

*Response to Request*

The request for an extension to the comment period is approved until December 31, 2008.

We agree that Addendum A is a needed improvement to the ASME/ANS standard RA-S-2008 and would result in a more effective and efficient implementation of both the standard and RG 1.200. Consequently, we are extending the public review and comment period to December 31, 2008, and the final publication of Revision 2 to RG 1.200 to March 31, 2009.

ASME and ANS have cooperated worked to develop this PRA standard in support of NRC's PRA quality initiative/plan in support of risk-informed regulation (SECY-04-0118, "Plan for the Implementation of the Commission's Phased Approach to Probabilistic Risk Assessment Quality," dated July 13, 2004). This plan identified the various technical guidance documents (*e.g.*, standards) needed to support the various risk-informed activities.

Requests for technical information about DG-1200 may be directed to the NRC contact, Mary Drouin at (301) 415-6675 or e-mail to [Mary.Drouin@nrc.gov](mailto:Mary.Drouin@nrc.gov).

Electronic copies of DG-1200 are available through the NRC's public Web site under Draft Regulatory Guides in the "Regulatory Guides" collection of the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/doc-collections/>. Electronic copies are also available in ADAMS (<http://www.nrc.gov/reading-rm/adams.html>), under Accession No. ML081200566.

In addition, regulatory guides are available for inspection at the NRC's Public Document Room (PDR), which is located at 11555 Rockville Pike, Rockville, Maryland. The PDR's mailing address is USNRC PDR, Washington, DC 20555-0001. The PDR can also be reached by telephone at (301) 415-4737 or (800) 397-4205, by fax at (301) 415-3548, and by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

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Dated at Rockville, Maryland, this 29 day of October, 2008.

For The Nuclear Regulatory Commission.

**Andrea D. Valentin,**

*Chief, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research.*

[FR Doc. E8-26214 Filed 10-31-08; 8:45 am]

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**NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-366]

**Edwin I. Hatch Nuclear Plant, Unit No. 2; Southern Nuclear Operating Company, Inc.; Operating License No. NPF-5; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from Title 10 of the Code of Federal Regulations (10 CFR) Part 50, Section 46, and Appendix K to Part 50, for Facility Operating License No. NPF-5, issued to Southern Nuclear Operating Company (the licensee), for operation of the Edwin I. Hatch Nuclear Plant, Unit 2 located in Appling County, Georgia. Therefore, as required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

**Environmental Assessment**

*Identification of the Proposed Action*

The proposed action would allow the use of Ziron fuel cladding. The proposed action is in accordance with the licensee's application dated March 21, 2008, as supplemented May 2, August 8, and September 22, 2008.

*The Need for the Proposed Action*

The proposed action would allow a small number of lead test assemblies (LTAs) that will include some fuel rods manufactured with a cladding material, called GNF-Ziron, which is similar in composition to Zircaloy-2, but contains a slightly higher iron content than specified in ASTM B350. Irradiation of LTAs with GNF-Ziron fuel rods will enable SNC to acquire in-reactor operating experience with this material. Pursuant to 10 CFR 50.12, "Specific Exemptions," the licensee has requested an exemption to 10 CFR 50.46, "acceptance criteria for emergency core cooling systems for light-water nuclear power reactors," that requires, among other items, that "each boiling or pressurized light-water nuclear power reactor fueled with uranium oxide pellets within cylindrical zircaloy or ZIRLO cladding, must be provided with an emergency core cooling system (ECCS) that must be designed so that its calculated cooling performance following postulated loss-of-coolant accidents conforms to the criteria set forth in paragraph (b) of this section." Appendix K to 10 CFR Part 50, "ECCS Evaluation Models," requires, among other items, that the rate of energy release, hydrogen generation, and cladding oxidation from the metal/water

reaction shall be calculated using the Baker-Just equation. The regulations at 10 CFR 50.46 and 10 CFR Part 50, Appendix K, make no provisions for use of fuel rods clad in a material other than zircaloy or ZIRLO. The proposed action would allow the licensee to irradiate a small number of LTAs using fuel rods clad with Ziron alloy in Hatch, Unit 2. Since the material specifications of the Ziron alloy differ from the specification for zircaloy or ZIRLO, a plant-specific exemption is required to support the use of the eight assemblies.

*Environmental Impacts of the Proposed Action*

The NRC has completed its safety evaluation of the proposed action and concludes that application of 10 CFR 50.46, and Appendix K to 10 CFR Part 50, is not necessary for the licensee to achieve its underlying purposes.

The details of the NRC staff safety evaluation will be provided in the exemption that will be issued as part of the letter to the licensee approving the exemption to the regulation.

The staff has concluded that such a change would not adversely affect plant safety, and would have no adverse effect on the probability of any accident. For accidents that involve damage or melting of the fuel in the reactor core, the fuel rod integrity of GNF-Ziron clad fuel has been shown to be similar to zircaloy clad fuel; therefore, the probability of an accident will not be affected. For accidents in which the core remains intact, the use of GNF-Ziron cladding will not have a significant effect on the mix of fission products that could be released in the event of a serious accident; thus, the previously analyzed accident dose consequences remain bounding. Regulatory limits on radiological effluent releases are independent of the type of fuel cladding used. The requirements of 10 CFR 50.36a, Appendix I to 10 CFR Part 50, and 40 CFR Part 190, as well as the plant's Technical Specifications ensure that the release of radioactive gaseous, liquid, and solid waste to unrestricted areas are kept to "as low as reasonably achievable" (ALARA) levels. The licensee's radioactive waste processing system will collect, control, process to reduce the amount of radioactivity, and discharge the waste in accordance with regulatory limits. Therefore, the staff concluded that during routine operations, there will be no significant increase of radiological effluents released into the environment as a result of the proposed exemption request. No significant increase in the allowable individual occupational radiation

exposure will occur. The impact to workers is not expected to change because radiation exposure will be controlled in accordance with the licensee's radiation protection program, the ALARA program, in-plant shielding, the use of temporary shielding, and engineering controls. The use of GNF-Ziron fuel rods will not change the potential environmental impacts of incident-free transportation of spent nuclear fuel provided the shipping casks are maintained and transported within the Department of Transportation and NRC regulations. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential non-radiological impacts, the proposed action does not have a potential to affect any historic sites. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action. Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

#### *Environmental Impacts of the Alternatives to the Proposed Action*

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the "no-action" alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

#### *Alternative Use of Resources*

The action does not involve the use of any different resources than those previously considered in NUREG-1437, Supplement 4, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants," Supplement 4, Regarding the Edwin I. Hatch Nuclear Plant, Units 1 and 2," dated May 31, 2001.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on September 18, 2008, the NRC staff consulted with the Georgia State official, Mr. Jim Hardeman, of the Department of Natural Resources, regarding the environmental impact of the proposed action. The State official had no comments.

#### **Finding of No Significant Impact**

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the

human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letters dated March 21, 2008, as supplemented May 2, August 8, and September 22, 2008. 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. Publicly available records will be accessible electronically 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>. 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 send an e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this 27th day of October, 2008.

For the Nuclear Regulatory Commission,  
**Robert E. Martin,**

*Senior Project Manager, Plant Licensing Branch II-1, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E8-26133 Filed 10-31-08; 8:45 am]

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## **NUCLEAR REGULATORY COMMISSION**

### **Sunshine Federal Register Notice**

**AGENCY HOLDING THE MEETINGS:** Nuclear Regulatory Commission.

**DATE:** Week of November 3, 2008.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

### **Additional Items To Be Considered**

*Week of November 3, 2008*

Thursday, November 6, 2008

9:30 a.m.

Executive Branch Briefing (Closed—  
Ex. 1 & 9) (Tentative).

1:25 p.m.

Affirmation Session (Public Meeting)  
(Tentative).

b. AmerGen Energy Company, LLC  
(License Renewal for Oyster Creek  
Nuclear Generating Station), Docket  
No. 50-219-LR, Citizens' Petition  
for Review of LBP-08-12

(Tentative).

This meeting will be webcast live at the Web address—<http://www.nrc.gov>.

\* The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings, call (recording)—(301) 415-1292. Contact person for more information: Michelle Schroll, (301) 415-1662.

The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/about-nrc/policy-making/schedule.html>.

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This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [dkw@nrc.gov](mailto:dkw@nrc.gov).

Dated: October 29, 2008.

**R. Michelle Schroll,**

*Office of the Secretary.*

[FR Doc. E8-26215 Filed 10-30-08; 11:15 am]

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