

degrees in science and engineering from U.S. academic institutions.

3. Burden on the Public

The amount of time to complete the questionnaire may vary depending on an individual's circumstances; however, on average it will take approximately 30 minutes to complete the survey. We estimate that the total annual burden will be 5,737 hours during the year.

Dated: March 1, 2001.

Teresa R. Pierce,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 01-5417 Filed 3-5-01; 8:45 am]

BILLING CODE 7555-01-M

NATIONAL SCIENCE FOUNDATION

Notice of Permit Applications Received Under the Antarctic Conservation Act of 1978 (Pub. L. 95-541)

AGENCY: National Science Foundation.

ACTION: Notice of Permit Applications Received under the Antarctic Conservation Act of 1978, Public Law 95-541.

SUMMARY: The National Science Foundation (NSF) is required to publish notice of permit applications received to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act at Title 45 Part 670 of the Code of Federal Regulations. This is the required notice of permit applications received.

DATES: Interested parties are invited to submit written data, comments, or views with respect to this permit application by April 5, 2001. Permit applications may be inspected by interested parties at the Permit Office, address below.

ADDRESSES: Comments should be addressed to Permit Office, Room 755, Office of Polar Programs, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230.

FOR FURTHER INFORMATION CONTACT: Joyce Jatko at the above address or (703) 292-8032.

SUPPLEMENTARY INFORMATION: The National Science Foundation, under the authority of the Antarctic Conservation Act of 1978, as amended, issued regulations providing for the conservation of Antarctic animals and plants. The regulations provide for a permit system for various activities in Antarctica otherwise prohibited, including entry into Antarctic Specially Protected Areas, taking of native mammals, birds, or plants, exporting or

importing any native mammal, bird or plant, or introducing into Antarctica any non-native species.

The Application Received Is as Follows

Applicant: H. William Detrich, Department of Biology, Northeastern University, Boston, MA 02215.

Permit Application No.: 2001-027.

Activity for Which Permit is

Requested: Introduce into Antarctica.

The applicant proposes to use a mixture of species of frozen fish tissues from species native to Patagonian Chile, specifically *Macruronis magellanicus* and *Dissostichus eleginoides*, as bait in experimental fishing of fish traps/pots in the Antarctic peninsula area. The bait will be used to attempt to capture Antarctic fish for ongoing studies of their biochemistry and molecular biology. In all previous research seasons, capture of fish specimens has been carried out exclusively by benthic trawling. If use of the fish traps proves to be successful, this method could reduce the necessity and frequency of trawling for specimens and resultant disruption to benthic communities and could yield a much more diverse sample of fish species for research work. It is anticipated that a maximum of twenty traps using ten to fifteen kilogram blocks of frozen bait each would be required.

Location: Antarctic peninsula area in the vicinities of Low, Brabant, Anvers, Livingston Islands and Dallmann Bay.

Dates: June 10, 2001 to July 15, 2001.

Joyce A. Jatko,

Acting Permit Officer, Office of Polar Programs.

[FR Doc. 01-5315 Filed 3-5-01; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-389]

Florida Power and Light Company, et al., St. Lucie Plant, Unit No. 2; Exemption

1.0 Background

The Florida Power and Light Company, et al. (FPL, the licensee) is the holder of Facility Operating License No. NPF-16, which authorizes operation of St. Lucie Unit No. 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 a pressurized water reactor located in St. Lucie County, Florida.

2.0 Purpose

Title 10 of the Code of Federal Regulations (10 CFR), part 54 addresses the various requirements for renewal of operating licenses for nuclear power plants. Section 54.17(c) of part 54 specifies:

An application for a renewed license may not be submitted to the Commission earlier than 20 years before the expiration of the operating license currently in effect.

By letter dated October 30, 2000, the licensee requested an exemption from 10 CFR 54.17(c) for St. Lucie Unit 2. At the time of the request, there were more than 22 years remaining until the expiration of the current operating license for St. Lucie Unit 2. The exemption would allow FPL to process and submit the St. Lucie Unit 2 license renewal application concurrent with the St. Lucie Unit 1 license renewal application. Because of the similarities in design, operation, maintenance, operating experience and environments of the two St. Lucie units, many of the analyses to be performed for Unit 1 would be directly applicable to Unit 2.

Based on an anticipated submittal of a renewal application in June 2002, this exemption would permit the licensee to submit a license renewal request for St. Lucie Unit 2 approximately 1 year earlier than the date specified by 10 CFR 54.17(c), in order to allow it to be prepared and submitted concurrently with the license renewal application for St. Lucie Unit 1.

3.0 Discussion

Pursuant to 10 CFR 54.15, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 54, in accordance with the provisions of 10 CFR 50.12, 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.

The requirements for exemption are discussed below:

3.1 Authorized by Law

The Commission's basis for establishing the 20-year limit contained in Section 54.17(c) is discussed in the 1991 Statements of Consideration for Part 54 (56 FR 64963). The limit was established to ensure that substantial operating experience was accumulated by a licensee before a renewal application is submitted such that any

plant-specific concerns regarding aging would be disclosed. In amending the rule in 1995, the Commission indicated that it was willing to consider plant-specific exemption requests by applicants who believe that sufficient information is available to justify applying for license renewal earlier than 20 years from expiration of the current license. FPL's exemption request is consistent with the Commission's intent to consider plant-specific requests and is permitted by Section 54.15 of its regulations.

3.2 No Undue Risk to Public Health and Safety

FPL's exemption request seeks only schedular relief regarding the date of submittal, and not substantive relief from the requirements of parts 51 or 54. FPL must still conduct all environmental reviews required by part 51 and all safety reviews and evaluations required by part 54 when preparing the applications for St. Lucie Units 1 and 2. Following submittal, the staff's review will verify that all applicable Commission regulations have been met before issuing the renewed licenses. Therefore, the staff finds that granting this schedular exemption will not represent an undue risk to public health and safety.

3.3 Consistent With the Common Defense and Security

As discussed previously, the exemption requested is only a schedular exemption. The NRC staff will subsequently review the renewal application to be submitted by FPL, pursuant to the requested exemption, to determine whether all applicable requirements are fully met. Accordingly, granting the requested exemption is consistent with the common defense and security.

3.4 Special Circumstances Supporting Issuance of the Exemption

An exemption will not be granted unless special circumstances are present as defined in 10 CFR 50.12(a)(2). Specifically, § 50.12(a)(2)(ii) states that a special circumstance exists when "application of the regulation in the particular circumstances * * * is not necessary to achieve the underlying purpose of the rule." In initially promulgating § 54.17(c) in 1991, the Commission stated that the purpose of the time limit was "to ensure that substantial operating experience is accumulated by a licensee before it submits a renewal application" (56 FR 64963). At that time, the Commission found that 20 years of operating experience provided a sufficient basis

for renewal applications. However, in issuing the amended part 54 in 1995, the Commission indicated it would consider an exemption to this requirement if sufficient information was available on a plant-specific basis to justify submission of an application to renew a license before completion of 20 years of operation (60 FR 22488). The 20-year limit was imposed by the Commission to ensure that sufficient operating experience was accumulated to identify any plant-specific aging concerns. As set forth below, St. Lucie Unit 2 is sufficiently similar to Unit 1, such that the operating experience for Unit 1 is applicable to Unit 2. In addition, Unit 2 has accumulated significant operating experience. Accordingly, under the requested exemption, sufficient operating experience will have been accumulated to identify any plant-specific aging concerns for both units.

The licensee states that the two St. Lucie units are similar in design, operation, maintenance, use of operating experience, and environments, and, as such, Unit 1 operating experience is directly applicable to Unit 2. Both St. Lucie units are 2700 megawatt (thermal) pressurized water reactors designed by Combustion Engineering, Inc., with the same architect/engineer. The licensee states that the materials of construction for systems, structures, and components on both units are typically identical or similar. These statements are supported by a review of the St. Lucie Unit 2 Updated Final Safety Analysis Report (UFSAR). In particular, Section 1.3 of the UFSAR describes the similarities in design between the units. Table 1.3-1 of the UFSAR lists significant similarities between systems, structures, and components installed at both Units 1 and 2, including elements of the reactor system, the reactor coolant system, and engineered safety features.

St. Lucie Unit 2 is physically located adjacent to Unit 1. As such, the external environments would be similar for both units. Internal environments for both units are also similar due to the similarity in plant design and operation.

FPL also stated that many of the procedures that govern site activities are not unit specific and require the consideration of operating experience at the St. Lucie Plant. An administrative procedure governs the review and dissemination of operating experience obtained from both internal and external sources. If an item is potentially applicable to the St. Lucie Plant, the item is addressed in the plant's corrective action process. Nonconforming or degraded equipment

on one unit must consider the condition on the other unit.

Because of the similarities between units, FPL does not divide the plant organizations by unit and typically assigns personnel to work on either unit. Licensed operators at St. Lucie receive training on both units and are licensed by the NRC to operate either unit. Having personnel assigned to work on both units facilitates the identification and transfer of operating experience between the units.

Given the similarities between units, the operating experience at Unit 1 is applicable to Unit 2 for purposes of the license renewal review. At the time of the exemption request, Unit 1 had achieved over 24 years of operating experience, which are applicable to Unit 2. Unit 2 has operated for over 17 years, which provides a substantial period of additional plant-specific operating experience to supplement the Unit 1 operating experience. The combined years of operating experience of Unit 1 and Unit 2 should be sufficient to identify any aging concerns applicable to the two units.

Therefore, sufficient combined operating experience exists to satisfy the intent of § 54.17(c), and the application of the regulation in this case is not necessary to achieve the underlying purpose of the rule. The staff finds that FPL's request meets the requirement in Section 50.12(a)(2)(ii) that special circumstances exist to grant the exemption.

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 FPL the exemption sought from the requirements of 10 CFR 54.17(c) for St. Lucie Unit 2 based on the circumstances described herein.

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 (66 FR 10759).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 27th day of February 2001.

For the Nuclear Regulatory Commission.
John A. Zwolinski,
*Director, Division of Licensing Project
Management, Office of Nuclear Reactor
Regulation.*
[FR Doc. 01-5396 Filed 3-5-01; 8:45 am]
BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-331]

Nuclear Management Company, LLC; Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-49, held by Nuclear Management Company, LLC (the licensee), for operation of the Duane Arnold Energy Center (the facility) located in Linn County, Iowa.

By letter dated October 19, 2000, the licensee proposed an amendment to change the operating license. Specifically, the proposed amendment would authorize the licensee to change the licensing basis to utilize the full scope of an alternative radiological source term for accidents as described in NUREG-1465, "Accident Source Terms for Light-Water Nuclear Power Plants." The proposed amendment would change the Technical Specifications (TSs) implementing various assumptions in the Alternative Source Term analyses. These changes include:

In TS 1.1, the definition of Dose Equivalent Iodine-131 would be revised to reference Federal Guidance Report (FGR) 11, "Limiting Values of Radionuclide Intake and Air Concentration and Dose Conversion Factors for Inhalation, Submersion, and Ingestion," dated 1989, and FGR 12, "External Exposure to Radionuclides in Air, Water, and Soil," dated 1993. The word "thyroid" would be removed.

In Surveillance Requirement 3.3.7.1.3 regarding the channel calibration of the Control Building Air Intake Radiation Monitor, the setpoint for the allowable value would be reduced from $\leq 50 \text{ mR/hr}$ to $\leq 5 \text{ mR/hr}$.

In the Action Statements for Limiting Condition for Operations 3.4.6, "Reactor Coolant System Specific Activity," the dose equivalent Iodine-131 specific activity limits would be lowered from 1.2 microCuries/ml to 0.2 microCuries/gm and from 12.0 microCuries/ml to 2.0 microCuries/gm.

References to 10 CFR part 100 in various TSs and TS Bases would be changed to 10 CFR Part 50.67 to reflect adoption of the Alternative Source Term.

The proposed amendment would also remove requirements that the Secondary Containment, Secondary Containment Isolation Valves and Dampers, Secondary Containment Instrumentation, and the Standby Gas Treatment System are to be operable during movement of irradiated fuel assemblies and during core alterations.

The proposed changes are related to a proposed increase in power level that is identified in the licensee's letter to the NRC dated September 19, 2000. The proposed increase in power will be addressed in a separate **Federal Register** notice.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By April 5, 2001, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland 20855-2738, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>). If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons

why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S.