

requirements for plants that use either Zircaloy or ZIRLO fuel cladding. Specifically, paragraph I.A.5 of 10 CFR part 50, appendix K, requires that the Baker-Just equation be used in the ECCS evaluation model to determine the rate of energy release, hydrogen generation, and cladding oxidation. This equation conservatively bounds all post-LOCA scenarios. In the SER that approved Topical Report BAW-10227P, the NRC staff concluded that the Baker-Just correlation is conservative for determining high temperature M5 oxidation for LOCA analysis, and that the correlation is acceptable for LOCA ECCS analysis up to the currently approved burn-up levels. The NRC staff has determined that this finding is applicable to North Anna because the fuel designs are consistent with the range of conditions for which analyses of fuel performance are documented in the NRC staff-approved topical report. Therefore, when M5 is used as fuel rod cladding and structural material, the Baker-Just correlation bounds post-LOCA scenarios, and ECCS evaluation model criteria will be met. Accordingly, application of the rule requirements to use Zircaloy or ZIRLO is not necessary to achieve the underlying purpose of 10 CFR part 50, appendix K.

#### 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. Based on the above, the Commission has determined that pursuant to 10 CFR 50.12(a)(2)(ii), special circumstances are present. Therefore, the Commission hereby grants the licensee an exemption from the requirements of 10 CFR 50.44, 10 CFR 50.46, and appendix K to 10 CFR part 50 for North Anna, Units 1 and 2, with respect to the use of fuel incorporating M5 material as cladding and structural material at North Anna, Units 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 (68 FR 55070).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 23rd day of September, 2003.

For the Nuclear Regulatory Commission.  
**Eric J. Leeds,**  
*Acting Director, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*  
 [FR Doc. 03-24669 Filed 9-29-03; 8:45 am]  
**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

### Sunshine Act; Notice of Meeting

**AGENCY HOLDING THE MEETING:** Nuclear Regulatory Commission.

**DATE:** Weeks of September 29, October 6, 13, 20, 27, November 3, 2003.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

#### MATTERS TO BE CONSIDERED:

#### Week of September 29, 2003

*Thursday, October 2, 2003*

9:30 a.m. Meeting with Advisory Committee on Reactor Safeguards (ACRS) (Public Meeting) (Contact: John Larkins, 301-415-7360)

This meeting will be Webcast live at the Web address—<http://www.nrc.gov>.

#### Week of October 6, 2003—Tentative

*Tuesday, October 7, 2003*

9:30 a.m. Briefing on Decommissioning Activities and Status (Public Meeting) (Contact: Claudia Craig, 301-415-7276)

This meeting will be Webcast live at the Web address—<http://www.nrc.gov>.

1:30 p.m. Briefing on Strategic Workforce Planning and Human Capital Initiatives (Closed—Ex. 2)

#### Week of October 13, 2003—Tentative

*Wednesday, October 15, 2003*

1:30 p.m. Briefing on License Renewal Program, Power Uprate Activities, and High Priority Activities (Public Meeting) (Contact: Jimi Yerokun, 301-415-2292)

This meeting will be Webcast live at the Web address—<http://www.nrc.gov>.

#### Week of October 20, 2003—Tentative

*Thursday, October 23, 2003*

10 a.m. Meeting with Advisory Committee on Nuclear Waste (ACNW) (Public Meeting) (Contact: John Larkins, 301-415-7360)

This meeting will be Webcast live at the Web address—<http://www.nrc.gov>.

#### Week of October 27, 2003—Tentative

*Wednesday, October 29, 2003*

9:30 a.m. Discussion of Security Issues (Closed—Ex. 1)

#### Week of November 3, 2003—Tentative

There are no meetings scheduled for the Week of November 3, 2003.

The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings call (recording)—(301) 415-1292. Contact person for more information: David Louis Gamberoni (301) 415-1651.

*Additional Information:* By a vote of 3-0 on September 17 and 22, the Commission determined pursuant to U.S.C. 552b(e) and § 9.107(a) of the Commission's rules that "Discussion of Intragovernmental Issues (Closed—Ex. 9)" be held September 22, and on less than one week's notice to the public.

The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/what-we-do/policy-making/schedule.html>.

This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [dkw@nrc.gov](mailto:dkw@nrc.gov).

Dated: September 25, 2003.

**D.L. Gamberoni,**

*Technical Coordinator, Office of the Secretary.*

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## NUCLEAR REGULATORY COMMISSION

### Biweekly Notice; Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations

#### I. Background

Pursuant to Public Law 97-415, the U.S. Nuclear Regulatory Commission (the Commission or NRC staff) is publishing this regular biweekly notice. Public Law 97-415 revised section 189 of the Atomic Energy Act of 1954, as amended (the Act), to require the Commission to publish notice of any amendments issued, or proposed to be issued, under a new provision of section 189 of the Act. This provision grants the Commission the authority to issue and make immediately effective any