

NUCLEAR REGULATORY COMMISSION

[Docket No. 70-7016-ML; ASLBP No. 10-901-03-ML-BD01]

GE-Hitachi Global Laser Enrichment LLC;

Establishment of Atomic Safety and Licensing Board

Pursuant to delegation by the Commission dated December 29, 1972, published in the **Federal Register**, 37 FR 28,710 (1972), and the Commission's regulations, *see* 10 CFR 2.104, 2.105, 2.300, 2.309, 2.313, 2.318, and 2.321, notice is hereby given that an Atomic Safety and Licensing Board (Board) is being established to preside over the following proceeding:

GE-Hitachi Global Laser Enrichment LLC (GLE Commercial Facility)

This Board is being established pursuant to a Notice of Hearing and Commission Order regarding the application of GE-Hitachi Global Laser Enrichment LLC for a license to possess and use source, byproduct, and special nuclear material and to enrich natural uranium to a maximum of 8 percent U-235 by a laser-based enrichment process at a proposed plant to be known as GLE Commercial Facility that would be located in New Hanover County, North Carolina. *See* 75 FR 1819 (Jan. 13, 2010). No request for hearing or petition to intervention has been received in response to the notice in the **Federal Register**. Because GE-Hitachi is seeking authorization to construct a uranium enrichment facility, a mandatory hearing is required.

The Board is comprised of the following administrative judges: Paul S. Ryerson, Chair, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; James F. Jackson, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; Michael O. Garcia, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

All correspondence, documents, and other materials shall be filed in accordance with the NRC E-Filing rule, which the NRC promulgated in August 2007 (72 FR 49,139).

Issued at Rockville, Maryland, this 20th day of April 2010.

E. Roy Hawkens,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-277 and 50-278; NRC-2010-0160]

Exelon Generation Company, LLC; PSEG Nuclear, LLC; Notice of Consideration of Issuance of Amendment to Facility Operating License for Peach Bottom Atomic Power Station, Units 2 and 3; Opportunity for a Hearing, and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information

AGENCY: Nuclear Regulatory Commission.

ACTION: Order and notice of license amendment request, opportunity to comment, opportunity to request a hearing.

DATES: Comments must be filed by May 26, 2010. A request for a hearing must be filed by June 25, 2010.

FOR FURTHER INFORMATION CONTACT: John Hughey, Project Manager, Plant Licensing Branch I-2, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Rockville, Maryland 20852-2738. Telephone: (301) 415-3204; fax number: (301) 415-2102; e-mail: John.Hughey@nrc.gov.

ADDRESSES: Please include Docket ID NRC-2010-0160 in the subject line of your comments. Comments submitted in writing or in electronic form will be posted on the NRC Web site and on the Federal rulemaking Web site [Regulations.gov](http://www.regulations.gov). Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed.

The NRC requests that any party soliciting or aggregating comments received from other persons for submission to the NRC inform those persons that the NRC will not edit their comments to remove any identifying or contact information, and therefore, they should not include any information in their comments that they do not want publicly disclosed.

You may submit comments by any one of the following methods.

Federal Rulemaking Web site: Go to <http://www.regulations.gov> and search for documents filed under Docket ID NRC-2010-0160. Comments may be submitted electronically through this Web site. Address questions about NRC

dockets to Carol Gallagher 301-492-3668; e-mail Carol.Gallagher@nrc.gov.

Mail comments to: Michael T. Lesar, Chief, Rulemaking, Announcements and Directives Branch (RADB), Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by fax to RDB at (301) 492-3446.

To access documents related to this notice *see* Section V, Further Information.

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering issuance of an amendment to Facility Operating License Nos. DPR-44 and DPR-56, issued to Exelon Generation Company, LLC, and PSEG Nuclear, LLC, (licensee) for operation of the Peach Bottom Atomic Power Station (PBAPS), Units 2 and 3, located in York and Lancaster Counties, Pennsylvania.

The proposed amendment would revise the PBAPS, Units 2 and 3, Technical Specification Section 4.3.1.1.a concerning the spent fuel pool k-infinity value. The amendment application dated June 25, 2008, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML081820348), was supplemented by letters dated November 6, 2008, March 9, 2009, June 12, 2009, December 18, 2009, and March 26, 2010 (ADAMS Accession Nos. ML083190840, ML090690804, ML091740446, ML093521435, and ML100910075, respectively). Access to these documents is discussed in Section V, Further Information. The amendment application and each of the supplement letters include attachments that contain sensitive unclassified non-safeguards information (SUNSI), and are not available to the public. *See* Section V, Further Information, and the Order providing instructions for requesting access to the withheld information.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in Title 10 of the Code of Federal Regulations (10 CFR), Section 50.92, this means that operation of the facility in accordance with the proposed amendment would