

Therefore, the staff concludes that granting an exemption under the special circumstances of 10 CFR 50.12(a)(2)(ii) is appropriate.

#### 4.0 Conclusion

For the reasons set forth above, 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 CCNPPI an exemption from the requirements of 10 CFR part 50, section 50.44, section 50.46, and 10 CFR part 50, Appendix K, with respect to the use of LFAs with advanced zirconium-based alloy cladding at CCNPP2 during cycles 15 and 16.

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 (67 FR 77085 and 67 FR 75864).

This exemption is effective upon issuance.

Dated in Rockville, Maryland, this 11th day of April, 2003.

For the Nuclear Regulatory Commission.

**John A. Zwolinski,**

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

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## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Nuclear Waste; Revised

The agenda for the 141st meeting of the Advisory Committee on Nuclear Waste (ACNW) scheduled for April 22-23, 2003, 11545 Rockville Pike, Rockville, Maryland, has been revised to include a presentation on the National Academy of Sciences Transportation Study in the Working Group Follow-On Session on Tuesday, April 22, 2003 in the NRC Auditorium as follows:

*12:30 p.m.-1 p.m.: National Academy of Sciences Transportation Study (Open)*—The Committee will hear presentations by and hold discussions with representatives of the National Academy of Sciences regarding a study the Academy will perform to analyze a broad range of matters including transportation cask testing, selection of routes to the proposed burial site, possible health impacts and public perceptions of risk.

The agenda for April 23, 2003 has been changed to reflect the cancellation of the presentations on DOE/NRC Key Technical Issue (KTI) Agreement Status. The new schedule has been modified as follows:

*8:30-8:35 a.m.: Opening Statement (Open)*—The Chairman will make opening remarks regarding the conduct of today's sessions.

*8:35-9:30 a.m.: Update on NRC Division of Waste Management Activities (Open)*—The Committee will hear presentations by and hold discussions with the Director, Division of Waste Management on recent DWM activities of interest.

*9:30-10:30 a.m.: Discussion of Self-Assessment Survey Results (Open)*—The Committee will discuss the results of the self-assessment survey.

*10:45-12 Noon: ACNW Action Plan (Open)*—The Committee members will discuss an update to the ACNW 2002-2003 Action Plan.

*1-5 p.m.: Preparation of ACNW Reports (Open)*—The Committee will discuss proposed ACNW reports on matters considered during this meeting.

*5-5:15 p.m.: Miscellaneous (Open)*—The Committee will discuss matters related to the conduct of Committee activities and matters and specific issues that were not completed during previous meetings, as time and availability of information permit.

All other items pertaining to this meeting remain the same as previously published in the **Federal Register** on Wednesday, April 9, 2003 (67 FR 17414).

For further information, contact Mr. Howard J. Larson, Special Assistant, ACNW, (Telephone: 301-415-6805), between 7:30 a.m. and 4:15 p.m., ET.

Dated: April 10, 2003.

**Andrew L. Bates,**

*Advisory Committee Management Officer.*

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## NUCLEAR REGULATORY COMMISSION

### Notice of Availability of Additional Draft Guidance for Review of Early Site Permit Applications

The U.S. Nuclear Regulatory Commission (the Commission) has published additional draft guidance for the Commission's review of early site permit (ESP) applications. The ESP process is intended, under Title 10 of the Code of Federal Regulations (10 CFR) part 52, to permit resolution of site-related issues regarding possible future construction and operation of a

nuclear power plant at a site that is the subject of the ESP application. The Commission released a draft version of a review standard for ESPs on December 26, 2002 (68 FR 132). Since the release of that document for interim use and public comment, additional draft guidance has been developed in the areas of quality assurance and accident analysis. The Commission is now releasing this additional draft guidance for interim use and public comment. The draft review standard (including the additional guidance just released) is primarily intended to guide the Commission staff in its review of an ESP application, with a secondary purpose of informing potential applicants for an ESP and other stakeholders of information the staff needs to perform its review. The Commission plans to issue a final version of the review standard by the end of 2003; that version will incorporate the additional guidance developed as discussed herein.

The newly published additional draft guidance 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 #ML030970186). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). Any interested party may submit comments on the draft guidance for consideration by the NRC staff. To be certain of consideration, comments on the draft guidance must be received by June 13, 2003. 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 guidance should be sent to: Director, New Reactor Licensing Project Office, Office of Nuclear Reactor Regulation, Mailstop O-4D9A, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Comments may be hand-delivered to the NRC at 11555 Rockville Pike, Rockville, Maryland, between 7:45 a.m. and 4:15 p.m. on Federal workdays. Comments may be submitted electronically by the Internet to the NRC at [esprs@nrc.gov](mailto:esprs@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