

**DATES:** The National Archives and Records Administration (NARA) intends to make the materials described in this notice available to the public beginning October 26, 2000. In accordance with 36 CFR 1275.44, any person who believes it necessary to file a claim of legal right or privilege concerning access to these materials should notify the Archivist of the United States in writing of the claimed right, privilege, or defense on or before August 31, 2000.

**ADDRESSES:** The materials will be made available to the public at the National Archives at College Park research room, located at 8601 Adelphi Road, College Park, Maryland, beginning at 8:45 a.m. on October 26, 2000.

Petitions asserting a legal or constitutional right or privilege which would prevent or limit access must be sent to the Archivist of the United States, National Archives at College Park, 8601 Adelphi Road, College Park, Maryland 20740-6001.

**FOR FURTHER INFORMATION CONTACT:** Karl Weissenbach, Director, Nixon Presidential Materials Staff, 301-713-6950.

**SUPPLEMENTARY INFORMATION:** NARA is proposing to open approximately 4,139 conversations which were recorded at the Nixon White House from August 1971 to December 1971. These tape segments total approximately 420 hours of listening time.

This is the eighth opening of Nixon White House tapes since 1980. Previous releases included conversations constituting "abuses of governmental power" and conversations recorded in the Cabinet Room of the Nixon White House. The tapes now being proposed for opening consist of the second of five segments comprising the remaining hours of conversations, processed for release in chronological order starting with February 1971.

There are no transcripts for these tapes. Tape logs, prepared by NARA, are offered for public access as a finding aid to the tape segments and a guide for the listener. There is a separate tape log entry for each segment of conversation released. Each tape log entry includes the names of participants; date, time, and location of the conversation; and an outline of the content of the conversation.

The tape recordings will be made available to the general public in the research room at 8601 Adelphi Road, College Park, Maryland, Monday through Friday between 8:45 a.m. and 4:30 p.m. Researchers must have a NARA researcher card, which they may obtain when they arrive at the facility. Listening stations will be available for

public use on a first come, first served basis. NARA reserves the right to limit listening time in response to heavy demand. No copies of the tape recordings will be sold or otherwise provided at this time. No sound recording devices will be allowed in the listening area. Researchers may take notes. Copies of the tape log will be available for a fee in accordance with 36 CFR 1258.12.

Dated: July 25, 2000.

**John W. Carlin,**

*Archivist of the United States.*

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## NATIONAL CREDIT UNION ADMINISTRATION

### Agency Information Collection Activities: Submission to OMB for Review; Comment Request

**AGENCY:** National Credit Union Administration (NCUA).

**ACTION:** Request for comment.

**SUMMARY:** The NCUA is submitting the following new information collection to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). This information collection is published to obtain comments from the public. It was initially published as a proposed collection on April 28, 2000. No comments relating to the information collection were received within the 60 day comment period.

**DATES:** Comments will be accepted until August 31, 2000.

**ADDRESSES:** Interested parties are invited to submit written comments to NCUA Clearance Officer or OMB Reviewer listed below:

*Clearance Officer:* Mr. James L. Baylen (703) 518-6411, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314-3428, Fax No. 703-518-6433, E-mail: jbaylen@ncua.gov.

*OMB Reviewer:* Alexander T. Hunt (202) 395-7860, Office of Management and Budget, Room 10226, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Copies of the information collection requests, with applicable supporting documentation, may be obtained by calling the: NCUA Clearance Officer, James L. Baylen, (703) 518-6411. It is also available on the following website: [www.NCUA.gov](http://www.NCUA.gov).

**SUPPLEMENTARY INFORMATION:** Proposal for the following collection of information:

*OMB Number:* New.

*Form Number:* N/A.

*Type of Review:* New.

*Title:* Office of Community Development Credit Unions Annual Survey Report.

*Respondents:* Certain low-income designated credit unions.

*Estimated No. of Respondents/Recordkeepers:* 300.

*Estimated Burden Hours Per*

*Response:* 30 minutes.

*Frequency of Response:* On occasion.

*Estimated Total Annual Burden*

*Hours:* 150 hours.

*Estimated Total Annual Cost:* N/A

By the National Credit Union Administration Board on July 25, 2000.

**Becky Baker,**

*Secretary of the Board.*

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**BILLING CODE 7535-01-P**

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-400]

### Carolina Power & Light Company; (Shearon Harris Nuclear Power Plant, Unit 1); Exemption

I. Carolina Power & Light Company (CP&L or the licensee) is the holder of Facility Operating License No. NPF-63, which authorizes operation of the Shearon Harris Nuclear Power Plant, Unit 1 (HNP). The facility consists of one pressurized-water reactor located at the licensee's site in Wake and Chatham Counties, North Carolina. The license provides, among other things, that the licensee is subject to all rules, regulations, and orders of the Nuclear Regulatory Commission (NRC, the Commission) now or hereafter in effect.

II. Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Appendix G requires that pressure-temperature (P-T) limits be established for reactor pressure vessels (RPVs) during normal operation, and hydrostatic pressure or leak testing conditions. Specifically, 10 CFR Part 50, Appendix G states that "[t]he appropriate requirements on \* \* \* the pressure-temperature limits and minimum permissible temperature must be met for all conditions."

Appendix G of 10 CFR Part 50 specifies that the requirements for these limits are the American Society of Mechanical Engineers (ASME) Code, Section XI, Appendix G Limits. Both 10 CFR Part 50, Appendix G and the ASME Code require that the effects of neutron

irradiation on the material properties of the RPV be considered. Regulatory Guide (RG) 1.99, Revision 2, "Radiation Embrittlement of Reactor Vessel Materials," dated May 1988, provides an acceptable method to account for these effects.

To address provisions of amendments to the technical specifications (TS) P-T limits and low temperature overpressure protection (LTOP) system setpoints, the licensee requested in its submittal dated April 12, 2000, as amended by letter dated June 2, 2000, that the staff exempt HNP from application of specific requirements of 10 CFR Part 50, Section 50.60(a) and Appendix G, and substitute use of ASME Code Case N-640. Code Case N-640 permits the use of an alternate reference fracture toughness ( $K_{IC}$  fracture toughness curve instead of  $K_{Ia}$  fracture toughness curve) for reactor vessel materials in determining the P-T limits and LTOP setpoints. Since the  $K_{IC}$  fracture toughness curve shown in ASME Section XI, Appendix A, Figure A-2200-1 (the  $K_{IC}$  fracture toughness curve) provides greater allowable fracture toughness than the corresponding  $K_{Ia}$  fracture toughness curve of ASME Section XI, Appendix G, Figure G-2210-1 (the  $K_{Ia}$  fracture toughness curve), using Code Case N-640 for establishing the P-T limits and LTOP setpoints would be less conservative than the methodology currently endorsed by 10 CFR Part 50, Appendix G and, therefore, an exemption to apply the Code Case would be required by 10 CFR 50.60. It should be noted that although Code Case N-640 was incorporated into the ASME Code recently, an exemption is still needed because the proposed P-T limits and LTOP setpoints (excluding Code Case N-640) are based on the 1989 edition of the ASME Code.

The proposed amendment will revise both the P-T limits of TS 3/4.4.9.2 related to the heatup and cooldown of the reactor coolant system (RCS), and the LTOP setpoints of TS 3/4.4.9.4, for operation to 36 effective full-power years (EFPYs).

The licensee has proposed an exemption to allow use of ASME Code Case N-640 in conjunction with ASME Section XI, 10 CFR 50.60(a) and 10 CFR Part 50, Appendix G, to determine P-T limits and LTOP setpoints.

The proposed amendment to revise the P-T limits and LTOP setpoints for HNP relies in part on the requested exemption. These revised P-T limits and LTOP setpoints have been developed using the  $K_{IC}$  fracture toughness curve, in lieu of the  $K_{Ia}$  fracture toughness curve, as the lower

bound for fracture toughness of the RPV materials.

Use of the  $K_{IC}$  curve in determining the lower bound fracture toughness in the development of P-T operating limit curves and LTOP setpoints is more technically correct than use of the  $K_{Ia}$  curve since the rate of loading during a heatup or cooldown is slow and is more representative of a static condition than a dynamic condition. The  $K_{IC}$  curve appropriately implements the use of static initiation fracture toughness behavior to evaluate the controlled heatup and cooldown process of a reactor vessel. The staff has required use of the conservatism of the  $K_{Ia}$  curve since 1974, when the curve was adopted by the ASME Code. This conservatism was initially necessary due to the limited knowledge of the fracture toughness of RPV materials at that time. Since 1974, additional knowledge has been gained about RPV materials, which demonstrates that the lower bound on fracture toughness provided by the  $K_{Ia}$  curve greatly exceeds the margin of safety required to protect the public health and safety from potential RPV failure. In addition, P-T curves and LTOP setpoints based on the  $K_{IC}$  curve will enhance overall plant safety by opening the P-T operating window, with the greatest safety benefit in the region of low temperature operations.

Since an unnecessarily reduced P-T operating window can reduce operator flexibility without just basis, implementation of the proposed P-T curves and LTOP setpoints as allowed by ASME Code Case N-640 may result in enhanced safety during critical plant operational periods, specifically heatup and cooldown conditions. Thus, pursuant to 10 CFR 50.12(a)(2)(ii), the underlying purpose of 10 CFR 50.60 and Appendix G to 10 CFR Part 50 will continue to be served.

In summary, the ASME Section XI, Appendix G, procedure was conservatively developed based on the level of knowledge existing in 1974 concerning RPV materials and the estimated effects of operation. Since 1974, the level of knowledge about these topics has been greatly expanded. The NRC staff concurs that this increased knowledge permits relaxation of the ASME Section XI, Appendix G requirements by application of ASME Code Case N-640, while maintaining, pursuant to 10 CFR 50.12(a)(2)(ii), the underlying purpose of the NRC regulations to ensure an acceptable margin of safety.

III. 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. The staff accepts the licensee's determination that exemption would be required to approve the use of Code Case N-640. The staff examined the licensee's rationale to support the exemption requests and concurred that the use of the Code case would meet the underlying intent of these regulations. Based upon a consideration of the conservatism that is explicitly incorporated into the methodologies of 10 CFR Part 50, Appendix G; Appendix G of the Code; and Regulatory Guide 1.99, Revision 2, the staff concludes that application of the Code case as described would provide an adequate margin of safety against brittle failure of the RPV. This conclusion is also consistent with the determinations that the staff has reached for other licensees under similar conditions based on the same considerations. Therefore, the staff concludes that requesting an exemption under the special circumstances of 10 CFR 50.12(a)(2)(ii) is appropriate and that the methodology of Code Case N-640 may be used to revise the P-T limits and LTOP setpoints for HNP.

IV. 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. Therefore, the Commission hereby grants Carolina Power & Light Company an exemption from the requirements of 10 CFR Part 50, Section 50.60(a) and 10 CFR Part 50, Appendix G, for HNP.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of the exemption will not result in any significant effect on the quality of the environment (65 FR 45628).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 26 day of July 2000.

For the Nuclear Regulatory Commission.

**John A. Zwolinski,**

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

[FR Doc. 00-19391 Filed 7-31-00; 8:45 am]

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