

be notified of the disqualification, to request and receive the waiver packet, to obtain employer support and complete the waiver request, to do any follow-up testing, to return the waiver request to the contractor plus any follow-up information, for the contractor to get the completed packet to the National Science Foundation, and for NSF to make and promulgate a decision.

**Respondents:** All individuals deploying to the Antarctic under the auspices of the United States Antarctic Program and certain Arctic areas must complete these forms. There are approximately 3,000 submissions per year, with a small percentage (c.3%) under the age of 40 who provide annual submissions but with less information.

**Estimated Number of Responses per Form:** Responses range from 2 to approximately 238 responses.

**Estimated Total Annual Burden on Respondents:** 28,728 hours; fewer if the individual has previously deployed and saved his or her prior year's data for future use.

**Frequency of Responses:** Physical qualifications are valid for 12 months. Individuals must complete the forms annually or not earlier than six months prior to their anticipated deployment date, if they are infrequent travelers. Depending on individual medical status some persons may require additional laboratory results to be current within two to six-weeks of anticipated deployment.

**Comments:** Comments are invited on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information shall have practical utility; (b) the accuracy of the Agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information on respondents, including through the use of automated collection techniques or other forms of information technology; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques, or other forms of information technology.

Dated: October 14, 2010.

**Suzanne H. Plimpton,**

*Reports Clearance Officer, National Science Foundation.*

[FR Doc. 2010-26249 Filed 10-18-10; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[NRC-2010-0327]

### Biweekly Notice; Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations

#### I. Background

Pursuant to section 189a.(2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (the Commission or NRC) is publishing this regular biweekly notice. The Act requires the Commission publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from September 23, 2010 to October 6, 2010. The last biweekly notice was published on October 5, 2010, (75 FR 61521).

#### *Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing*

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in Title 10 of the Code of Federal Regulations (10 CFR), 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of

publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. Should the Commission make a final No Significant Hazards Consideration Determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules, Announcements, and Directives Branch (RADB), TWB-05-B01M, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be faxed to the RADB at 301-492-3446. 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 O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland.

Within 60 days after the date of publication of this notice, any person(s) whose interest may be affected by this action may file a request for a hearing and a petition to intervene with respect to issuance of the amendment to the subject facility operating license. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested person(s) should consult a current copy of 10 CFR 2.309, which is available at the Commission's PDR, located at One White Flint North, Public File Area O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/doc-collections/cfr/>. If a request for a hearing or petition for leave to intervene is filed by the above

date, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements: (1) The name, address, and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also identify the specific contentions which the requestor/petitioner seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the requestor/petitioner shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the requestor/petitioner intends to rely in proving the contention at the hearing. The requestor/petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the requestor/petitioner intends to rely to establish those facts or expert opinion. The petition must include sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the requestor/petitioner to relief. A requestor/petitioner who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to

participate fully in the conduct of the hearing.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

All documents filed in NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in accordance with the NRC E-Filing rule (72 FR 49139, August 28, 2007). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least ten (10) days prior to the filing deadline, the participant should contact the Office of the Secretary by e-mail at [hearing.docket@nrc.gov](mailto:hearing.docket@nrc.gov), or by telephone at (301) 415-1677, to request (1) a digital ID certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a request or petition for hearing (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on NRC's public Web site at [http://](http://www.nrc.gov/site-help/e-submittals/apply-certificates.html)

[www.nrc.gov/site-help/e-submittals/apply-certificates.html](http://www.nrc.gov/site-help/e-submittals/apply-certificates.html). System requirements for accessing the E-Submittal server are detailed in NRC's "Guidance for Electronic Submission," which is available on the agency's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>. Participants may attempt to use other software not listed on the Web site, but should note that the NRC's E-Filing system does not support unlisted software, and the NRC Meta System Help Desk will not be able to offer assistance in using unlisted software.

If a participant is electronically submitting a document to the NRC in accordance with the E-Filing rule, the participant must file the document using the NRC's online, Web-based submission form. In order to serve documents through EIE, users will be required to install a Web browser plug-in from the NRC Web site. Further information on the Web-based submission form, including the installation of the Web browser plug-in, is available on the NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>.

Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC public Web site at <http://www.nrc.gov/site-help/e-submittals.html>. A filing is considered complete at the time the documents are submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an e-mail notice confirming receipt of the document. The E-Filing system also distributes an e-mail notice that provides access to the document to the NRC Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically using the agency's adjudicatory E-Filing system may seek assistance by

contacting the NRC Meta System Help Desk through the "Contact Us" link located on the NRC Web site at <http://www.nrc.gov/site-help/e-submittals.html>, by e-mail at [MSHD.Resource@nrc.gov](mailto:MSHD.Resource@nrc.gov), or by a toll-free call at (866) 672-7640. The NRC Meta System Help Desk is available between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in NRC's electronic hearing docket which is available to the public at [http://ehd.nrc.gov/EHD\\_Proceeding/home.asp](http://ehd.nrc.gov/EHD_Proceeding/home.asp), unless excluded pursuant to an order of the Commission, or the presiding officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

Petitions for leave to intervene must be filed no later than 60 days from the date of publication of this notice. Non-timely filings will not be entertained absent a determination by the presiding officer that the petition or request should be granted or the contentions should be admitted, based on a balancing of the factors specified in 10 CFR 2.309(c)(1)(i)-(viii).

For further details with respect to this license amendment application, see the application for amendment which is available for public inspection at the Commission's PDR, located at One White Flint North, Public File Area O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the 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 at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

*Arizona Public Service Company, et al., Docket Nos. STN 50-528, STN 50-529, and STN 50-530, Palo Verde Nuclear Generating Station, Units 1, 2, and 3, Maricopa County, Arizona*

*Date of amendment request:* August 27, 2010.

*Description of amendment request:* The amendments would revise the methodology in the feedwater line break with loss of offsite power and single failure event (FWLB/LOP/SF) analysis summarized in the Palo Verde Nuclear Generating Station Updated Final Safety Analysis Report. The revision would change the credited operator action time to 20 minutes from 30 minutes to control the pressurizer level.

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change in the credited operator action time to 20 minutes from 30 minutes does not change the probability of a FWLB/LOP/SF event as the operator actions are credited after the start of the event.

This change in operator action time does not adversely affect accident initiators or precursors, the ability of structures, systems, and components (SSCs) to perform their intended functions to mitigate the

consequences of an initiating event within the assumed acceptance limits, or radiological release assumptions used in evaluating the consequences of an accident previously evaluated.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change in the credited operator action time to 20 minutes from 30 minutes does not involve any design or physical changes to the facility or any SSC of that facility. The proposed change does not create any new failure modes or adversely affect the interaction between any structure, system or component.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed change in the credited operator action time to 20 minutes from 30 minutes does not alter the manner in which safety limits or limiting safety system settings are determined. No changes to instrument/system actuation setpoints are involved. The safety analysis acceptance criteria are not impacted by this change and the proposed change will not permit plant operation in a configuration outside the design basis. The assumed 20 minutes for operator action is consistent with Industry and NRC guidance.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on that review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the request for amendments involves no significant hazards consideration.

*Attorney for licensee:* Michael G. Green, Senior Regulatory Counsel, Pinnacle West Capital Corporation, P.O. Box 52034, Mail Station 8695, Phoenix, Arizona 85072-2034.

*NRC Branch Chief:* Michael T. Markley.

*Florida Power and Light Company (FPL), Docket Nos. 50-250 and 50-251, Turkey Point Plant, Units 3 and 4, Miami-Dade County, Florida*

*Date of amendment request:* August 5, 2010.

*Description of amendment request:* The proposed amendments would revise technical specification (TS) 5.5.1 Fuel Storage—Criticality, to include new spent fuel storage patterns that account for both the increase in fuel maximum enrichment from 4.5 weight

percentage (wt%) U-235 to 5.0 wt% U-235 and the impact on the fuel of higher power operation proposed under the Extended Power Uprate (EPU) project. Although the fuel storage has been analyzed at the higher fuel enrichment in the new criticality analysis, the fuel enrichment limit of 4.5 wt% U-235 specified in TS 5.5.1 will not be changed under this license amendment request. The proposed TS changes and a new supporting criticality analysis are being submitted to revise the current licensing basis analysis for both new fuel and spent fuel pool storage.

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

No. The proposed amendments do not change or modify the fuel, fuel handling processes, fuel storage racks, number of fuel assemblies that may be stored in the spent fuel pool (SFP), decay heat generation rate, or the spent fuel pool cooling and cleanup system. The proposed amendment was evaluated for impact on the following previously evaluated events and accidents:

- a. A fuel handling accident (FHA),
- b. A cask drop accident,
- c. A fuel mispositioning event,
- d. A spent fuel pool boron dilution event,
- e. A seismic event, and
- f. A loss of spent fuel pool cooling event.

Although the proposed amendment will require increased handling of the fuel, the probability of a FHA is not significantly increased because the implementation of the proposed amendment will employ the same equipment and process to handle fuel assemblies that is currently used. Also, tests have confirmed that the Metamic inserts can be installed and removed without damaging the host fuel assemblies. The FHA radiological dose consequences associated with fuel enrichment at this level were addressed in LAR [license amendment request] 196 on Alternative Source Term implementation at EPU conditions and remain unchanged. Therefore, the proposed amendments do not significantly increase the probability or consequences of a FHA.

The proposed amendments do not increase the probability of dropping a fuel transfer cask because they do not introduce any new heavy loads to the SFP and do not affect heavy load handling processes. Also, the insertion of Metamic rack inserts does not increase the consequences of the cask drop accident because the radiological source term of that accident is developed from a non-mechanistically derived quantity of damaged fuel stored in the spent fuel pool. Therefore, the proposed amendments do not significantly increase the probability or consequences of a cask drop accident.

Operation in accordance with the proposed amendment will not change the probability of a fuel mispositioning event because fuel movement will continue to be controlled by approved fuel handling procedures. These procedures continue to require identification of the initial and target locations for each fuel assembly that is moved. The consequences of a fuel mispositioning event are not changed because the reactivity analysis demonstrates that the same subcriticality criteria and requirements continue to be met for the worst-case fuel mispositioning event.

Operation in accordance with the proposed amendment will not change the probability of a boron dilution event because the systems and events that could affect spent fuel pool soluble boron are unchanged. The consequences of a boron dilution event are unchanged because the proposed amendment reduces the soluble boron requirement below the currently required value and the maximum possible water volume displaced by the inserts is an insignificant fraction of the total spent fuel pool water volume.

Operation in accordance with the proposed amendment will not change the probability of a seismic event. The consequences of a seismic event are not significantly increased because the forcing functions for seismic excitation are not increased and because the mass of storage racks with Metamic inserts is not appreciably increased. Seismic analyses demonstrate adequate stress levels in the storage racks when inserts are installed.

Operation in accordance with the proposed amendment will not change the probability of a loss of SFP cooling event because the systems and events that could affect SFP cooling are unchanged. The consequences are not significantly increased because there are no changes in the SFP heat load or SFP cooling systems, structures or components. Furthermore, conservative analyses indicate that the current design requirements and criteria continue to be met with the Metamic inserts installed.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

No. The proposed amendments do not change or modify the fuel, fuel handling processes, fuel racks, number of fuel assemblies that may be stored in the pool, decay heat generation rate, or the spent fuel pool cooling and cleanup system. The effects of operating with the proposed amendment are listed below. The proposed amendments were evaluated for the potential of each effect to create the possibility of a new or different kind of accident:

- a. Addition of inserts to the fuel storage racks,
- b. New storage patterns,
- c. Additional weight from the inserts,
- d. Insert movement above fuel, and
- e. Displacement of fuel pool water by the inserts.

Each insert will be placed between a fuel assembly and the storage cell wall, taking up some of the space available on two sides of

the fuel assembly. Tests confirm that the insert can be installed and removed without damaging the fuel assembly. Analyses demonstrate that the presence of the inserts does not adversely affect spent fuel cooling, seismic capability, or subcriticality. The aluminum (alloy 6061) and boron carbide materials of construction have been shown to be compatible with nuclear fuel, storage racks and spent fuel pool environments, and generate no adverse material interactions. Therefore, placing the inserts into the spent fuel pool storage racks cannot cause a new or different kind of accident.

Operation with the proposed fuel storage patterns will not create a new or different kind of accident because fuel movement will continue to be controlled by approved fuel handling procedures. These procedures continue to require identification of the initial and target locations for each fuel assembly that is moved. There are no changes in the criteria or design requirements pertaining to fuel storage safety, including subcriticality requirements, and analyses demonstrate that the proposed storage patterns meet these requirements and criteria with adequate margins. Therefore, the proposed storage patterns cannot cause a new or different kind of accident.

Operation with the added weight of the Metamic inserts will not create a new or different accident. The net effect of the adding the maximum number of inserts is to add less than one percent to the weight of the loaded racks. Furthermore, the analyses of the racks with Metamic inserts installed demonstrate that the stress levels in the rack modules continue to be considerably less than allowable stress limits. Therefore, the added weight from the inserts cannot cause a new or different kind of accident.

Operation with insert movement above stored fuel will not create a new or different kind of accident. The insert with its handling tool weighs considerably less than the weight of a single fuel assembly. Single fuel assemblies are routinely moved safely over fuel assemblies and the same level of safety in design and operation will be maintained when moving the inserts. Furthermore, the effect of a dropped insert to block the top of a storage cell has been evaluated in thermal-hydraulic analyses. Therefore, the movement of inserts cannot cause a new or different kind of accident.

Whereas the installed rack inserts will displace a very small fraction of the fuel pool water volume and impose a very small reduction in operator response time to previously-evaluated SFP accidents, the reduction will not promote a new or different kind of accident. Also, displacement of water along two sides of a stored fuel assembly may have some local reduction in the peripheral cooling flow; however, this effect would be small compared to the flow induced through the fuel assembly and would in no way promote a new or different kind of accident.

The accidents and events previously analyzed and presented in the Boraflex Remedy and Alternative Source Term LARs remain bounding. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in the margin of safety?

No. The proposed change was evaluated for its effect on current margins of safety as they relate to criticality, structural integrity, and spent fuel heat removal capability.

The margin of safety for subcriticality required by 10 CFR 50.68(b)(4) is unchanged. New criticality analysis confirms that operation in accordance with the proposed amendment continues to meet the required subcriticality margins.

The structural evaluations for the racks and spent fuel pool with Metamic inserts installed show that the rack and spent fuel pool are unimpaired by loading combinations during seismic motion, and there is no adverse seismic-induced interaction between the rack and Metamic inserts.

The proposed change does not affect spent fuel heat generation or the spent fuel pool cooling systems. A conservative analysis indicates that the design basis requirements and criteria for spent fuel cooling continue to be met with the Metamic inserts in place, and displacing coolant. Thermal hydraulic analysis of the local effects of an installed rack insert blocking peripheral flow show a small increase in local water and fuel clad temperatures, but will remain within acceptable limits including no departure from nucleate boiling.

Therefore, the proposed changes do not involve a significant reduction in the margin of safety.

Based on the above discussion, FPL has determined that the proposed change does not involve a significant hazards consideration.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* M.S. Ross, Attorney, Florida Power & Light, P.O. Box 14000, Juno Beach, Florida 33408-0420.

*NRC Branch Chief:* Douglas A. Broadus.

#### *Notice of Issuance of Amendments to Facility Operating Licenses*

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for A Hearing in connection with these actions was published in the **Federal Register** as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendment, (2) the amendment, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment as indicated. All of these items are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area 01F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the PDR Reference staff at 1-(800) 397-4209, (301) 415-4737 or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

*Arizona Public Service Company, et al., Docket Nos. STN 50-528, STN 50-529, and STN 50-530, Palo Verde Nuclear Generating Station, Unit Nos. 1, 2, and 3, Maricopa County, Arizona*

*Date of application for amendment:* September 28, 2009, as supplemented by letters dated June 24 and September 3 and 24, 2010.

*Brief description of amendment:* The amendments revised Required Action A.1 of Technical Specification 3.8.7, "Inverters—Operating," for the Palo Verde Nuclear Generating Station, Units 1, 2, and 3, by extending the Completion Time for restoration of an inoperable vital alternating current inverter from 24 hours to 7 days.

*Date of issuance:* September 29, 2010.

*Effective date:* As of the date of issuance and shall be implemented

within 60 days from the date of issuance.

*Amendment No.:* Unit 1—180; Unit 2—180; Unit 3—180.

*Facility Operating License Nos. NPF-41, NPF-51, and NPF-74:* The amendment revised the Operating Licenses and Technical Specifications.

*Date of initial notice in Federal Register:* December 1, 2009 (74 FR 62833). The supplemental letters dated June 24 and September 3 and 24, 2010, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 29, 2010.

No significant hazards consideration comments received: No.

*Duke Energy Carolinas, LLC, et al., Docket No. 50-414, Catawba Nuclear Station, Unit 2, York County, South Carolina*

*Date of application for amendment:* April 28, 2010, as supplemented by letter dated September 9, 2010.

*Brief description of amendment:* The amendment revised the Technical Specification (TS) 5.5.9 to exclude portions of the Steam Generator (SG) tube from periodic SG tube inspections and plugging or repair. In addition, reporting requirement changes were made to TS 5.6.8.

*Date of issuance:* September 27, 2010.

*Effective date:* As of the date of issuance and shall be implemented prior to requiring the SGs to be operable at the completion of the End of Cycle 17 Refueling Outage.

*Amendment No.:* 257.

*Renewed Facility Operating License No. NPF-52:* Amendment revised the license and the TSs.

*Date of initial notice in Federal Register:* July 13, 2010 (75 FR 39977). The supplement dated September 9, 2010, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 27, 2010.

No significant hazards consideration comments received: No.

*Entergy Nuclear Operations, Inc., Docket No. 50-333, James A. FitzPatrick Nuclear Power Plant, Oswego County, New York*

*Date of application for amendment:* April 21, 2010, as supplemented by letters dated July 28 and September 2, 2010.

*Brief description of amendment:* The amendment revised James A. FitzPatrick Technical Specification (TS) 2.0, "Safety Limits (SLs)." Specifically, TS 2.1.1.2 replaced the listed safety limit minimum critical power ratio values of 1.07 for two recirculation loop operation and 1.09 for single recirculation loop operation with new values of 1.08 and 1.11, respectively.

*Date of issuance:* September 27, 2010.

*Effective date:* As of the date of issuance, and shall be implemented within 30 days.

*Amendment No.:* 299.

*Renewed Facility Operating License No. DPR-59:* The amendment revised the License and the Technical Specifications.

*Date of initial notice in Federal Register:* June 15, 2010 (75 FR 33841).

The supplements dated July 28 and September 2, 2010, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 27, 2010.

No significant hazards consideration comments received: No.

*Exelon Generating Company, LLC, Docket No. 50-219, Oyster Creek Nuclear Generating Station, Ocean County, New Jersey*

*Date of application for amendment:* October 30, 2009, as supplemented by letters dated April 16, 2010, and August 31, 2010.

*Brief description of amendment:* The amendment revises the Oyster Creek Technical Specifications to relocate a number of Surveillance Requirement frequencies to a licensee-controlled document.

*Date of issuance:* September 27, 2010.

*Effective date:* As of its date of issuance, and shall be implemented within 60 days.

*Amendment No.:* 276.

*Renewed Facility Operating License No. DPR-16:* The amendment revised the License and Technical Specifications.

*Date of initial notice in Federal Register:* December 29, 2009 (74 FR 68869). The supplements dated April 16, 2010, and August 31, 2010, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards determination.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 27, 2010.

No significant hazards consideration comments received: No.

*Exelon Generation Company, LLC, and PSEG Nuclear, LLC, Docket No. 50-277, Peach Bottom Atomic Power Station (PBAPS), Unit 2, York and Lancaster Counties, Pennsylvania*

*Date of application for amendments:* May 27, 2010, as supplemented on July 15, 2010, and August 25, 2010.

*Brief description of amendments:* The amendment modifies the PBAPS Unit 2 Technical Specification (TS) Section 2.1.1.2 to reflect revised Safety Limit Minimum Critical Power Ratio (SLMCPR) values for operating cycle 19. The SLMCPR analysis establishes SLMCPR values that will ensure that during normal operation and during abnormal operational transients, at least 99.9 percent of all fuel rods in the core do not experience transition boiling if the limit is not violated.

*Date of issuance:* September 28, 2010.

*Effective date:* As of the date of issuance and shall be implemented within 30 days from the date of issuance.

*Amendment No.:* 279.

*Renewed Facility Operating License No. DPR-44:* Amendment revised the Technical Specifications.

*Date of initial notice in Federal Register:* July 26, 2010 (75 FR 43574).

The supplements dated July 15, 2010, and August 25, 2010, clarified the application, did not expand the scope of the application as originally noticed, and did not change the initial proposed no significant hazards consideration determination.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 28, 2010.

No significant hazards consideration comments received: No.

*Pacific Gas and Electric Company, Docket Nos. 50-275 and 50-323, Diablo Canyon Nuclear Power Plant, Unit Nos. 1 and 2, San Luis Obispo County, California*

*Date of application for amendments:* June 14, 2010, as supplemented on August 9, 2010.

*Brief description of amendments:* The amendments revised the licensing basis, as described in the Final Safety Analysis Report Update, to include damping values for the seismic design and analysis of the integrated head assembly (IHA) that are consistent with the recommendations of Regulatory Guide (RG) 1.61, "Damping Values for Seismic Design of Nuclear Power Plants," Revision 1. In addition, the RG 1.61, Revision 1, Table 1 note allowing the use of a "weighted average" for design-basis safe-shutdown earthquake damping values applicable to steel structures of different connection types will also be applied to determine the IHA design-basis operating-basis earthquake damping values.

*Date of issuance:* September 29, 2010.

*Effective date:* As of its date of issuance and shall be implemented within 30 days from the date of issuance.

*Amendment Nos.:* Unit 1—208; Unit 2—210.

*Facility Operating License Nos. DPR-80 and DPR-82:* The amendments revised the Facility Operating Licenses.

*Date of initial notice in Federal Register:* July 27, 2010 (75 FR 44025). The supplemental letter dated August 9, 2010, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 29, 2010.

No significant hazards consideration comments received: No.

*PSEG Nuclear LLC, Docket No. 50-354, Hope Creek Generating Station, Salem County, New Jersey*

*Date of application for amendment:* December 1, 2009, as supplemented by letters dated July 23, and August 19, 2010.

*Brief description of amendment:* The amendment changes the Technical Specifications (TSs) to: (1) Revise the required frequency of testing control rod scram times from "at least once per 120 days of POWER OPERATION" to "at

least once per 200 days of POWER OPERATION"; (2) revise the evaluation methodology for control rod scram time tests; (3) establish a new category of operable but "slow" control rods; and (4) establish allowable limits for the number and distribution of "slow" rods. The changes are based, in part, on Nuclear Regulatory Commission-approved TS Task Force (TSTF) change traveler TSTF-460, "Control Rod Scram Time Testing Frequency."

*Date of issuance:* September 27, 2010.

*Effective date:* As of the date of issuance, to be implemented within 60 days.

*Amendment No.:* 183.

*Facility Operating License No. NPF-57:* The amendment revised the TSs and the License.

*Date of initial notice in Federal Register:* January 26, 2010 (75 FR 4119).

The letters dated July 23, and August 19, 2010, provided clarifying information that did not change the initial proposed no significant hazards consideration determination or expand the application beyond the scope of the original **Federal Register** notice.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated September 27, 2010.

No significant hazards consideration comments received: No.

*R.E. Ginna Nuclear Power Plant, LLC, Docket No. 50-244, R.E. Ginna Nuclear Power Plant, Wayne County, New York*

*Date of application for amendment:* November 30, 2009, as supplemented by letter dated May 14, 2010.

*Brief description of amendment:* The amendment provides authorization to upgrade selected Emergency Action Levels based on Nuclear Energy Institute (NEI) 99-01, "Methodology for Development of Emergency Action Levels," Revision 5, dated February 2008 using the guidance of NRC Regulatory Issue Summary 2003-18, Supplement 2, "Use of Nuclear Energy Institute (NEI) 99-01, Methodology for Development of Emergency Action Levels."

*Date of issuance:* October 6, 2010.

*Effective date:* As of the date of issuance to be implemented within 60 days.

*Amendment No.:* 111.

*Renewed Facility Operating License No. DPR-18:* Amendment revised the License.

*Date of initial notice in Federal Register:* February 9, 2010 (75 FR 6411).

The letter dated May 14, 2010, provided additional information that

clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 6, 2010.

No significant hazards consideration comments received: No.

*South Carolina Electric and Gas Company, South Carolina Public Service Authority, Docket No. 50-395, Virgil C. Summer Nuclear Station, Unit No. 1, Fairfield County, South Carolina*

*Date of application for amendment:* February 17, 2009, as supplemented on June 15, December 1, and December 23, 2009, January 14, and July 16, 2010.

*Brief description of amendment:* The amendment revises the technical specification changes and design-basis accident radiological consequence analyses to support implementation of alternative source term methodology, pursuant to Title 10 of the Code of Federal Regulations, Part 50, Section 50.67, "Accident source term," using the guidance described in Regulatory Guide 1.183, "Alternative Radiological Source Terms for Evaluating Design-basis Accidents at Nuclear Power Reactors."

*Date of issuance:* October 4, 2010.

*Effective date:* As of the date of issuance and shall be implemented within 90 days.

*Amendment No.:* 183.

*Renewed Facility Operating License No. NPF-12:* Amendment revises the Technical Specifications.

*Date of initial notice in Federal Register:* March 24, 2009 (74 FR 12395).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated October 4, 2010.

No significant hazards consideration comments received: No.

*Virginia Electric and Power Company, et al., Docket Nos. 50-280 and 50-281, Surry Power Station, Unit Nos. 1 and 2, Surry County, Virginia*

*Date of application for amendments:* January 27, 2010, as supplemented by letters dated February 4 and April 29, 2010.

*Brief Description of amendments:* These amendments would increase each unit's rated power (RP) level from 2546 megawatts thermal (MWt) to 2587 MWt, and make Technical Specifications changes as necessary to support operation at the uprated power level. The proposed change is an increase in RP of approximately 1.6 percent.

*Date of issuance:* September 28, 2010.

*Effective date:* As of the date of issuance and shall be implemented within 90 days.

*Amendment Nos.:* 269 and 268.

*Renewed Facility Operating License Nos. DPR-32 and DPR-37:* Amendments change the licenses and the technical specifications.

*Date of initial notice in Federal Register:* April 6, 2010 (75 FR 17447).

The supplements provided additional information that clarified the application, did not expand in the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated September 24, 2010.

No significant hazards consideration comments received: No.

*Wolf Creek Nuclear Operating Corporation, Docket No. 50-482, Wolf Creek Generating Station, Coffey County, Kansas*

*Date of amendment request:* December 16, 2009 as supplemented by letter dated June 2, 2010.

*Brief description of amendment:* The amendment revised the licensing basis for the approved fire protection program as described in the Wolf Creek Generating Station (WCGS) Updated Safety Analysis Report (USAR) to allow use of the fire-resistive cable for certain power and control cables associated with two motor-operated valves on Train B Component Cooling Water System. This is a deviation from certain technical commitments to Title 10 of the Code of Federal Regulations (10 CFR) part 50, Appendix R, Section III.G.2, as described in Appendix 9.5E of the WCGS USAR.

*Date of issuance:* September 30, 2010.

*Effective date:* As of its date of issuance and shall be implemented within 180 days from the date of issuance.

*Amendment No.:* 189.

*Renewed Facility Operating License No. NPF-42:* The amendment revised the Operating License.

*Date of initial notice in Federal Register:* March 9, 2010 (75 FR 10831). The supplemental letter dated June 2, 2010, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a



Safety Evaluation dated September 30, 2010.

No significant hazards consideration comments received: No.

Dated at Rockville, Maryland, October 7, 2010.

For the Nuclear Regulatory Commission.

**Joseph G. Giitter,**

*Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. 2010-26152 Filed 10-18-10; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards

In accordance with the purposes of Sections 29 and 182b of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards (ACRS) will hold a meeting on November 4-6, 2010, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Monday, October 14, 2009, (74 FR 52829-52830).

#### Thursday, November 4, 2010, Conference Room T2-B1, Two White Flint North, Rockville, Maryland

**8:30 a.m.-8:35 a.m.: Opening Remarks by the ACRS Chairman** (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

**8:35 a.m.-10 a.m.: Standard Review Plan for Renewal of Independent Spent Fuel Storage Installation Licenses and Dry Cask Storage System Certificates of Compliance** (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the Standard Review Plan for renewal of Independent Spent Fuel Storage Installation Licenses and dry cask storage system Certificates of Compliance.

**10:15 a.m.-12 p.m.: Draft Final Revision 2 of NUREG-1801, "Generic Aging Lessons Learned (GALL) Report," and NUREG-1800, "Standard Review Plan for Review of License Renewal Applications for Nuclear Power Plants"** (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding Draft Final Revision 2 of NUREG-1801, "Generic Aging Lessons Learned (GALL) Report," and NUREG-1800, "Standard Review Plan for Review of License Renewal Applications for Nuclear Power Plants."

**1 p.m.-4 p.m.: Long-Term Core Cooling Approach for the Revised AP1000 Design** (Open/Closed)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and Westinghouse regarding the long-term core cooling approach for the revised AP1000 design.

**Note:** A portion of this session may be closed in order to discuss and protect information designated as proprietary by Westinghouse and its contractors pursuant to 5 U.S.C. 552b(c)(4).

**4:15 p.m.-5 p.m.: Discussion of Topics for Meeting With the Commission** (Open)—The Committee will discuss the following topics in preparation for the meeting with the Commission: ABWR Aircraft Impact Assessment; 10 CFR 50.46(a), "Risk-Informed Changes to Loss-of-Coolant Accident Technical Requirements;" Mixed Oxide Fuel Fabrication Facility; ESBWR—Long-Term Core Cooling; and Design Acceptance Criteria.

**5:15 p.m.-7 p.m.: Preparation of ACRS Reports** (Open)—The Committee will discuss proposed ACRS reports on matters discussed during this meeting.

#### Friday, November 5, 2010, Conference Room T2-B1, Two White Flint North, Rockville, Maryland

**8:30 a.m.-9 a.m.: Discussion of Topics for Meeting with the Commission** (Open)—The Committee will continue the discussion of the topics in preparation for the meeting with the Commission.

**9:30 a.m.-12:15 p.m.: Meeting with the Commission** (Open)—The Committee will meet with the Commission to discuss topics listed above.

**1:15 p.m.-2:45 p.m.: Future ACRS Activities/Report of the Planning and Procedures Subcommittee** (Open/Closed)—The Committee will discuss the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the Full Committee during future ACRS Meetings, and matters related to the conduct of ACRS business, including anticipated workload and member assignments. **[Note:** A portion of this meeting may be closed pursuant to 5 U.S.C. 552b (c)(2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of ACRS, and information the release of which would constitute a clearly invasion of personal privacy.]

**2:45 p.m.-3 p.m.: Reconciliation of ACRS Comments and Recommendations** (Open)—The

Committee will discuss the responses from the NRC Executive Director for Operations to comments and recommendations included in recent ACRS reports and letters.

**3:15 p.m.-4:15 p.m.: Assessment of the Quality of Selected NRC Research Projects** (Open)—The Committee will hold discussions with members of the ACRS Panels performing the quality assessment of the NRC research projects on: NUREG/CR-6947, "Human Factors Consideration with Respect to Emerging Technology in Nuclear Power Plants," and NUREG/CR-6997, "Modeling a Digital Feedwater Control System Using Traditional Probabilistic Risk Assessment Methods."

**4:15 p.m.-7 p.m.: Preparation of ACRS Reports** (Open)—The Committee will continue its discussion of proposed ACRS reports.

#### Saturday, November 6, 2010, Conference Room T2-B1, Two White Flint North, Rockville, Maryland

**8:30 a.m.-1 p.m.: Preparation of ACRS Reports** (Open)—The Committee will continue its discussion of proposed ACRS reports.

**1 p.m.-1:30 p.m.: Miscellaneous** (Open)—The Committee will continue its discussion related to the conduct of Committee activities and specific issues that were not completed during previous meetings.

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 14, 2009, (74 FR 52829-52830). In accordance with those procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Persons desiring to make oral statements should notify Ms. Ilka Berrios, Cognizant ACRS Staff (Telephone: 301-415-3179, E-mail: [Ilka.Berrios@nrc.gov](mailto:Ilka.Berrios@nrc.gov)), five days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with the Cognizant ACRS staff if such rescheduling would result in major inconvenience.

Thirty-five hard copies of each presentation or handout should be provided 30 minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the Cognizant ACRS Staff one day before meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the Cognizant