

through transfer of control of the license, unless the Commission shall give its consent in writing. The Commission will approve the application for the indirect transfer of the licenses, if the Commission determines that the proposed corporate restructuring will not affect the qualifications of the licensee to hold the licenses, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

The filing of requests for hearing and petitions for leave to intervene, and written comments with regard to the license transfer application, are discussed below.

Within 20 days from the date of publication of this notice, any person whose interest may be affected by the Commission's action on the application may request a hearing and, if not the applicant, may petition for leave to intervene in a hearing proceeding on the Commission's action. Requests for a hearing and petitions for leave to intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart C "Rules of General Applicability: Hearing Requests, Petitions to Intervene, Availability of Documents, Selection of Specific Hearing Procedures, Presiding Officer Powers, and General Hearing Management for NRC Adjudicatory Hearings," of 10 CFR part 2. In particular, such requests and petitions must comply with the requirements set forth in 10 CFR 2.309. Untimely requests and petitions may be denied, as provided in 10 CFR 2.309(c)(1), unless good cause for failure to file on time is established. In addition, an untimely request or petition should address the factors that the Commission will also consider, in reviewing untimely requests or petitions, set forth in 10 CFR 2.309(c)(1)(i)-(viii).

Requests for a hearing and petitions for leave to intervene should be served upon Mr. David W. Jenkins, Esq., address: 76 South Main Street, Mail Stop A-GO-18, Akron, OH 44308, telephone: 330-384-5037, and email: [djenkins@firstenergycorp.com](mailto:djenkins@firstenergycorp.com); the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001 (e-mail address for filings regarding license transfer cases only: [OGCLT@NRC.gov](mailto:OGCLT@NRC.gov)); and the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, in accordance with 10 CFR 2.302 and 2.305.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the **Federal Register** and served on the parties to the hearing.

As an alternative to requests for hearing and petitions to intervene, within 30 days from the date of publication of this notice, persons may submit written comments regarding the license transfer application, as provided for in 10 CFR 2.1305. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, and should cite the publication date and page number of this **Federal Register** notice.

For further details with respect to this action, see the application dated June 6, 2006, available for public inspection at the Commission'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 System's (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 e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland this 3rd day of July 2006.

For the Nuclear Regulatory Commission.

**Stephen J. Campbell,**

*Project Manager, Plant Licensing Branch III-2, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E6-10907 Filed 7-11-06; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 52-008]

### **Dominion Nuclear North Anna, LLC; Notice of Availability of the Supplement to the Draft Environmental Impact Statement for an Early Site Permit (ESP) at the North Anna ESP Site and Associated Public Meeting**

Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC, the Commission) has published Supplement 1 to NUREG-1811, "Draft Environmental Impact Statement for an Early Site Permit (ESP) at the North Anna ESP Site" (SDEIS), and is making it available for comment. The site is located near the Town of Mineral in Louisa County, Virginia, on the southern shore of Lake Anna.

Dominion Nuclear North Anna, LLC (Dominion, the applicant) is seeking an ESP for the North Anna site in accordance with Subpart A of 10 CFR Part 52. The ESP process allows resolution of issues relating to siting separate from the filing of an application for a construction permit (CP) or a combined construction permit and operating license referred to as a combined license (COL) for a nuclear power facility. At any time during the term of an ESP (up to 20 years), the permit may be referenced in an application for a CP or COL.

The application for the ESP was submitted by letter dated September 25, 2003. In the draft environmental impact statement (DEIS), published in December 2004 (69 FR 71854), the staff evaluated the proposed action (issuance of an ESP at the North Anna ESP site) including the no action alternative and alternative sites to determine if any alternative site identified was obviously superior to the proposed site. On April 13, 2006, Dominion submitted Revision 6 to its application. The revision described changes to the cooling water system for postulated Unit 3 at the North Anna ESP site and an increase in power level for both postulated Units 3 and 4. In view of these changes, the NRC staff, pursuant to 10 CFR 51.72, determined to prepare a supplement to its DEIS. A notice of intent to prepare a supplement to the draft environmental impact statement was published in the **Federal Register** on May 15, 2006 (71 FR 28392). In addition, on June 21, 2006, Dominion submitted Revision 7 of the application. Revision 7 of the application included changes in response to the staff's request for additional information on Revision 6.

The scope of the SDEIS is limited to the environmental impacts associated

with the changes in ER Revision 6, *i.e.*, the new cooling system for Unit 3 and the increase in the maximum power level described in the PPE. The evaluation in the SDEIS addresses the wet and dry cooling system for Unit 3 and modifies the analysis of impacts related to the power level increase for both Units 3 and 4. There is no change to the cooling system for Unit 4. These revised evaluations will be incorporated into the final EIS. The final EIS will also set forth the public comments on the analysis presented in this SDEIS received within the comment period described below, together with comments concerning the draft EIS received within the draft EIS comment period, and the staff's responses to comments. The staff will address comments on portions of the DEIS not affected by the changes in Revisions 6 and 7 of the application in the FEIS only to the extent such comments were received during the comment period on the DEIS or there is otherwise time for the staff to address them.

The purpose of this notice is to inform the public that the SDEIS is available for public inspection and comment. The DSEIS is available in the NRC Public Document Room (PDR) located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 20852, or from the Publicly Available Records (PARS) component of NRC's Agencywide Documents Access and Management System (ADAMS Accession No. ML061800217), and will also be placed directly on the NRC Web site at <http://www.nrc.gov>. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the PDR reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). In addition, the Louisa County Library, located at 881 Davis Highway, Mineral, Virginia, has agreed to make the DSEIS available for public inspection.

The NRC staff will hold a public meeting to present an overview of the SDEIS and to accept public comments on the DSEIS. The public meeting will be held in the Forum at the Louisa County Middle School, 1009 Davis Highway, Mineral, Virginia on Tuesday, August 15, 2006. The meeting will convene at 7:00 p.m. and will continue until 10:00 p.m., as necessary. The meeting will be transcribed and will include: (1) A presentation of the contents of the SDEIS, and (2) the opportunity for interested government

agencies, organizations, and individuals to provide comments on the draft report. Additionally, the NRC staff will host informal discussions 1 hour before the start of the meeting at the Louisa County Middle School. No formal comments on the SDEIS will be accepted during the informal discussions. To be considered, comments must be provided either at the transcribed public meeting or in writing. Persons may register to attend or present oral comments at the meeting by contacting Mr. Jack Cushing, by telephone at 1-800-368-5642, extension 1424, or by Internet to the NRC at [North\\_Anna\\_comments@nrc.gov](mailto:North_Anna_comments@nrc.gov) no later than August 10, 2006. Members of the public may also register to speak at the meeting within 15 minutes of the start of the meeting. Individual oral comments may be limited by the time available, depending on the number of persons who register. Members of the public who have not registered may also have an opportunity to speak, if time permits. Mr. Cushing must be contacted no later than August 7, 2006, if special equipment or accommodations are needed to attend or present information at the public meeting, so that the NRC staff can determine whether the request can be accommodated.

Any interested party may submit comments on this report for consideration by the NRC staff. Comments may be accompanied by additional relevant information or supporting data. This draft report is being issued by the NRC for a 45-day comment period. The comment period begins on the date that the U.S. Environmental Protection Agency publishes a Notice of Filing in the **Federal Register** which is expected to be July 14, 2006; such Notices are published every Friday. The Notice will identify the comment period end date. Members of the public may send written comments on the SDEIS for the North Anna ESP to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mailstop T-6D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this **Federal Register** Notice. Comments may also be delivered to Room T-6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. during Federal workdays. Electronic comments may be sent by the Internet to the NRC at [North\\_Anna\\_comments@nrc.gov](mailto:North_Anna_comments@nrc.gov). To assist the NRC staff in identifying and considering issue and concerns, comments on the supplement to the

draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft supplement. Comments will be available electronically and accessible through the NRC's PERR link at <http://www.nrc.gov/reading-rm/adams.html>.

*For Further Information Contact:* For further information regarding the environmental impact statement, contact Mr. Jack Cushing, Senior Environmental Project Manager, at telephone number 301-415-1424, or by mail at U.S. Nuclear Regulatory Commission, ATTN: Jack Cushing, Mail Stop 0-11F1, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738.

Dated at Rockville, Maryland, this 6th day of July 2006.

For the Nuclear Regulatory Commission.

**David B. Matthews,**

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

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## NUCLEAR REGULATORY COMMISSION

### Final Regulatory Guide; Issuance, Availability

The U.S. Nuclear Regulatory Commission (NRC) has issued a revision to an existing guide in the agency's Regulatory Guide Series. This series has been developed to describe and make available to the public such information as methods that are acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

Revision 4 of Regulatory Guide 1.97, entitled "Criteria for Accident Monitoring Instrumentation for Nuclear Power Plants," describes a method that the NRC staff considers acceptable for use in complying with the agency's regulations with respect to satisfying criteria for accident monitoring instrumentation in nuclear power plants. Specifically, the method described in this regulatory guide relates to General Design Criteria 13, 19, and 64, as set forth in Appendix A to Title 10, Part 50, of the *Code of Federal Regulations* (10 CFR part 50), "Domestic Licensing of Production and Utilization Facilities." In addition, Subsection (2)(xix) of 10 CFR 50.34(f), "Additional TMI-Related Requirements," requires operating reactor licensees to provide adequate instrumentation for use in