

Rochelle Hall at (202) 314-6305 by Friday, April 30, 2010. The public may view the meeting via a live or archived Webcast by accessing a link under "News & Events" on the NTSB home page at [www.nts.gov](http://www.nts.gov).

**FOR MORE INFORMATION CONTACT:** Candi Bing, (202) 314-6403.

Dated: Friday, April 16, 2010.

**Candi R. Bing,**

*Federal Register Liaison Officer.*

[FR Doc. 2010-9189 Filed 4-19-10; 11:15 am]

**BILLING CODE 7533-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 050-16; NRC-2010-0159]

### DTE Energy; Enrico Fermi Atomic Power Plant, Unit 1

Environmental Assessment and Finding of No Significant Impact for an Exemption From Certain Control and Tracking Requirements in 10 CFR Part 20 Appendix G Section III.E

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from certain control and tracking requirements in 10 CFR Part 20 Appendix G Section III.E for Facility Operating License No. DPR-9 issued to DTE Energy (DTE or the licensee), for the Enrico Fermi Atomic Power Plant Unit 1, (Fermi-1) located in Monroe County, Michigan.

#### Environmental Assessment

##### *Identification of Proposed Action*

The proposed action is in accordance with the licensee's application for an exemption dated November 13, 2009. The licensee has requested an exemption from certain control and tracking requirements in 10 CFR Part 20 Appendix G Section III.E, which require the licensee to investigate, and file a report with the NRC, if shipments of low-level radioactive waste are not acknowledged by the intended recipient within 20 days after transfer to the shipper.

The proposed action would grant an exemption to extend the time period that can elapse during shipments of low-level radioactive waste before the licensee is required to investigate and file a report with the NRC. Specifically, the exemption would extend the time period for the licensee to receive acknowledgment that the low-level radioactive waste shipment has been received by the intended recipient from 20 days to 35 days.

##### *The Need for the Proposed Action*

DTE is in the process of decommissioning Fermi-1. During the decommissioning process, large volumes of slightly contaminated debris are generated and require disposal. DTE transports low-level radioactive waste from Fermi-1 to distant locations such as a waste disposal facility operated by Energy Solutions in Clive, Utah.

The licensee's request to extend the 20-day investigation and reporting requirements for shipments of low-level radioactive waste to 35 days is based on historical data derived from recent shipments from Fermi-1. That experience indicates that rail or mixed mode truck/rail transportation times to waste disposal facilities consistently exceeded the 20-day reporting requirement. A review of the data indicates that transportation time for shipments by rail or truck/rail took over 20 days on average and, on occasion, took up to 34 days to receive the manifest confirming shipment. Shipping from Fermi-1 is expected to continue to be either by rail or a combination of truck/rail shipments, as larger and bulkier components are planned for shipment. The use of rail is expected to continue to result in shipping delays that exceed the 20 day reporting time for shipments from Fermi-1.

The licensee believes, and the staff agrees, that the need to investigate, trace, and report to the NRC on the shipment of low-level waste packages not reaching their destination within 20 days does not serve the underlying purpose of the rule. Therefore, the NRC staff finds that granting an exemption to extend the time period from 20 days to 35 days for mixed-mode or truck/rail or rail shipments of low-level radioactive waste will not result in an undue hazard to life or property.

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

The NRC has reviewed the licensee's proposed exemption request and concluded that the proposed exemption is procedural and administrative in nature.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released offsite, and 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 nonradiological impacts, the proposed

action does not involve any historic sites. It does not affect nonradiological plant effluents and has no other environmental impact. Therefore, there are no significant nonradiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

##### *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.

##### *Agencies and Persons Contacted*

In accordance with NRC policy, on March 23, 2010, NRC staff consulted with a representative from the Michigan Department of Natural Resources and the Environment, Radiological Protection and Medical Waste Section, 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.

Dated at Rockville, Maryland, this 14th day of April 2010.

For the U.S. Nuclear Regulatory Commission.

**Keith I. McConnell,**

*Deputy Director, Decommissioning and Uranium Recovery Licensing Directorate, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs.*

[FR Doc. 2010-9160 Filed 4-20-10; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 52-016; NRC-2008-0250]

### Notice of Availability of the Draft Environmental Impact Statement for the Combined License for Calvert Cliffs Nuclear Power Plant Unit 3

Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC)

and the U.S. Army Corps of Engineers, Baltimore District, have published NUREG-1936, "Environmental Impact Statement for the Combined License (COL) for Calvert Cliffs Nuclear Power Plant Unit 3: Draft Report for Comment." The site is located in Calvert County, Maryland, along the western shore of the Chesapeake Bay. Part 1 of the application for the COL was submitted by letter dated July 7, 2007, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52 and 10 CFR 2.101(a)(5). A notice of acceptance for docketing of Part 1 of the COL application was published in the **Federal Register** on January 31, 2008 (73 FR 5877). A notice of intent to prepare a draft environmental impact statement (DEIS) and to conduct the scoping process was published in the **Federal Register** on February 14, 2008 (73 FR 8719). Part 2 of the COL application was submitted by letter dated March 14, 2008, and a notice of acceptance for docketing for Part 2 was published in the **Federal Register** on June 9, 2008 (73 FR 32606). A COL is an authorization to construct and (with specified conditions) operate a nuclear power plant at a specific site, in accordance with established laws and regulations.

The purpose of this notice is to inform the public that NUREG-1936, "Environmental Impact Statement for the Combined License (COL) for Calvert Cliffs Nuclear Power Plant Unit 3: Draft Report for Comment," is available for public inspection. The DEIS can be accessed

(1) online at <http://www.nrc.gov/reactors/new-reactors/col/calvert-cliffs.html>, (2) in the U.S. NRC Public Document Room (PDR) located at One White Flint North, 11555 Rockville Pike (first floor), Public File Area O1-F21, Rockville, Maryland 20852, or (3) from the NRC Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. The accession numbers for the DEIS are ML101000012 and ML101000013. 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, or 301-415-4737, or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). In addition, the Calvert Library Prince Frederick, located at 850 Costley Way, Prince Frederick, Maryland, and Calvert Library Southern Branch, located at 20 Appeal Lane, Lusby, Maryland, have agreed to make the DEIS available to the public.

Any interested party may submit comments on the DEIS for consideration by the NRC staff. Comments may be accompanied by additional relevant information or supporting data. This draft report is being issued with a 75-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 April 23, 2010. Such notices are published every Friday. The notice will identify the end date of the comment period. Members of the public may submit comments on the DEIS by (1) e-mail, (2) mail, or (3) during the public meeting on the DEIS. Comments submitted via e-mail should be sent to [CalvertCliffsCOLAEIS@nrc.gov](mailto:CalvertCliffsCOLAEIS@nrc.gov). Electronic submissions should be sent no later than the end date of the comment period. Written comments on the DEIS should be mailed to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mailstop TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by fax at 301-492-3446, and should cite the publication date and page number of this **Federal Register** Notice. Comments submitted in writing or in electronic form will be posted on the NRC Web site and on the Federal rulemaking Web site [Regulations.gov](http://Regulations.gov). The NRC requests that any party soliciting or aggregating comments received from other persons for submission to the NRC inform those persons that the NRC will not edit their comments to remove any identifying or contact information, and therefore, they should not include any information in their comments that they do not want publicly disclosed. To be considered, written comments should be postmarked by the end date of the comment period. Any comments of any Federal, State, and local agencies, Indian tribes or other interested persons will be made available for public inspection when received.

The NRC and Corps staff will hold two public meetings to present an overview of the DEIS and to accept public comments on the document on Tuesday, May 25, 2010, at the Holiday Inn Select, 155 Holiday Drive, Solomons, Maryland. The first meeting will convene at 1 p.m. and will continue until 4 p.m. as necessary. The second meeting will convene at 7 p.m., with a repeat of the overview portions of the first meeting, and will continue until 10 p.m. as necessary. The meetings will be transcribed and will include a presentation of the contents of the DEIS,

and the opportunity for interested government agencies, organizations, and individuals to provide comments on the draft report. To be considered, comments must be provided during the transcribed public meeting either orally or in writing. Additionally, the NRC and Corps staff will host informal discussions 1 hour before the start of each meeting during which members of the public may meet and talk with NRC and Corps staff members on an informal basis. No formal comments on the DEIS will be accepted during these informal discussions.

Persons may pre-register to attend or present oral comments at the meeting by contacting Ms. Laura Quinn by telephone at 1-800-368-5642, Extension 2220, or by e-mail at [CalvertCliffsCOLAEIS@nrc.gov](mailto:CalvertCliffsCOLAEIS@nrc.gov) no later than May 19, 2010. 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. Ms. Laura Quinn will need to be contacted no later than May 19, 2010, 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.

**FOR FURTHER INFORMATION CONTACT:** Ms. Laura Quinn, Environmental Projects Branch 2, U.S. Nuclear Regulatory Commission, Mail Stop T7-E30, Washington, DC 20555-0001. Ms. Quinn may also be contacted at the aforementioned telephone number or e-mail address.

Dated at Rockville, Maryland, this 15 day of April 2010.

For the Nuclear Regulatory Commission,  
**Scott Flanders,**  
*Director, Division of Site and Environmental Reviews, Office of New Reactors.*

[FR Doc. 2010-9159 Filed 4-20-10; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[NRC-2009-0351]**

### **Notice of Issuance of Regulatory Guide**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Issuance and Availability of Regulatory Guide 1.68.2, Revision 2, "Initial Startup Test Program to Demonstrate Remote Shutdown