to be submitted in January 2003, NFS will request authorization to perform conversion of the low-enriched uranyl nitrate solution into uranium dioxide powder. NRC is preparing one Environmental Assessment that will address the environmental affects of all 3 future license amendments.

NFS submitted a licensing plan of action to the NRC in an attachment to a letter dated October 4, 2001, from B. Marie Moore, NFS, to the Director, Office of Nuclear Material Safety and Safeguards (NRC ADAMS Accession Number ML012850006), NRC acknowledged the licensing plan of action, with comment, in a letter dated December 31, 2001 (NRC ADAMS Accession Number ML020020117). NFS also submitted a Supplemental Environmental Report for Licensing Actions to Support the BLEU Project, dated November 9, 2001. (NRC ADAMS Accession Number ML013330459), and Additional Information to Support an Environmental Review for BLEU Project, dated January 15, 2002 (NRC ADAMS Accession Number ML020290471).

The Commission intends to prepare an Environmental Assessment related to the amendment of Special Nuclear Material License SNM–124. On the basis of the assessment, the Commission will either conclude that an Environmental Impact Statement is necessary or will conclude that environmental impacts associated with the proposed action would not be significant and do not warrant the preparation of an Environmental Impact Statement.

In accordance with 10 CFR 2.790 of the NRC’s “Rules of Practice,” a copies of the relevant documents are available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC’s document system (ADAMS). ADAMS is accessible from the NRC Web site at http://www.nrc.gov/NRC/ADAMS/index.html (the Public Electronic Reading Room).

The NRC contact for this licensing action is Mary T. Adams. Ms. Adams may be contacted at (301) 415–7249 or by e-mail at mta@nrc.gov for more information about the licensing action.

DATED at Rockville, Maryland, this 25 day of February 2002.

For the Nuclear Regulatory Commission.

Melvyn N. Leach,
Chief, Fuel Cycle Licensing Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 02–5047 Filed 3–1–02; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. (as shown in Attachment 1) License Nos. (as shown in Attachment 1) EA–02–026]

All Operating Power Reactor Licensees; Order Modifying Licenses (Effective Immediately)

I

The licensees identified in Attachment 1 to this Order hold licenses issued by the U.S. Nuclear Regulatory Commission (NRC or Commission) authorizing operation of nuclear power plants in accordance with the Atomic Energy Act of 1954 and 10 CFR part 50. Commission regulations at 10 CFR 50.54(p)(1) require these licensees to maintain safeguards contingency plan procedures in accordance with 10 CFR part 73. Appendix C. Specific safeguards requirements are contained in 10 CFR 73.55.

II

On September 11, 2001, terrorists simultaneously attacked targets in New York, NY, and Washington, DC, utilizing large commercial aircraft as weapons. In response to the attacks and intelligence information subsequently obtained, the Commission issued a number of Safeguards and Threat Advisories to its licensees in order to strengthen licensees’ capabilities and readiness to respond to a potential attack on a nuclear facility. The Commission has also communicated with other Federal, State and local government agencies and industry representatives to discuss and evaluate the generalized high-level threat environment in order to assess the adequacy of security measures at licensed facilities. In addition, the Commission has commenced a comprehensive review of its safeguards and security programs and requirements.

As a result of its initial consideration of current safeguards and security plan requirements, as well as a review of information provided by the intelligence community, the Commission has determined that certain compensatory measures should be required to be implemented by licensees as prudent, interim measures, to address the generalized high-level threat environment in a consistent manner throughout the nuclear reactor community. Therefore, the Commission is imposing requirements, as set forth in Attachment 2 of this Order, on all operating power reactor licensees. These interim requirements, which supplement existing regulatory requirements, will provide the Commission with reasonable assurance that the public health and safety and common defense and security continue to be adequately protected in the current generalized high-level threat environment. These requirements will remain in effect pending notification from the Commission that a significant change in the threat environment occurs, or until the Commission determines that other changes are needed following a comprehensive re-evaluation of current safeguards and security programs.

The Commission recognizes that licensees may have already initiated many of the measures set forth in Attachment 2 to this Order in response to previously issued advisories or on their own. It is also recognized that some measures may not be possible or necessary at some sites, or may need to be tailored to specifically accommodate the specific circumstances existing at the licensee’s facility to achieve the intended objectives and avoid any unforeseen effect on safe operation.

Although the licensees’ responses to the Safeguards and Threat Advisories have been adequate to provide reasonable assurance of adequate protection of public health and safety, the Commission believes that the responses must be supplemented because the generalized high-level threat environment has persisted longer than expected, and as a result, it is appropriate to require certain security measures so that they are maintained within the established regulatory framework. In order to provide assurance that licensees are implementing prudent measures to achieve a consistent level of protection to address the current, generalized high-level threat environment, all licenses identified in Attachment 1 to this Order shall be modified to include the requirements identified in Attachment 2 to this Order. In addition, pursuant to 10 CFR 2.202, I find that in the circumstances described above, the public health, safety and interest require that this Order be immediately effective.

III

Accordingly, pursuant to sections 103, 104, 161b, 161i, 161o, 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission’s regulations in 10 CFR 2.202 and 10 CFR parts 50 and 73, it is hereby ordered effective immediately, that all licenses identified in attachment 1 to this order are modified as follows:
A. All Licensees shall, notwithstanding the provisions of any Commission regulation or license to the contrary, comply with the requirements described in Attachment 2 to this Order except to the extent that a more stringent requirement is set forth in the licensee’s security plan. The Licensees shall immediately start implementation of the requirements in Attachment 2 to the Order and shall complete implementation no later than August 31, 2002.

B. 1. All Licensees shall, within twenty (20) days of the date of this Order, notify the Commission, (1) if they are unable to comply with any of the requirements described in Attachment 2, (2) if compliance with any of the requirements is unnecessary in their specific circumstances, or (3) if implementation of any of the requirements would cause the Licensee to be in violation of the provisions of any Commission regulation or the facility license. The notification shall provide the Licensees’ justification for seeking relief from or variation of any specific requirement.

2. Any Licensee that considers that implementation of any of the requirements described in Attachment 2 to this Order would adversely impact safe operation of the facility must notify the Commission, within twenty (20) days of this Order, of the adverse safety impact, the basis for its determination that the requirement has an adverse safety impact, and either a proposal for achieving the same objectives specified in the Attachment or a requirement to question, or a schedule for modifying the facility to address the adverse safety condition. If neither approach is appropriate, the Licensee must supplement its response to Condition B1 of this Order to identify the condition as a requirement with which it cannot comply, with attendant justifications as required in Condition B1.

C. 1. All Licensees shall, within twenty (20) days of the date of this Order, submit to the Commission, a schedule for achieving compliance with each requirement described in Attachment 2.

2. All Licensees shall report to the Commission, when they have achieved full compliance with the requirements described in Attachment 2.

D. Notwithstanding the provisions of 10 CFR 50.54(p), all measures implemented or actions taken in response to this Order shall be maintained pending notification from the Commission of a significant change in the threat environment occurs, or until the Commission determines that other changes are needed following a comprehensive reevaluation of current safeguards and security programs.

Licensee responses to Conditions B.1, B.2, C.1, and C.2, above shall be submitted in accordance with 10 CFR 50.4. In addition, Licensee submittals that contain Safeguards Information shall be properly marked and handled in accordance with 10 CFR 73.21.

The Director, Office of Nuclear Reactor Regulation may, in writing, relax or rescind any of the above conditions upon demonstration by the Licensee of good cause.

IV

In accordance with 10 CFR 2.202, the Licensee must, and any other person adversely affected by this Order may, submit an answer to this Order, and may request a hearing on this Order, within twenty (20) days of the date of this Order. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time in which to submit an answer or request a hearing must be made in writing to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and include a statement of good cause for the extension. The answer may consent to this Order. Unless the answer consents to this Order, the answer shall, in writing and under oath or affirmation, specifically set forth the matters of fact and law on which the Licensee or other person adversely affected relies and the reasons as to why the Order should not have been issued. Any answer or request for a hearing shall be submitted to the Secretary, Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, ATTN: Rulemakings and Adjudications Staff, Washington, DC 20555. Copies also shall be sent to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Materials Litigation and Enforcement at the same address, to the Regional Administrator for NRC Region I, II, III, or IV, as appropriate for the specific plant, and to the Licensee if the answer or hearing request is by a person other than the Licensee. If a person other than the Licensee requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d). If a hearing is requested by the Licensee or a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained.

Pursuant to 10 CFR 2.202(c)(2)(i), the Licensee, may, in addition to demanding a hearing, at the time the answer is filed or sooner, move the presiding officer to set aside the immediate effectiveness of the Order on the ground that the Order, including the need for immediate effectiveness, is not based on adequate evidence but on mere suspicion, unfounded allegations, or error.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section III above shall be final twenty (20) days from the date of this Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section III shall be final when the extension expires if a hearing request has not been received. An answer or a request for hearing shall not stay the immediate effectiveness of this order.

Dated this 25th day of February 2002.

For the Nuclear Regulatory Commission.

Samuel J. Collins,  
Director, Office of Nuclear Reactor Regulation.

Region I Operating Power Plants—Senior Executive Contacts

Robert F. Saunders  
President and Chief Nuclear Officer

Beaver Valley Power Station, Units 1 & 2  
Docket Nos. 50–334 & 50–412

License Nos. DPR–66 & NPF–73  
FirstEnergy Nuclear Operating Company  
FirstEnergy Corporation  
76 South Main Street  
Akron, OH 44308

Charles Cruse  
Vice President—Nuclear Energy  
Calvert Cliffs Nuclear Power Plant Units 1 & 2  
Docket Nos. 50–317 & 50–318  
License Nos. DPR–53 & DPR–69  
Constellation Energy Group, Inc.  
1669 Calvert Cliffs Pkwy  
Office 2–OTF  
Lusby, MD 20657

Harold W. Keiser  
Chief Nuclear Officer & President  
Hope Creek Generating Station  
Docket No. 50–354  
License No. NPF–57  
PSEG Nuclear LLC—N09  
Foot of Buttonwood Ave  
Hancocks Bridge, NJ 08038

Michael Kansler  
Senior Vice President and Chief Operating Officer  
Indian Point Nuclear Generating Station,  
Unit Nos. 2 & 3  
Docket Nos. 50–247 & 50–286
Region II Operating Power Plants—Senior Executive Contacts

John A. Scalise
Chief Nuclear Officer and Executive Vice President
Browns Ferry Nuclear Plant, Units 1, 2 & 3
Docket Nos. 50–259, 50–260 & 50–296
License Nos. DPR–33, DPR–52 & DPR–68
Tennessee Valley Authority
6A Lookout Place 1101 Market Street
Chattanooga, TN 37402–2801
C. S. (Scotty) Hinnant
Senior Vice President and Chief Nuclear Officer
Brunswick Steam Electric Plant Units 1 & 2
Docket Nos. 50–325 & 50–324
License Nos. DPR–71 & DPR–62
Progress Energy, Inc.
410 South Wilmington St.
Raleigh, NC 27601
Michael S. Tuckman
Executive Vice President Nuclear Generation
Catawba Nuclear Station, Units 1 & 2
Docket Nos. 50–413 & 50–414
License Nos. NPF–52 & NPF–62
Duke Energy Corporation
526 South Church St
Mail Code EC 07 H
Charlotte NC 28242
C. S. (Scotty) Hinnant
Senior Vice President and Chief Nuclear Officer
Catawba Nuclear Station, Units 1 & 2
Docket No. 50–302
License No. DPR–72
Progress Energy, Inc.
410 South Wilmington St.
Raleigh, NC 27601
J. A. Stall
Senior VP—Nuclear and Chief Nuclear Officer
St. Lucie Plant Units 1 & 2
9794 Federal Register / Vol. 67, No. 42 / Monday, March 4, 2002 / Notices
Docket Nos. 50–335 & 50–389
License Nos. DPR–67 & NPF–16
Florida Power & Light Co.
700 Universe Boulevard
Juno Beach, FL 33408–0420
David Christian
Sr. Vice President Nuclear and Chief Nuclear Officer
Surry Power Station, Unit 1 & 2
Docket Nos. 50–280 & 50–281
License Nos. DPR–32 & DPR–37
Virginia Electric & Power Company
5000 Dominion Blvd.
Glen Allen, VA 23060–7611
J. A. Stall
Senior VP—Nuclear and Chief Nuclear Officer

Turkey Point Units 3 & 4
Docket Nos. 50
License No. NPF–12
South Carolina Electric & Gas Company
Brahim Blvd. at Hwy 215
Jenkinsville, SC 29065
W.G. Hairston, III
President and Chief Executive Officer
Vogtle Electric Generating Plant, Units 1 & 2
Docket Nos. 50–425 & 50–425
License Nos. NPF–68 & NPF–81
Southern Nuclear Operating Company, Inc.
40 Inverness Center Parkway
Birmingham, AL 35242
John A. Scalise
Chief Nuclear Officer & Executive Vice President
Watts Bar Nuclear Plant, Unit 1
Docket No. 50–390
License No. NPF–90
TVA, 6A Lookout Place
1101 Market Street
Chattanooga, TN 37402–2801
Michael S. Tuckman
Executive Vice President Nuclear Generation
William B. McGuire Nuclear Station Units 1 & 2
Docket Nos. 50–369 & 50–370
License Nos. NPF–9 & NPF–17
Duke Energy Corporation
526 South Church St
Mail Code EC 07 H
Charlotte NC 28242

Region III Operating Power Plants—Senior Executive Contacts

Olive D. Kingsley, Jr.
President and Chief Nuclear Officer
Byron Station, Units 1 & 2/Braidwood Station, Units 1 & 2
Docket Nos. 50–454 & 50–455 (Byron), 50–456 & 50–457 (Braidwood)
License Nos. DPR–37 & NPF–66 (Byron), NPF–72 & NPF–77 (Braidwood)
Exelon Generation Company, LLC 4300 Winfield Road
Warrenville, IL 60555
Oliver D. Kingsley, Jr.
Chief Nuclear Officer
Clinton Power Station, Unit 1
Docket No. 50–461
License No. NPF–62
AmerGen Energy Company, LLC
4300 Winfield Road
Warrenville, IL 60555
Robert F. Saunders
President and Chief Nuclear Officer
Davis-Besse Nuclear Power Station, Unit 1
Docket No. 50–346
License No. NPF–3
FirstEnergy Nuclear Operating Company
76 South Main Street
Akron, OH 44308
A. Christopher Bakken
Senior Vice President and Chief Nuclear Officer
Donald C. Cook Nuclear Plant, Units 1 & 2
Docket Nos. 50–315 & 50–316
License Nos. DPR–58 & DPR–74
Indiana Michigan Power Company
Nuclear Generation Group
500 Circle Drive
Buchanan, MI 49107
Oliver D. Kingsley, Jr.
President and Chief Nuclear Officer
Dresden Nuclear Power Station, Units 2 & 3
Docket Nos. 50–237 & 50–249
License Nos. DPR–19 & DPR–25
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555
Michael B. Sellman
President and Chief Executive Officer
Duane Arnold Energy Center
Docket No. 50–331
License No. DPR–49
Nuclear Management Company, LLC
700 First Street
Hudson WI 54016
Douglas R. Gibson
Executive Vice President, Power Generation and Chief Nuclear Officer
Fermi, Unit 2
Docket No. 50–341
License No. NPF–43
Detroit Edison Company
2000 Second Avenue
Detroit, MI 48226
Michael B. Sellman
Chief Executive Officer
Kewaunee Nuclear Power Plant
Docket No. 50–305
License No. DPR–43
Nuclear Management Company, LLC
700 First Street
Hudson WI 54016
Robert F. Saunders
President and CEO
AmerGen Energy Company, LLC
4300 Winfield Road
Warrenville, IL 60555
Gary J. Taylor
Senior Vice President and Chief Operating Officer
Arkansas Nuclear One—Units 1 & 2
Docket Nos. 50–313 & 50–368
License Nos. DPR–51 & NPF–6
Entergy Operations Inc.
1340 Echelon Parkway
Jackson, MS 39213
G. L. Randolph
Sr. Vice President—Generation and Chief Nuclear Officer
Callaway Plant, Unit 1
Docket No. 50–463
License No. NPF–30
AmerenUE Corporation
Callaway Nuclear Plant
Junction Hwy CC & Hwy O
Portland, MO 65067
J. V. Parrish
Chief Executive Officer
Columbia Generating Station
Docket No. 50–397
License No. NPF–21
Energy Northwest
MD 1023
Snake River Warehouse
North Power Plant Loop
Richland, WA 99352
OFFICE OF MANAGEMENT AND BUDGET


AGENCY: Office of Management and Budget, Executive Office of the President.

ACTION: Notice.

SUMMARY: This Transmittal Memorandum updates the annual Federal pay raise assumptions and inflation factors used for computing the government’s in-house personnel and non-pay costs, as generally provided in the President’s Budget for Fiscal Year 2003. All changes in the Transmittal Memorandum are effective immediately and shall apply to all cost comparisons in process where the government’s in-house cost estimate has not been publicly revealed before this date.

FOR FURTHER INFORMATION CONTACT: Mr. David C. Childs, Office of Federal Procurement Policy, NEOB, Room 9013, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Tel. No. (202) 395–6104.

Availability: Copies of the OMB Circular A–76, its Revised Supplemental Handbook and currently applicable Transmittal Memoranda changes may be obtained at the online OMB Homepage address (URL): http://www.whitehouse.gov/WH/EOP/omb/circulars.

Mitchell E. Daniels, Jr.,
Director.
February 26, 2002.
Circular No. A–76 (Revised)
Transmittal Memorandum No. 24

To the Heads of Executive Departments and Agencies

Subject: Performance of Commercial Activities

This Transmittal Memorandum updates the annual federal pay raise assumptions and inflation factors used for computing the government’s in-house personnel and non-pay costs, as generally provided in the President’s Budget for Fiscal Year 2003.

The non-pay inflation factors are for purposes of A–76 cost comparison determinations only. They reflect the generic non-pay inflation assumptions used to develop the fiscal year 2003 budget baseline estimates required by law. The law requires that a specific inflation factor (GDP FY/FY chained price index) be used for this purpose. These inflation factors should not be viewed as estimates of inflation rates for major long-term procurement items or as an estimate of inflation for any particular agency’s non-pay purchases mix.

FEDERAL PAY RAISE ASSUMPTIONS

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1 Average of various longevity- and rank-specific increases for January 2002.

NON-PAY CATEGORIES (SUPPLIES AND EQUIPMENT, ETC.)

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