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 O1 F21, 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 by e-mail to *pdr.resource@nrc.gov.*

Dated at Rockville, Maryland, this 6th day of October 2009.

For the Nuclear Regulatory Commission.

Douglas V. Pickett,

Senior Project Manager, Plant Licensing Branch I–1, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. E9–24726 Filed 10–13–09; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[NRC–2009–0453]

Draft Regulatory Guide: Issuance, Availability

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of Issuance and Availability of Draft Regulatory Guide, DG–1199, ''Alternative Radiological Source Terms for Evaluating Design Basis Accidents at Nuclear Power Reactors.''

FOR FURTHER INFORMATION CONTACT: Mark Blumberg, U. S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone: (301) 415–1083 or e-mail *Mark.Blumberg@nrc.gov*.

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment a draft regulatory guide in the agency's ''Regulatory Guide'' series. This series was 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.

The draft regulatory guide (DG), titled, ''Alternative Radiological Source Terms for Evaluating Design Basis Accidents at Nuclear Power Reactors,'' is temporarily identified by its task number, DG–1199, which should be mentioned in all related correspondence. DG–1199 is proposed Revision 1 of Regulatory Guide 1.183, dated July 2000. This regulatory guide describes a method that the staff of the NRC considers acceptable in complying with alternative source term (AST) regulations for design basis accident dose consequence analysis. This guidance for light-water reactor designs includes the scope, nature, and documentation of associated analyses, evaluations; consideration of impacts on analyzed risk; and content of submittals. This guide establishes the AST based on NUREG–1465, ''Accident Source Terms for Light-Water Nuclear Power Plants,'' and identifies significant attributes of other accident source terms that may be acceptable. This guide also identifies acceptable radiological analysis assumptions for use in conjunction with the AST. In some cases, unusual site characteristics, plant design features, or other factors may require different assumptions, which will be considered on an individual case basis.

The draft guide references Regulatory Guide 1.89, ''Environmental Qualification of Certain Electric Equipment Important to Safety for Nuclear Power Plants,'' regarding environmental qualification analyses that may be affected by implementing alternate source terms. This guidance will be available in the forthcoming revision of Regulatory Guide 1.89 and is currently available in Appendix I of Regulatory Guide 1.183, Revision 0.

II. Further Information

The Commission invites advice and recommendations on the content of DG–1199. Specifically, comments are solicited for the following questions. Each comment should include supporting basis or rationale to enable the staff to fully understand the point of view being provided.

1. The alternative source term methodology described in the draft regulatory guide permits the assumption that the release of radioactive effluent to the environment occurs at some time period following the onset of the accident within the plant facility. Section 5.3, Meteorology Assumptions, provides guidance on pairing atmospheric dispersion factors (χ/Q values) with the periods of maximum postulated release of radioactive effluent to the environment.

a. Is it equally or more appropriate to include consideration of engineering factors such as time of control room isolation and initiation of filtration, in addition to the time sequence release of radiological effluent to the environment, when assessing the limiting dose to control room operators?

2. Table 3 of DG–1199 provides revised non-loss of coolant accident fission product gap inventories applicable to all current fuel designs. The purpose of revising Table 3 was to expand its applicability by replacing the prior footnote 11 limitation (*i.e.,* 6.3 kw/ft beyond 54 GWd/MTU) with bounding fuel rod power envelopes.

a. Does the bounding fuel rod power envelopes depicted in Figure 1 of DG–1199 provide sufficient fuel management flexibility such that current and anticipated fuel loading patterns will be able to utilize the Table 3 fission product gap fractions?

b. Fission gas release and the resulting fission product gap inventory are sensitive to fuel rod design and rod power history. To maintain consistency with current regulatory guidance, the revised Table 3 remains applicable to all current pressurized water reactor (PWR) and boiling water reactor (BWR) fuel rod designs (limited only by the bounding power envelope). Significant reductions in fission product gap inventories are achievable with specific fuel rod design calculations (*e.g.,* PWR 17×17 versus PWR 14×14) and/or less bounding rod power histories. Should RG 1.183 provide alternate versions of Table 3, each with its own set of applicability criteria?

3. Reference 18 of DG–1199 documents the expanded fission gas release empirical database and methods used to calculate the revised Table 3 and Table 4 fission product gap inventories. Are any further fission gas measurements available which would help enhance the gap inventories listed in Table 3 and 4?

Comments should mention DG–1199 in the subject line. Comments submitted in writing or in electronic form will be made available to the public in their entirety through the NRC's Agencywide Documents Access and Management System (ADAMS).

Personal information will not be removed from the comments. Comments may be submitted by any of the following methods:

1. *Mail comments to:* Rulemaking and Directives Branch, Division of Administrative Services, Mail Stop: TWB–05–B01M, Office of Administration, U.S. Nuclear Regulatory

Commission, Washington, DC 20555–0001.

2. *Federal e-Rulemaking Portal:* Go to *http://www.regulations.gov* and search for documents filed under Docket ID [NRC–2009–0453]. Address questions about NRC dockets to Carol Gallagher, 301–492–3668; e-mail *Carol.Gallagher@nrc.gov*.

3. *Fax comments to:* Rulemaking and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission at (301) 492–3446.

Requests for technical information about DG–1199 may be directed to Mark Blumberg at (301) 415–1083 or e-mail to *Mark.Blumberg@nrc.gov*.

Comments would be most helpful if received by December 11, 2009. Comments received after that date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date. Although a time limit is given, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

Electronic copies of DG–1199 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. ML090960464. In addition, regulatory guides are available for inspection at the NRC's Public Document Room (PDR) 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*.

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Dated at Rockville, Maryland, this 6th day of October 2009.

For the Nuclear Regulatory Commission.

Andrea D. Valentin,

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

[FR Doc. E9–24719 Filed 10–13–09; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2009–0452; Docket Nos. 50–413 and 50–414]

Duke Energy Carolinas, LLC; Catawba Nuclear Station, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of amendments to Facility Operating License No. NPF–35 and Facility Operating License No. NPF–52, issued to Duke Energy Carolinas, LLC (the licensee), for operation of the Catawba Nuclear Station, Units 1 and 2 (Catawba 1 and 2), located in York County, South Carolina, in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) part 50. Therefore, as required by 10 CFR part 51, the NRC performed an environmental assessment. Based on the results of the environmental assessment, the NRC is issuing a finding of no significant impact.

Environmental Assessment

Identification of the Proposed Action

The proposed action would revise the Technical Specifications (TSs) by removing and updating portions of the TSs which are outdated or are obsolete including footnotes and references. The proposed changes are editorial or administrative in nature as they update the current TSs to reflect changes previously approved by the NRC.

The proposed action is in accordance with the licensee's application dated October 8, 2008, as supplemented by letter dated May 5, 2009.

The Need for the Proposed Action

The proposed action is needed to update the TSs and remove out of date and obsolete information.

Environmental Impacts of the Proposed Action

The NRC has completed its safety evaluation of the proposed action and concludes that there are no environmental impacts associated with granting the subject license amendment updating the TSs to remove outdated or obsolete information. The details of the NRC staff's safety evaluation will be provided in a letter to the licensee upon approval of the license amendment.

The proposed action will not significantly increase the probability or consequences of accidents. No changes are being made in the types of effluents that may be released offsite. There is no significant increase in the amount of any effluent released offsite. There is no significant increase in occupational or public radiation exposure. 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 any foreseeable impacts to land, air, or water resources, including impacts to biota. In addition, there are also no known socioeconomic or environmental justice impacts associated with such proposed action. 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 the Final Environmental Statement for Catawba Nuclear Station, Units 1 and 2, NUREG–0921, dated January 1983 and Final Supplemental Environmental Impact Statement (NUREG–1437, Supplement 9) dated December 2002.

Agencies and Persons Consulted

On September 23, 2009, the NRC staff consulted with the South Carolina State official, Mr. Michael Gandy, Department of Health and Environmental Control, 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. No substantial changes to the facility or its operation are associated with the proposed license amendment. 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 letter dated October 8, 2008, as supplemented