

Barry J. Kearney—Associate General Counsel, Advice

*Dated:* Washington, DC December 6, 2006.

By Direction of the Board.

**Lester A. Heltzer,**

*Executive Secretary.*

[FR Doc. E6-20984 Filed 12-8-06; 8:45 am]

**BILLING CODE 7545-01-P**

## **NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-400]

### **Carolina Power & Light Company; Notice of Receipt and Availability of Application for Renewal of Shearon Harris Nuclear Power Plant, Unit 1 Facility Operating License No. NPF-63 for an Additional 20-Year Period**

The U.S. Nuclear Regulatory Commission (NRC or Commission) has received an application, dated November 14, 2006, from Carolina Power & Light Company, (doing business as Progress Energy Carolinas, Inc.), filed pursuant to Section 103 of the Atomic Energy Act of 1954, as amended, and Title 10 of the Code of Federal Regulations Part 54 (10 CFR Part 54), to renew the operating license for the Shearon Harris Nuclear Power Plant (HNP), Unit 1. Renewal of the license would authorize the applicant to operate the facility for an additional 20-year period beyond the period specified in the current operating license. The current operating license for HNP, Unit 1, (NPF-63), expires on October 24, 2026. HNP, Unit 1, is a pressurized water reactor designed by Westinghouse Electric Corporation that is located in Wake County, North Carolina. The acceptability of the tendered application for docketing, and other matters including an opportunity to request a hearing, will be the subject of subsequent **Federal Register** Notices.

Copies of the application are available to the public at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852 or through the internet from the NRC's Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room under Accession Number ML063350262. The ADAMS Public Electronic Reading Room is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. In addition, the application is available at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications.html>. Persons who do not have access to the Internet or who

encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR reference staff at 1-800-397-4209, extension 4737, or via e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

A copy of the license renewal application for the HNP, Unit 1, is also available to local residents near the site at the Eva. H. Perry Library, 2100 Shepherd's Vineyard Drive, Apex, North Carolina 27502.

Dated at Rockville, Maryland, this 5th day of December, 2006.

For the Nuclear Regulatory Commission.

**Pao-Tsin Kuo,**

*Acting Director, Division of License Renewal, Office of Nuclear Reactor Regulation.*

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## **NUCLEAR REGULATORY COMMISSION**

[Docket No. 72-27; EA-06-276]

### **In the Matter of Pacific Gas and Electric Company; Humboldt Bay Power Plant; Independent Spent Fuel Storage Installation; Order Modifying License (Effective Immediately)**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Issuance of Order for Implementation of Interim Safeguards and Security Compensatory Measures.

**FOR FURTHER INFORMATION CONTACT:** L. Raynard Wharton, Senior Project Manager, Licensing and Inspection Directorate, Division of Spent Fuel Storage and Transportation, Office of Nuclear Material Safety and Safeguards (NMSS), U.S. Nuclear Regulatory Commission (NRC), Rockville, MD 20852. Telephone: (301) 415-1396; fax number: (301) 415-8555; e-mail: [LRW@nrc.gov](mailto:LRW@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Introduction**

Pursuant to 10 CFR 2.106, NRC (or the Commission) is providing notice, in the matter of Humboldt Bay Power Plant Independent Spent Fuel Storage Installation (ISFSI) Order Modifying License (Effective Immediately).

##### **II. Further Information**

###### **I**

NRC has issued a specific license to Pacific Gas and Electric Company (PG&E), authorizing storage of spent fuel in an ISFSI, in accordance with the Atomic Energy Act of 1954, and Title 10 of the Code of Federal Regulations (10 CFR) Part 72. This Order is being issued to PG&E, which has identified near-term

plans to store spent fuel in an ISFSI under the specific license provisions of 10 CFR Part 72. The Commission's regulations at 10 CFR 72.184 require PG&E to maintain safeguards contingency plan procedures in accordance with 10 CFR Part 73, Appendix C. Specific safeguards requirements are contained in 10 CFR 73.51 or 73.55, as applicable.

###### **II**

On September 11, 2001, terrorists simultaneously attacked targets in New York, NY, and Washington, DC, using large commercial aircraft as weapons. In response to the attacks and intelligence information subsequently obtained, the Commission issued a number of Safeguards and Threat Advisories to its licensees, to strengthen licensees' capabilities and readiness to respond to a potential attack on a nuclear facility. The Commission has also communicated with other Federal, State, and local government agencies and industry representatives, to discuss and evaluate the current threat environment, to assess the adequacy of security measures at licensed facilities. In addition, the Commission has been conducting a comprehensive review of its safeguards and security programs and requirements.

As a result of its consideration of current safeguards and security plan requirements, as well as a review of information provided by the intelligence community and other governmental agencies, the Commission has determined that certain compensatory measures are required to be implemented by licensees as prudent, interim measures, to address the current threat environment, in a consistent manner, throughout the nuclear ISFSI community. Therefore, the Commission is imposing requirements, as set forth in Attachment 1<sup>1</sup> of this Order, on PG&E, which has indicated near-term plans to store spent fuel in an ISFSI under the specific license provisions of Part 72. These interim requirements, which supplement existing regulatory requirements, will provide the Commission with reasonable assurance that the public health and safety and common defense and security continue to be adequately protected in the current threat environment. These requirements will remain in effect until the Commission determines otherwise.

The Commission recognizes that some measures may not be possible or necessary, or may need to be tailored to accommodate the specific

<sup>1</sup> Attachment 1 contains Safeguards Information and will not be released to the public.