

of Phoenix, AZ, has applied for an exclusive license to practice the inventions described and claimed in NASA Case No. MSC-23049-1, entitled "Transcatheter Microwave Antenna," NASA Case No. MSC-23049-2, entitled "Method for Constructing a Microwave Antenna," NASA Case No. MSC-23049-3, entitled "Method for Selective Thermal Ablation," and NASA Case No. MSC-23049-4 respectively, entitled "Computer Program for Microwave Antenna," which are assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. Written objections to the prospective grant of a license should be sent to Johnson Space Center.

DATES: Responses to this notice must be received by August 17, 2001.

FOR FURTHER INFORMATION CONTACT: Hardie R. Barr, Patent Attorney, NASA Johnson Space Center, Mail Stop HA, Houston, TX 77058-8452; telephone (281) 483-1003.

Dated: June 11, 2001.

Edward A. Frankle,
General Counsel.

[FR Doc. 01-15206 Filed 6-15-01; 8:45 am]

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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 Request/Action

Title 10 of the Code of Federal Regulations (10 CFR), Part 50, Section 55a, requires that inservice testing (IST) of certain American Society of Mechanical Engineers (ASME) Code Class 1, 2, and 3 pumps and valves be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code. As stated in 10 CFR

50.55a(f)(4)(ii), IST programs are to be conducted in successive 120-month intervals. These programs must comply with the requirements of the latest edition and addenda of the Code incorporated by reference in 10 CFR 50.55a(b)(2) twelve months prior to the start of the 120-month interval. Section 50.55a(f)(5)(i) of 10 CFR requires that a licensee's IST program be revised in order to meet these requirements.

By letter dated November 27, 2000, the licensee requested an exemption from the requirements of 10 CFR 50.55a(f)(4)(ii) and 10 CFR 50.55a(f)(5)(i) in order to revise the IST 120-month interval dates for St. Lucie Unit 2. St. Lucie Unit 2 is currently in its second 120-month interval, which began on August 8, 1993. The licensee proposes to have the end date of the second interval for Unit 2 retroactively changed to February 10, 1998, to coincide with the end date of the second interval for Unit 1.

In summary, the second IST interval for St. Lucie Unit 2 would be shortened so that the third and future IST intervals for both units would coincide.

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. These include the special circumstances that application of the regulation is not necessary to achieve the underlying purpose of the rule. The underlying purpose of the rule is to assure operational readiness of pumps and valves, whose function is required for safety, by conducting an IST program in accordance with the requirements of the ASME Code, and periodically updating the program to ensure that new code requirements are incorporated.

At the beginning of the third interval for Unit 1, the licensee also voluntarily updated the Unit 2 program to the then-required edition (1989) of the ASME Code. If the current schedule for Unit 2 were maintained, the second interval would end on August 7, 2003. At that time, the Unit 2 program would be updated to the 1995 edition of the ASME Code. The proposed exemption would effectively delay implementation of the 1995 edition until February 10, 2008, when the fourth interval for both units would commence if the proposed exemption is granted.

Periodic full- or substantial-flow testing of Emergency Core Cooling System pumps is one of the safety enhancements offered by the 1995 edition of the Code. This testing is currently being performed on both units during refueling outages, so the licensee already realizes this safety enhancement. Therefore, operational readiness of pumps and valves, whose function is required for safety, will be adequately assured using the existing Code requirements until February 8, 2008. At that time, the licensee will update the IST programs for both Units 1 and 2 to the latest edition and addenda.

Therefore, the staff concludes that strict adherence to the 120-month interval is not necessary to achieve the underlying purpose of 10 CFR 50.55a(f)(4)(ii) and 50.55a(f)(5)(i), and pursuant to 10 CFR 50.12(a)(2)(ii) special circumstances are present.

4.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), the exemption is authorized by law, will not endanger life or property or common defense and security, and is, otherwise, in the public interest. Also, special circumstances are present. Therefore, the Commission hereby grants FPL an exemption from the requirements of 10 CFR 50.55a(f)(4)(ii) and 10 CFR 50.55a(f)(5)(i) for St. Lucie Unit No. 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 30236).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 12th day of June 2001.

For the Nuclear Regulatory Commission.

Cynthia A. Carpenter,

Acting Director, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 01-15271 Filed 6-15-01; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 70-1257]

Framatome ANP Richland, Inc.; Notice of Consideration of Request for Consent To Transfer of Facility License and Conforming Amendment and Opportunity for Hearing

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Notice of consideration of request for consent to transfer of facility license and conforming amendment and opportunity for hearing.

SUMMARY: The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of a letter of consent and an amendment pursuant to Part 70 to Title 10 of the Code of Federal Regulations approving the transfer of Materials License SNM-1227 held by Framatome ANP Richland, Inc. as the owner and responsible licensee. The facility is authorized to use Special Nuclear Material (SNM) for the fabrication of nuclear fuel pellets and fuel assemblies and operates in Richland, WA. The transfer would be from Framatome ANP Richland, Inc. to its parent company, Framatome ANP, Inc.

FOR FURTHER INFORMATION CONTACT: Mohammad W. Haque, Project Manager, Fuel Cycle Licensing Branch, Division of Fuel Cycle and Safeguards, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone: (301) 415-6640, e-mail mwh1@nrc.gov.

SUPPLEMENTARY INFORMATION: The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of a letter of consent and an amendment pursuant to Part 70 to Title 10 of the Code of Federal Regulations approving the transfer of Materials License SNM-1227, held by Framatome ANP Richland, Inc. as the owner and responsible licensee, to its parent company, Framatome ANP, Inc. The facility is authorized to use Special Nuclear Material (SNM) for the fabrication of nuclear fuel pellets and fuel assemblies and operates in Richland, WA.

The transfer is necessitated by the planned merger of Framatome ANP Richland, Inc., into its parent company Framatome ANP, Inc. Upon closing of the transaction, Framatome ANP Richland, Inc., will operate under the name Framatome ANP, Inc. The Commission is considering Framatome ANP Richland, Inc.'s application and request, dated May 31, 2001, for Commission consent to the transfer of Materials License SNM-1227 to Framatome ANP, Inc. effective upon the closing of the transaction, and a license amendment for administrative purposes to reflect the proposed transfer.

According to Framatome ANP Richland, Inc.'s application dated May 31, 2001, there will be no changes affecting the existing health and safety programs, qualifications of safety personnel, equipment and facilities, or

any other existing license requirements. All the present obligations of Framatome ANP Richland, Inc., under the current license will pass unchanged to Framatome ANP, Inc., with the exception of the form of financial assurance for decommissioning. Framatome ANP Richland, Inc.'s application includes an unexecuted letter of credit and a standby third-party trust agreement, and a commitment to provide fully executed documents before the closing date.

The proposed license amendment would change the name of the licensee from Framatome ANP Richland, Inc. to Framatome ANP, Inc. for administrative purposes to reflect the proposed transfer.

Pursuant to 10 CFR 70.36, no license granted under the regulations in Part 70 and no right to possess or utilize special nuclear material granted by any license issued pursuant to the regulations in Part 70 shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person unless the Commission gives its prior consent in writing. The Commission will approve an application for the transfer of a license if the Commission determines that the proposed transferee is qualified to hold the license, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

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

The filing of requests for hearing and petitions for leave to intervene, and written comments with regard to the license transfer application, are discussed below.

By (20 days after publication), any person whose interest may be affected by the Commission's action on the application may request a hearing and, if not, the applicant may petition for leave to intervene in a hearing proceeding on the Commission's action. Requests for a hearing and petitions for leave to intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart M, "Public Notification, Availability of Documents and Records, Hearing Requests and Procedures for Hearings on License Transfer Applications," of 10 CFR Part 2. In particular, such requests and petitions must comply with the requirements set forth in 10 CFR 2.1306, and should address the considerations

contained in 10 CFR 2.1308(a). Untimely requests and petitions may be denied, as provided in 10 CFR 2.1308(b), unless good cause for failure to file on time is established. In addition, an untimely request or petition should address the factors that the Commission will also consider, in reviewing untimely requests or petitions, set forth in 10 CFR 2.1308(b)(1)-(2).

Requests for a hearing and petitions for leave to intervene should be served upon: Mr. R.S. Freeman, Manager, Environmental, Health, Safety and Licensing, Framatome ANP Richland, Inc., 2101 Horn Rapids Road, Richland, WA 99352; the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555 (e-mail address for filings regarding license transfer cases only: OGCLT@NRC.gov); and the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, in accordance with 10 CFR 2.1313.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A Notice granting a hearing will be published in the **Federal Register** and served on the parties to the hearing.

As an alternative to requests for hearing and petitions to intervene, by (30 days after publication), persons may submit written comments regarding the license transfer application, as provided for in 10 CFR 2.1305. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, and should cite the publication date and page number of the **Federal Register** notice.

For further details with respect to this action, see the application dated May 31, 2001, available for public inspection at the Commission's Public Document Room at One White Flint North, 11555 Rockville Pike, Rockville, MD, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>).

Dated at Rockville, Maryland this 12th day of June, 2001.

For the U.S. Nuclear Regulatory Commission.

Michael Lamastra,

*Acting Chief, Fuel Cycle Licensing Branch,
Division of Fuel Cycle Safety and Safeguards,
Office of Nuclear Material Safety and
Safeguards.*

[FR Doc. 01-15269 Filed 6-15-01; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-250 and 50-251]

Florida Power and Light Company Turkey Point Units 3 and 4; Notice of Availability of the Draft Supplement 5 to the Generic Environmental Impact Statement and Public Meeting for the License Renewal of Turkey Point Units 3 and 4

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has published a draft plant-specific supplement to the Generic Environmental Impact Statement (GEIS), NUREG-1437, regarding the renewal of operating licenses DPR-31 and DPR-41 for an additional 20 years of operation at Turkey Point Units 3 and 4 (Turkey Point). Turkey Point is located in Miami-Dade County, Florida. Possible alternatives to the proposed action (license renewal) include no action and reasonable alternative energy sources.

The draft supplement to the GEIS is available electronically for public inspection in the NRC Public Document Room located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 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). In addition, the Homestead Branch Library, located at 700 North Homestead Boulevard, Homestead, Florida, has agreed to make the draft supplement to the GEIS available for public inspection.

Any interested party may submit comments on the draft supplement to the GEIS for consideration by the NRC staff. To be certain of consideration, comments on the draft supplement to the GEIS and the proposed action must be received by August 6, 2001. Comments received after the due date will be considered if it is practical to do so, but the NRC staff is able to assure consideration only for comments received on or before this date. Written comments on the draft supplement to the GEIS should be sent to: Chief, Rules

and Directives Branch, Division of Administrative Services, Office of Administration, Mailstop T-6D 59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001.

Comments may be hand-delivered to the NRC at 11545 Rockville Pike, Rockville, Maryland, between 7:45 a.m. and 4:15 p.m. on Federal workdays. Submittal of electronic comments may be sent by the Internet to the NRC at TurkeyPointEIS@nrc.gov. All comments received by the Commission, including those made by Federal, State, and local agencies, Indian tribes, or other interested persons, will be made available electronically at the Commission's Public Document Room in Rockville, Maryland or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS).

The NRC staff will hold a public meeting to present an overview of the draft plant-specific supplement to the GEIS and to accept public comments on the document. The public meeting will be held at the Harris Field Complex—Homestead YMCA, 1034 Northeast 8th Street, Homestead, Florida, on July 17, 2001. There will be two sessions to accommodate interested parties. The first session will commence at 1:30 p.m. and will continue until 4:30 p.m. The second session will commence at 7:00 p.m. and will continue until 10:00 p.m. Both meetings will be transcribed and will include (1) a presentation of the contents of the draft plant-specific supplement to the GEIS, and (2) the opportunity for interested government agencies, organizations, and individuals to provide comments on the draft report. Additionally, the NRC staff will host informal discussions and a poster session one hour prior to the start of each session at the Homestead YMCA. Persons may pre-register to attend or present oral comments at the meeting by contacting Mr. James H. Wilson by telephone at 1-800-368-5642, extension 1108, or by Internet to the NRC at TurkeyPointEIS@nrc.gov no later than July 12, 2001. Members of the public may also register to provide oral comments within 15 minutes of the start of each session. Individual oral comments may be limited by the time available, depending on the number of persons who register. If special equipment or accommodations are needed to attend or present information at the public meeting, the need should be brought to Mr. Wilson's attention no later than July 12, 2001, to provide the NRC staff adequate notice to determine whether the request can be accommodated.

FOR FURTHER INFORMATION CONTACT: Mr. James H. Wilson, Generic Issues, Environmental, Financial, and Rulemaking Branch, Division of Regulatory Improvement Programs, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Mr. Wilson may be contacted at the aforementioned telephone number or e-mail address.

Dated at Rockville, Maryland, this 12th day of June, 2001.

For the Nuclear Regulatory Commission.

David B. Matthews,

Director, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.

[FR Doc. 01-15270 Filed 6-15-01; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Meeting of the Subcommittee on Plant License Renewal; Cancellation

The ACRS Subcommittee meeting on Plant License Renewal scheduled to be held on June 22, 2001 has been canceled. Notice of this meeting was published in the **Federal Register** on Wednesday, June 6, 2001 (66 FR 30493).

FOR FURTHER INFORMATION CONTACT: Mr. Sam Duraiswamy, cognizant ACRS staff engineer, (telephone 301/415-7364) between 7:30 a.m. and 4:15 p.m. (EDT).

Dated: June 8, 2001.

James E. Lyons,

Associate Director for Technical Support ACRS/ACNW.

[FR Doc. 01-15268 Filed 6-15-01; 8:45 am]

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POSTAL RATE COMMISSION

Printing Plant Tour

AGENCY: Postal Rate Commission.

ACTION: Notice of commission visit.

SUMMARY: Postal Rate Commission members and staff will tour the Martinsburg, WV, printing facility of Quebecor World Inc. on Monday, June 18, 2001.

DATES: The tour is scheduled for Monday, June 18, 2001, beginning at 11 a.m.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, Postal Rate Commission, Suite 300, 1333 H Street NW., Washington, DC 20268-0001, 202-789-6820.