to discuss items of mutual interest.

10:20 a.m.–12:00 Noon: *Proposed Resolution of Generic Safety Issue (GSI)–191, "Assessment of Debris Accumulation on PWR Sump Pump Performance" (Open)*—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the proposed resolution of GSI–191.