

involve the safety of human flight. The major subjects covered will be: Space Shuttle Program, International Space Station Program, Workforce, Mishap Investigation, Medical Operations, Extravehicular Activity, Aero-Space Technology, and Computer Hardware/Software. The Aerospace Safety Advisory Panel is currently chaired by Mr. Richard D. Blomberg and is composed of nine members and nine consultants. The meeting will be open to the public up to the capacity of the room (approximately 60 persons including members of the Panel).

Members of the public should contact Ms. Vickie Smith on (202) 358-1650 if you plan to attend. Upon arrival, you will be required to sign-in with Security where you will be issued a temporary visitor's badge. While you are in the building, you must be escorted by a NASA employee at all times.

**Sylvia K. Kraemer,**  
Advisory Committee Management Officer,  
National Aeronautics and Space  
Administration.

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-387 and 50-388]

**PPL Susquehanna, LLC, Allegheny  
Electric Cooperative, Inc.,  
Susquehanna Steam Electric Station,  
Units 1 and 2; Exemption**

### 1.0 Background

PPL Susquehanna, LLC (PPL, the licensee), is the holder of Facility Operating License Nos. NPF-14 and NPF-22 which authorize operation of the Susquehanna Steam Electric Station, Units 1 and 2 (SSES-1 and 2). 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 two boiling-water reactors located in Luzerne County in Pennsylvania.

### 2.0 Request/Action

Title 10 of the *Code of Federal Regulations* (10 CFR), part 50, Section 50.60(a), requires nuclear power reactors to meet the fracture toughness requirements set forth in 10 CFR part 50, Appendix G. Appendix G of 10 CFR part 50 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) Code, Section XI, Appendix G, limits.

To address provisions of amendments to the technical specification (TS) P-T limits in the submittal dated July 17, 2001, as supplemented July 26 and October 15, 2001, the licensee requested, pursuant to 10 CFR part 50, section 50.60(b), that the NRC staff exempt SSES-1 and 2, from application of specific requirements of 10 CFR part 50, section 50.60(a), and Appendix G, and substitute use of ASME Code Case N-640 as the basis for establishing the P-T limit curves. 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. Because use of the  $K_{Ic}$  fracture toughness curve results in the calculation of less conservative P-T limits than the methodology currently required by 10 CFR part 50, Appendix G, 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 SSES-1 and 2, 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 limit curves is more technically correct than the  $K_{Ia}$  curve because 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. Additionally, P-T curves based on the  $K_{Ic}$  curve will enhance overall

plant safety by opening the operating window, with the greatest safety benefit in the region of low-temperature operations.

In summary, the ASME 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 Section XI, Appendix G requirements by applying the  $K_{Ic}$  fracture toughness, as permitted by Code Case N-640, while maintaining, pursuant to 10 CFR 50.12(a)(2)(ii), the underlying purpose of the ASME Code and the NRC regulations to ensure an acceptable margin of safety.

### 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. Special circumstances include, but are not limited to, the following case:

- Pursuant to 10 CFR 50.12(a)(2)(ii), the circumstance that application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule.

The NRC 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 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, Revision 2, the staff concluded that application of Code Case N-640 as described would provide an adequate margin of safety against brittle failure of the RPV. Since strict compliance with the requirements of 10 CFR 50.60(a) and 10 CFR part 50, Appendix G, is not necessary to serve the overall intent of the regulations, the NRC staff concludes that application of Code Case N-640 to the P-T limit curves meets the special circumstance provision of 10 CFR

50.12(a)(2)(ii). 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 NRC staff concludes that requesting the 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 SSES-1 and 2.

#### 4.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Also, special circumstances are present. Therefore, the Commission hereby grants PPL Susquehanna, LLC, an exemption from the requirements of 10 CFR part 50, section 50.60(a) and Appendix G, for generating the P-T limit curves for SSES-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 (67 FR 5322).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 7th day of February 2002.

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. 50-461]**

### Amergen Energy Company, LLC; Clinton Power Station, Unit 1 Draft Environmental Assessment and Finding of No Significant Impact Related to a Proposed License Amendment To Increase the Maximum Thermal Power Level

**AGENCY:** U.S. Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of opportunity for public comment.

**SUMMARY:** The NRC has prepared a draft environmental assessment (EA) as its evaluation of a request by AmerGen Energy Company, LLC (AmerGen or the licensee), for a license amendment to increase the maximum thermal power level at Clinton Power Station, Unit 1

(CPS), from 2894 megawatts thermal (MWT) to 3473 MWT. This represents a power increase of approximately 20 percent for CPS. The proposed amendment would also change the operating license and the technical specifications appended to the operating license to provide for implementing uprated power operation. As stated in the NRC staff's February 8, 1996, position paper on the Boiling-Water Reactor Extended Power Uprate Program, the staff has the option of preparing an environmental impact statement if it believes a power uprate will have a significant impact. The staff did not identify a significant impact from the licensee's proposed extended power uprate at CPS; therefore, the NRC staff is documenting its environmental review in an EA. Also, in accordance with the February 8, 1996, staff position paper, the draft EA and finding of no significant impact is being published in the **Federal Register** with a 30-day public comment period.

**DATES:** The comment period expires March 15, 2002. Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only of comments received on or before March 15, 2002.

**ADDRESSEES:** Submit written comments to Chief, Rules and Directives Branch, U.S. Nuclear Regulatory Commission, Mail Stop T-6 D59, Washington, DC 20555-0001. Written comments may also be delivered to 11545 Rockville Pike, Rockville, Maryland 20852, from 7:45 a.m. to 4:15 p.m. on Federal workdays. Copies of written comments received will be available electronically at the NRC's Public Electronic Reading Room (PERR) link <http://www.nrc.gov/reading-rm/Adams.html> on the NRC Homepage or at the NRC Public Document Room located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, or 301-415-4737, or by e-mail at [pdr@nrc.gov](mailto:pdr@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Jon B. Hopkins, Office of Nuclear Reactor Regulation, at Mail Stop O-7 D3, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by telephone at (301) 415-3027, or by e-mail at [jbh1@nrc.gov](mailto:jbh1@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an amendment to Facility Operating

License No. NPF-62, issued to AmerGen Energy Company, LLC (AmerGen, the licensee) for the operation of the Clinton Power Station, Unit 1 (CPS), located on Clinton Lake in DeWitt County, Illinois. Therefore, pursuant to 10 CFR 51.21 and 51.35, the NRC is issuing this environmental assessment and finding of no significant impact.

#### Environmental Assessment

##### *Identification of the Proposed Action*

The proposed action would allow AmerGen, the operator of CPS, to increase its electrical generating capacity at CPS by raising the maximum reactor core power level from 2894 MWT to 3473 MWT. This change is approximately 20 percent above the current licensed maximum power level for CPS. The change is considered an extended power uprate (EPU) because it would raise the reactor core power level more than 7 percent above the original licensed maximum power level. CPS has not submitted a previous power uprate application. A power uprate increases the heat output of the reactor to support increased turbine inlet steam flow requirements and increases the heat dissipated by the condenser to support increased turbine exhaust steam flow requirements. The licensee with input from the plant designer, General Electric Company, evaluated the proposed EPU from a safety perspective and concluded that sufficient safety and design margins exist so that the proposed increase in core thermal power level can be achieved without any risk to health and safety of the public or impact on the environment.

The proposed action is in accordance with the licensee's application for amendment dated June 18, 2001, a letter providing initial environmental information dated September 7, 2001, and additional environmental information provided in a letter dated November 29, 2001. Also, the application was supplemented by letters dated September 28, October 17, 23, 26, and 31, November 8 (2 letters), 20, 21, and 30, and December 5, 6, 7, 13 (2 letters), 20, 21, and 26, 2001, and January 8, 15, 16, and 24, 2002. The proposed amendment would change the operating license and the technical specifications appended to the operating license to provide for implementing uprated power operation.

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

AmerGen evaluated the need for additional electrical generation capacity in its service area for the planning period 2000–2009. Information provided by the North American