for calculating K_{IM} stress intensity values.

The proposed action would exempt the licensee from certain requirements of Appendix G to 10 CFR Part 50 to allow the application of the methodology in CE NPSD–683–A, Revision 6, for the calculation of flaw stress intensity factors due to internal pressure loadings (K_{IM}).

The Need for the Proposed Action

The exemption is needed to allow the licensee to use an alternate methodology to meet the fracture toughness requirements for the reactor coolant pressure boundary. In the considering the exemption request, the staff has determined that, pursuant to 10 CFR 50.12(a)(2)(ii), the application of the regulation in the particular circumstances is not necessary to achieve the underlying purpose of the rule, based on the alternate methodology proposed by the licensee. The proposed action would revise the currently-approved methodology for P–T limit calculations to incorporate the methodology approved for use in CE NPSD–683–A, Revision 6. The topical report allows the use of an alternate methodology to calculate the flaw stress intensity factors due to internal pressure loadings (K_{IM}). Specifically, the exemption is needed because the methodology in CE NPSD–683–A, Revision 6, could not be shown to be conservative with respect to the methodology for the determination of K_{IM} provided in Editions and Addenda of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code), Section XI, Appendix G, through the 1995 Edition and 1996 Addenda (the latest Edition and Addenda of the ASME Code which had been incorporated into 10 CFR 50.55a at the time of the staff's review of CE NPSD–683–A, Revision 6). Therefore, the licensee submitted an exemption request, consistent with the requirements of 10 CFR 50.60, to apply the K_{IM} calculational methodology of CE NPSD–683–A, Revision 6, as part of the PVNGS, Units 1, 2, and 3, PTLR methodology.

Environmental Impacts of the Proposed Action

The NRC has completed its evaluation of the proposed action and concludes that the use of the alternate methodology described above would provide an adequate margin of safety against brittle failure of the reactor pressure vessels at PVNGS, Units 1, 2 and 3. The proposed change does not involve any replacement or modification of plant components and no changes are proposed in the operation of PVNGS. Therefore the staff concludes that the use of an alternate methodology as described in the licensee's request would not significantly affect plant safety and would not have a significant adverse affect on the probability of an accident occurring.

The proposed action will not result in any non-radiological impacts or radiological impacts. The proposed action does not result in changes to the operation of the plant and supporting facilities, land use, or water use, nor does it result in changes to the quality or quantity of non-radiological and radiological effluents. No impacts are expected to the air or ambient air quality. No impacts are expected to aquatic or terrestrial habitats or species, or to threatened, endangered, or protected species. No impacts are expected to historic and cultural resources, or to socioeconomic resources. Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

The details of the staff's safety evaluation will be provided in the exemption to 10 CFR 50, Appendix G, which will allow the use of the methodology in Topical Report CE NPSD–683–A, Revision 6, to calculate the flaw stress intensity factors due to internal pressure loadings (K_{IM}). The exemption will be issued in a future letter to the licensee.

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 the Palo Verde Nuclear Generating Station, Units 1, 2, and 3, NUREG–0841, dated February 1982.

Agencies and Persons Consulted

In accordance with its stated policy, on February 12, 2010, the staff consulted with the Arizona State official, Mr. Aubrey Godwin of the Arizona Radiation Regulatory Agency, 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 February 19 and December 22, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession Nos. ML090641014 and ML10040069, respectively). 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 O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the 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*.

Dated at Rockville, Maryland, this 16th day of February 2010.

For the Nuclear Regulatory Commission.

James R. Hall,

Senior Project Manager, Plant Licensing Branch IV, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2010–3496 Filed 2–22–10; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–498 and 50–499; NRC–2010–060]

STP Nuclear Operating Company

South Texas Project, Units 1 and 2 Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 73.5, "Specific exemptions," from the implementation date for certain new requirements of 10 CFR Part 73, "Physical protection of plants and materials," for Facility Operating

Licenses numbered NPF–76 and NPF–80, issued to STP Nuclear Operating Company (the licensee), for operation of South Texas Project (STP), Units 1 and 2, located in Matagorda County, Texas. In accordance with 10 CFR 51.21, the NRC prepared an environmental assessment documenting its finding. The NRC concluded that the proposed actions will have no significant environmental impact.

Environmental Assessment

Identification of the Proposed Action

The proposed action would exempt STP, Units 1 and 2, from the required implementation date of March 31, 2010, for certain new requirements of 10 CFR Part 73. Specifically, STP, Units 1 and 2, would be granted an exemption from being in full compliance with certain new requirements contained in 10 CFR 73.55 by the March 31, 2010, deadline. The licensee for STP, Units 1 and 2, has proposed an alternate full compliance implementation date of June 30, 2010, 3 months beyond the date required by 10 CFR Part 73. The proposed action, an extension of the schedule for completion of certain actions required by the revised 10 FR Part 73, does not involve any physical changes to the reactor, fuel, plant structures, support structures, water, or land at the STP, Units 1 and 2, site.

The proposed action is in accordance with the licensee's application dated November 18, 2009.

The Need for the Proposed Action

The proposed action is needed to provide the licensee with additional time required to perform the required upgrades to the STP, Units 1 and 2 security systems.

Environmental Impacts of the Proposed Action

The NRC staff has completed its environmental assessment of the proposed exemption. The NRC staff has concluded that the proposed action to extend the compliance implementation deadline would not significantly affect plant safety and would not have a significant adverse effect on the probability or consequences of an accident.

The proposed action would not result in any increased radiological hazards beyond those previously analyzed in the environmental assessment and finding of no significant impact made by the Commission in promulgating its revisions to 10 CFR Part 73 as discussed in a **Federal Register** notice dated March 27, 2009 (74 FR 13926). There will be no change to radioactive effluents that affect radiation exposures to plant workers and members of the public. Therefore, no changes or different types of radiological impacts are expected as a result of the proposed exemption.

The proposed action does not result in changes to land use or water use, or result in changes to the quality or quantity of non-radiological effluents. No changes to the National Pollution Discharge Elimination System permit are needed. No effects on the aquatic or terrestrial habitat in the vicinity of the plant, or to threatened, endangered, or protected species under the Endangered Species Act, or impacts to essential fish habitat covered by the Magnuson-Stevens Act are expected. There are no impacts to the air or ambient air quality.

There are no impacts to historical and cultural resources. There would be no impact to socioeconomic resources. Therefore, no changes to or different types of non-radiological environmental impacts are expected as a result of the proposed exemption.

Accordingly, the NRC staff concludes that there are no significant environmental impacts associated with the proposed action. In addition, in promulgating its revisions to 10 CFR Part 73, the Commission prepared an environmental assessment and published a finding of no significant impact (Part 73, Power Reactor Security Requirements, 74 FR 13926 (March 27, 2009)).

With its request to extend the compliance implementation deadline, the licensee has proposed compensatory measures to be taken in lieu of full compliance with the new requirements specified in 10 CFR Part 73. The licensee currently maintains a security system acceptable to the NRC. The proposed compensatory measures will continue to provide acceptable physical protection of the STP, Units 1 and 2, in lieu of the new requirements in 10 CFR Part 73. Therefore, the extension of the implementation date of the new requirements of 10 CFR Part 73 to June 30, 2010, would not have any significant environmental impacts.

The NRC staff's safety evaluation will be provided as part of a letter to the licensee approving the exemption to the regulation, if granted.

Environmental Impacts of the Alternatives to the Proposed Action

As an alternative to the proposed action, the NRC staff considered denial of the proposed actions (*i.e.,* the "no-action" alternative). Denial of the exemption request would result in no change in current environmental impacts. If the proposed action was denied, the licensee would have to comply with the March 31, 2010, compliance implementation deadline. The environmental impacts of the proposed exemption and the "no-action" alternative are similar.

Alternative Use of Resources

The action does not involve the use of any different resources than those considered in the Final Environmental Statement for the STP, Units 1 and 2, NUREG–1172, dated August 1986.

Agencies and Persons Consulted

In accordance with its stated policy, on February 1, 2010, the NRC staff consulted with the Texas State official, Ms. Alice Rogers of the Texas State Department of Health, regarding the environmental impact of the proposed action. The Texas 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 letter dated November 18, 2009. Portions of November 18, 2009, submittal contains security related information and, accordingly, are not available to the public. Other parts of the 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 O–1F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. 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.*

Dated at Rockville, Maryland, this 16th day of February 2010.

For the Nuclear Regulatory Commission.

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[FR Doc. 2010–3498 Filed 2–22–10; 8:45 am]

BILLING CODE 7590–01–P