

**SUMMARY:** Notice is hereby given, pursuant to 25 CFR 514.1(a)(3), that the National Indian Gaming Commission has adopted final annual fee rates of 0.00% for tier 1 and 0.059% (.00059) for tier 2 for calendar year 2007. These rates shall apply to all assessable gross revenues from each gaming operation under the jurisdiction of the Commission. If a tribe has a certificate of self-regulation under 25 CFR part 518, the final fee rate on class II revenues for calendar year 2007 shall be one-half of the annual fee rate, which is 0.0295% (.000295).

**FOR FURTHER INFORMATION CONTACT:** Kwame Mainoo, National Indian Gaming Commission, 1441 L Street, NW., Suite 9100, Washington, DC 20005; telephone (202) 632-7003; fax (202) 632-7066 (these are not toll-free numbers).

**SUPPLEMENTARY INFORMATION:** The Indian Gaming Regulatory Act (IGRA) established the National Indian Gaming Commission which is charged with, among other things, regulating gaming on Indian lands.

The regulations of the Commission (25 CFR part 514), as amended, provide for a system of fee assessment and payment that is self-administered by gaming operations. Pursuant to those regulations, the Commission is required to adopt and communicate assessment rates, the gaming operations are required to apply those rates to their revenues, compute the fees to be paid, report the revenues, and remit the fees to the Commission on a quarterly basis.

The regulations of the Commission and the final rate being adopted today are effective for calendar year 2007. Therefore, all gaming operations within the jurisdiction of the Commission are required to self administer the provisions of these regulations, and report and pay any fees that are due to the Commission by December 31, 2007.

Dated: December 18, 2007.

**Philip N. Hogen,**

*Chairman, National Indian Gaming Commission.*

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## DEPARTMENT OF ENERGY

### Office of Nuclear Energy

#### Nuclear Energy Advisory Committee; Notice of Renewal

Pursuant to Section 14(a)(2)(A) of the Federal Advisory Committee Act, App. 2, and section 102-3.65, title 41, Code of Federal Regulations and following

consultation with the Committee Management Secretariat, General Services Administration, notice is hereby given that the Nuclear Energy Advisory Committee, formerly known as the Nuclear Energy Research Advisory Committee, has been renewed for a two year period.

The Committee will provide advice to the Office of Nuclear Energy on planning and priorities in the nuclear energy program. The Secretary of Energy has determined that renewal of the Nuclear Energy Advisory Committee is essential to conduct the business of the Department of Energy and is in the public interest in connection with the performance of duties imposed by law upon the Department of Energy. The Committee will continue to operate in accordance with the provisions of the Federal Advisory Committee Act (Pub. L. No. 92-463), the General Services Administration Final Rule on Federal Advisory Committee Management, and other directives and instructions issued in implementation of those acts.

*For Further Information Contact:* Ms. Rachel Samuel at (202) 586-3279.

Issued in Washington DC on December 15, 2007.

**Carol A. Matthews,**

*Acting Committee Management Officer.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-317]

### Calvert Cliffs Nuclear Power Plant, Inc.; Calvert Cliffs Nuclear Power Plant, Unit No. 1; Exemption

#### 1.0 Background

Calvert Cliffs Nuclear Power Plant, Inc. (the licensee), is the holder of Renewed Facility Operating License Nos. DPR-53 and DPR-69, which authorize operation of the Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2 (Calvert Cliffs 1 and 2), respectively. The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the Nuclear Regulatory Commission (NRC, the Commission) now or hereafter in effect.

The facility consists of two pressurized-water reactors located in Calvert County, Maryland.

#### 2.0 Request/Action

Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Section 50.46, "Acceptance criteria for emergency core cooling systems for

light-water nuclear power reactors," requires, in part, that "Each boiling or pressurized light-water nuclear power reactor fueled with uranium oxide pellets within cylindrical zircaloy or ZIRLO™ cladding must be provided with an emergency core cooling system (ECCS) that must be designed so that its calculated cooling performance following postulated loss-of-coolant accidents [LOCAs] conforms to the criteria set forth in paragraph (b) of this section." Appendix K, "ECCS Evaluation Models," to 10 CFR Part 50 requires, in part, that the rate of energy release, hydrogen generation, and cladding oxidation from the metal/water reaction shall be calculated using the Baker-Just equation. The Baker-Just equation assumes that the cladding material is composed of either zircaloy or ZIRLO™.

By letter dated February 23, 2007, the licensee requested an exemption from the requirements of 10 CFR 50.46 and Appendix K to 10 CFR Part 50 to allow the use of lead fuel assemblies (LFAs) clad with advanced zirconium-based alloys manufactured by Westinghouse Electric Company and M5™ alloy manufactured by AREVA. The advanced zirconium-based and M5™ alloys are proprietary alloys and are chemically different from either zircaloy or ZIRLO™ fuel cladding materials, which are approved for use. Therefore, a plant-specific exemption from these regulations is required to support the use of LFAs that are not manufactured with zircaloy or ZIRLO™.

Previously, by letter dated April 11, 2003, the NRC staff approved the irradiation of 8 LFAs, four Westinghouse LFAs and four AREVA LFAs, for 2 operating cycles in the core of Calvert Cliffs 2. These LFAs were inserted into the Unit 2 core in April of 2003 and remained there during Operating Cycles 15 and 16. Subsequently, by letter dated November 9, 2006, the NRC staff approved the irradiation of 4 LFAs, two Westinghouse LFAs and two AREVA LFAs, for a third operating cycle in either Calvert Cliffs 1 or Calvert Cliffs 2. The licensee subsequently inserted these 4 LFAs into the core of Calvert Cliffs 2 during their spring 2007 refueling outage for operating cycle 17 which is currently ongoing. The remaining 4 LFAs, two Westinghouse LFAs and two AREVA LFAs, were discharged to the spent fuel pool for detailed post-irradiation examinations during the spring 2007 Unit 2 refueling outage.

In the licensee's letter of February 23, 2007, the licensee requested the exemption to support the re-insertion of the remaining 4 LFAs, two