

closed to the public pursuant to subsection (c)(6) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Ms. Kathy Plowitz-Worden, Office of Guidelines & Panel Operations, National Endowment for the Arts, Washington, DC, 20506, or call 202/682-5691.

Dated: April 2, 2004.

Kathy Plowitz-Worden,

*Panel Coordinator, Panel Operations,
National Endowment for the Arts.*

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-369 and 50-370]

Duke Energy Corporation; McGuire Nuclear Station, Units 1 and 2; Exemption

1.0 Background

The Duke Energy Corporation (the licensee) is the holder of Renewed Facility Operating License Nos. NPF-9 and NPF-17 which authorizes operation of the McGuire Nuclear Station, Units 1 and 2 (McGuire). 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 Mecklenburg County in North Carolina.

2.0 Request/Action

Title 10 of the Code of Federal Regulations (10 CFR) part 73, appendix B, Section I.B.b.(1), "Vision," (a) states, "For each individual, distant visual acuity in each eye shall be correctable to 20/30 (Snellen or equivalent) in the better eye and 20/40 in the other eye with eyeglasses or contact lenses. If uncorrected distance vision is not at least 20/40 in the better eye, the individual shall carry an extra pair of corrective lenses. Near visual acuity, corrected or uncorrected, shall be at least 20/40 in the better eye. Field of vision must be at least 70° horizontal meridian in each eye. The ability to distinguish red, green, and yellow colors is required. Loss of vision in one eye is disqualifying. Glaucoma shall be disqualifying, unless controlled by acceptable medical or surgical means, provided such medications as may be used for controlling glaucoma do not cause undesirable side effects which adversely affect the individual's ability to perform assigned security job duties,

and provided the visual acuity and field of vision requirements stated above are met. On-the-job evaluation shall be used for individuals who exhibit a mild color vision defect." The regulation at 10 CFR part 73, appendix B, Section III.A.IV, "Weapons qualification and requalification program," states, "Qualification firing for the handgun and rifle must be for daylight firing, and each individual shall perform night firing for familiarization with assigned weapon(s). The results of weapons qualification and requalification must be documented by the licensee or the licensee's agent. Each individual shall be requalified at least every 12 months. The licensee shall retain this documentation of each qualification and requalification as a record for three years from the date of the qualification or requalification, as appropriate.

A. Handgun—Guards, armed escorts and armed response personnel shall qualify with a revolver or semiautomatic pistol firing from the national police course, or an equivalent nationally recognized course. Qualifying score shall be an accumulated total of 70 percent of the maximum obtainable score.

B. Semiautomatic Rifle—Guards, armed escorts and armed response personnel, assigned to use the semiautomatic rifle by the licensee training and qualifications plan, shall qualify with a semiautomatic rifle by firing the 100-yard course of fire specified in section 17.5(1) of the National Rifle Association, High Power Rifle Rules book (effective March 15, 1976) or a nationally recognized equivalent course of fire. Targets used shall be as stated in section 17.5 for the 100-yard course. Time limits for individuals shall be as specified in section 8.2 of the NRA rulebook, regardless of the course fired. Qualifying scores shall be an accumulated total of 80 percent of the maximum obtainable score.

C. Shotgun—Guards, armed escorts and armed response personnel assigned to use the 12-gauge shotgun by the licensee training and qualifications plan shall qualify with a full choke or improved modified choke 12-gauge shotgun. To qualify, the individual shall be required to place 50 percent of all pellets (36) pellets within the black silhouette.

D. Requalification—Individuals shall be weapons requalified at least every 12 months in accordance with the NRC approved licensee training and qualifications plan, and in accordance with the requirements stated in A, B, and C of this section." In its letter of June 12, 2003, the licensee requested an

exemption from the distant visual requirements of 10 CFR part 73, appendix B, Section I.B.b.(1). The licensee's letter of June 12, 2003, is being withheld from public disclosure pursuant to 10 CFR 2.390(a)(6), because the letter contains information about an employee's personnel and medical records, a disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

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.

The NRC staff has reviewed the individual's visual medical evaluations and has determined that granting the exemption will not jeopardize the health and safety of the public or be inimical to the common defense and security. The NRC staff's Safety Evaluation is provided in the Enclosure, that is being withheld from public disclosure because it also contains information about an employee's personnel and medical records, a disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Therefore, the NRC staff concludes that, pursuant to 10 CFR 50.12(a)(2), the exemption requested by the licensee in its June 12, 2003, submittal should be granted.

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 Duke Energy Corporation an exemption from the requirements of 10 CFR part 73, appendix B, Section I.B.b.(1), "Vision," for the McGuire Nuclear Station, Units 1 and 2.

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 (69 FR 18655, April 8, 2004).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 13th day of April, 2004.

For the Nuclear Regulatory Commission.

Ledyard B. Marsh,

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

[FR Doc. E4-894 Filed 4-19-04; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-483]

Union Electric Company; Notice of Partial Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Union Electric Company (the licensee) to partially withdraw its June 27, 2003, application for proposed amendment to Facility Operating License No. NPF-30 for the Callaway Plant, Unit 1, located in Callaway County, Missouri.

The proposed amendment will approve the application of leak-before-break methodology for the accumulator and residual heat removal lines and installation of an opening the secondary shield wall in terms of the effect of the opening on occupational exposure. The shield wall opening is related to plant modifications that would facilitate maintenance on the replacement steam generators to be installed in Refueling Outage (RO) 14 (Fall 2005). The licensee withdrew the part of the amendment request that would apply LBB to the pressurizer surge line Alloy 82/182 weld location.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on July 22, 2003 (68 FR 43397). However, by letter dated April 5, 2004, the licensee partially withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated June 27, 2003, and the licensee's letter dated April 5, 2004, which partially withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web

site, <http://www.nrc.gov/reading-rm/adams/html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, or 301-415-4737 or by email to pdr@nrc.gov.

Dated in Rockville, Maryland, this 12th day of April, 2004.

For the Nuclear Regulatory Commission.

Jack N. Donohew,

Project Manager, Section 2, Project Directorate IV, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. E4-893 Filed 4-19-04; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Generic Safety Issue (GSI)-191, "Assessment of Debris Accumulation on Pressurized Water Reactor (PWR) Sump Performance;" Meeting

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of meeting.

SUMMARY: Representatives from Nuclear Energy Institute (NEI), Electric Power Research Institute (EPRI), utility groups and stakeholders will meet with the staff of Nuclear Regulatory Commission (NRC) to discuss the chemical effects test plan and test facility that will be used to conduct the tests. This is a joint test program between the NRC and the industry (represented by NEI and EPRI). The meeting is a followup to a meeting in January 2004 on the same subject. The meeting is open to the public and all interested parties may attend.

DATES: April 28, 2004, from 9 a.m. to 11 a.m.

ADDRESSES: Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Conference Room O-10B4, Rockville, Maryland, 20852.

FOR FURTHER INFORMATION CONTACT: T.Y. Chang, Mail Stop T-10D20, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: (301) 415-6450; fax: (301) 415-5074; Internet: tyc@nrc.gov.

SUPPLEMENTARY INFORMATION: One of the remaining open GSI-191 issues to be resolved is the chemical effects for PWR Emergency Core Cooling System (ECCS) recirculation, which relates to possible chemical reactions between sump/spray fluids and materials in containment. The NRC Advisory Committee on Reactor Safeguards (ACRS) has asked if chemical reaction products or

precipitates in post-loss of coolant accident (LOCA) sump fluid could be generated in sufficient quantity to significantly increase pressure drop (head loss) across ECCS recirculation sump screen debris beds. This test program will generate data needed by both NRC and the industry to address this question. NRC and industry will conduct data analysis and reach conclusions independently. These results will be made publicly available.

Attendees are requested to notify T.Y. Chang at (301) 425-6450 of their planned attendance if special services, such as for the hearing impaired, are necessary.

The NRC is accessible to the White Flint Metro Station. Visitor parking near the NRC buildings is limited.

Date in Rockville, Maryland, this 12th day of April, 2004.

For the Nuclear Regulatory Commission.

Anthony Hsia,

Acting Chief, Engineering Research Applications Branch, Division of Engineering Technology, Office of Nuclear Regulatory Research.

[FR Doc. E4-885 Filed 4-19-04; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Proposed Interim Enforcement Policy for Pilot Program on the Use of Alternative Dispute Resolution in the Enforcement Program Request for Comments

AGENCY: Nuclear Regulatory Commission.

ACTION: Request for comments on pilot program.

SUMMARY: The Nuclear Regulatory Commission (NRC) is seeking public comment on a proposed pilot program to address the use of Alternative Dispute Resolution (ADR) in the enforcement program.

DATES: Submit comments on or before May 20, 2004.

ADDRESSES: You may submit comments by any of the following methods. Comments submitted in writing or in electronic format will be made available to the public in their entirety on the NRC rulemaking Web site. Personal information will not be removed from your comments. Mail comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Rulemakings and Adjudications Staff.

E-mail comments to: SECY@nrc.gov. If you do not receive a reply e-mail confirming that we have received your