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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.

Federal Rulemaking Web site: Go to <http://www.regulations.gov> and search for documents filed under Docket ID NRC-2010-0158. Address questions about NRC dockets to Carol Gallagher 301-492-3668; e-mail Carol.Gallagher@nrc.gov.

Mail comments to: Cindy K. Bladey, Chief, Rules, Announcements, and Directives Branch (RADB), Division of Administrative Services, Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by fax to RADB at (301) 492-3446.

You can access publicly available documents related to this notice using the following methods:

NRC's Public Document Room (PDR): The public may examine and have copied for a fee publicly available documents at the NRC's PDR, Public File Area 01 F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland.

NRC's Agencywide Documents Access and Management System (ADAMS): Publicly available documents created or received at the NRC are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this page, the public can gain entry into ADAMS, which provides text and image files of NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's PDR reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr.resource@nrc.gov. The Draft Regulatory Guide, DG-4018, "Constraint on Releases of Airborne Radioactive Materials to the Environment for Licensees Other than Power Reactors," is available electronically under ADAMS Accession Number ML092600090.

SUPPLEMENTARY INFORMATION: On April 20, 2010 (75 FR 20645), the NRC published a notice of issuance and availability of DG-4018, "Constraint on Releases of Airborne Radioactive Materials to the Environment for Licensees Other than Power Reactors," and sought public comments. In the introduction section, second paragraph of page 20645, the regulatory guide and revision numbers read "Revision 2 of Regulatory Guide 4.2" but should have been "Revision 1 of Regulatory Guide 4.20." Due to this error, the public comment period is being reopened to give all interested parties an opportunity to comment on DG-4018. The comment submittal deadline is August 23, 2010.

Dated at Rockville, Maryland, this 17th day of June, 2010.

For the Nuclear Regulatory Commission.

Andrea D. Valentin,

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

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NUCLEAR REGULATORY COMMISSION

[Docket No. 52-011; NRC-2008-0252]

Southern Nuclear Operating Company et al.; Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment to Early Site Permit Issued to Southern Nuclear Operating Company et al., for Vogtle Electric Generating Plant ESP Site Located in Burke County, GA

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

I. Introduction

The Nuclear Regulatory Commission (NRC) is considering issuance of an amendment to Early Site Permit (ESP) No. ESP-004, issued to Southern Nuclear Operating Company (SNC) and several co-applicants (Georgia Power Company, Oglethorpe Power Corporation, Municipal Electric

Authority of Georgia, and the City of Dalton, Georgia), for the Vogtle Electric Generating Plant (VEGP) ESP site located in Burke County, Georgia. The proposed amendment would modify the Vogtle Electric Generating Plant ESP site safety analysis report (SSAR) to allow the use of Category 1 and 2 backfill obtained from onsite borrow areas not previously specifically identified in the VEGP ESP SSAR.

NRC has prepared an Environmental Assessment (EA) in support of this amendment in accordance with the requirements of 10 CFR Part 51. Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate. The NRC staff's review of the safety aspects of the amendment request will be documented in a separate safety evaluation report (SER); if warranted by the results of that evaluation, the amendment would be issued following the publication of this Notice.

II. EA Summary

The purpose of the proposed amendment is to authorize a change to the early site permit issued to SNC for the Vogtle Electric Generating Plant ESP site located in Burke County, Georgia. Specifically, the proposed amendment would modify the Vogtle Electric Generating Plant ESP SSAR to allow the use of Category 1 and 2 backfill obtained from onsite borrow areas that were not previously specified in the VEGP ESP SSAR.

By letter dated May 13, 2010, the applicant requested that the NRC consider issuing a limited scope approval (LSA) of a subset of onsite locations pending the NRC determination on the remainder of the borrow sources identified in the LAR. The borrow sources encompassed by this limited scope approval are in areas for which impacts were previously analyzed in the environmental review documented in NUREG 1872, Vol. 1, *Final Environmental Impact Statement for an Early Site Permit (ESP) at the Vogtle Electric Generating Plant Site (ESP FEIS) (NRC 2008)*. Under 10 CFR 51.21, "Criteria for and Identification of Licensing and Regulatory Actions Requiring Environmental Assessments," the NRC prepared an EA that evaluated the impacts associated with the LSA and, based on that EA, reached a Finding of No Significant Impact. The LSA portion of the LAR was approved as Amendment No. 1 to ESP number ESP-004 on May 21, 2010. By letter dated May 24, 2010, the applicant clarified the scope of the remainder of its April 20 LAR by limiting the request to three other specific portions of the

VEGP site (*i.e.*, other than those already approved by Amendment 1) that would be used as additional onsite sources of Category 1 and Category 2 backfill. The environmental impacts from disturbance of these borrow locations were not previously evaluated in the ESP FEIS or in the LSA EA; accordingly, pursuant to 10 CFR 51.45, the May 24, 2010 letter also included an environmental report (ER) assessing the impacts associated with the remaining portion of the revised LAR.

The staff has prepared the EA in support of its review of the proposed license amendment. The EA evaluates the activities associated with acquiring backfill from those on-site areas specified in SNC's letter of May 24, 2010 and summarizes the radiological and nonradiological environmental impacts that may result from granting the amendment request. The staff has determined that granting the proposed amendment would not result in significant nonradiological impacts to land use, surface and groundwater resources, terrestrial and aquatic resources, threatened and endangered species, socioeconomic factors and environmental justice, cultural and historical resources, air quality, and nonradiological human health. In addition, the staff has determined that there are no significant radiological health impacts associated with the proposed action.

III. Finding of No Significant Impact

On the basis of the EA, the NRC has concluded that there are no significant environmental impacts from the proposed amendment and has determined not to prepare an environmental impact statement.

IV. Further Information

Documents related to this action, including the application for amendment and supporting documentation, are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. The NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents, may be accessed from this site. The ADAMS accession numbers for the documents related to this notice are: The application dated April 20, 2010, as supplemented by letters dated April 23, 28, May 5, 10, 13, 20, and 24 2010 is available at ML101120089, ML101160531, ML101230337, ML101270283, ML101330141, ML101340649, ML101440385, and ML101470212 respectively. The EA and Finding of No

Significant Impact evaluation is available at ML101670592. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC Public Document Room (PDR) Reference staff by telephone at 1-800-397-4209, 301-415-4737 or by e-mail to pdresource@nrc.gov.

These documents may also be viewed electronically on the public computers located at the NRC's Public Document Room (PDR), O 1 F21, One White Flint North, 11555 Rockville Pike Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Rockville, Maryland this 21st day of June, 2010.

For the Nuclear Regulatory Commission.

Terri Spicher,

Project Manager, AP1000 Branch1, Division of New Reactors Licensing, Office of New Reactors.

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NUCLEAR REGULATORY COMMISSION

[NRC-2009-0157]

Notice of Availability of Draft Environmental Impact Statement and Public Meetings for the General Electric-Hitachi Global Laser Enrichment, LLC Proposed Laser-Based Uranium Enrichment Facility

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of Availability of Draft Environmental Impact Statement.

SUMMARY: Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment a Draft Environmental Impact Statement (DEIS) for the proposed General Electric-Hitachi (GEH) Global Laser Enrichment (GLE) Uranium Enrichment Facility. On June 26, 2009, GEH submitted a license application that proposes the construction, operation, and decommissioning of a laser-based uranium enrichment facility located near Wilmington, North Carolina. GEH proposes to locate the facility on the existing General Electric Company (GE) site near Wilmington, North Carolina (Wilmington Site).

GEH submitted an Environmental Report (ER) in support of the proposed facility on January 30, 2009. On May 8, 2009, the NRC granted an exemption to authorize GEH to conduct certain preconstruction activities on the Wilmington Site. GEH submitted

Supplement 1 to its ER on July 22, 2009, *GLE Environmental Report Supplement 1—Early Construction*. Supplement 1 distinguishes between the environmental impacts of preconstruction activities covered by the May 8, 2009, exemption and NRC-licensed construction activities, which cannot be undertaken unless a license is granted. On November 13, 2009, GLE submitted Supplement 2 to its ER, *GLE Environmental Report Supplement 2—Revised Roadway and Entrance*. Supplement 2 provides information describing the environmental impacts associated with developing an entrance and roadway into the Wilmington Site that are different from those proposed in the original ER.

This DEIS is being issued as part of the NRC's process to decide whether to issue a license to GEH, pursuant to *Title 10 of the U.S. Code of Federal Regulations* Parts 30, 40, and 70, to build and operate the proposed uranium enrichment facility. Specifically, GEH proposes to use laser-based technology to enrich the uranium-235 isotope found in natural uranium to concentrations up to 8 percent by weight. The enriched uranium would be used to manufacture nuclear fuel for commercial nuclear power reactors.

The NRC staff will hold two public meetings on July 22, 2010 to present an overview of the licensing process and the contents of the DEIS, and to accept oral and written public comments on the DEIS. The meetings will take place in Ballroom 5 of the Warwick Center at the University of North Carolina Wilmington. Prior to each public meeting, the NRC staff will be available to informally discuss the proposed GLE project and answer questions in an "open house" format. This "open house" format provides for one-on-one discussions with the NRC staff involved with the preparation of the DEIS. The DEIS meetings officially begin at 2:30 p.m. and 7:30 p.m. The meetings will include the following agenda items: (1) A brief presentation summarizing the NRC licensing review, (2) a presentation summarizing the contents of the DEIS, and (3) an opportunity for interested government agencies, organizations, and individuals to provide comments on the DEIS. Both public meetings will be transcribed by a court reporter.

Persons wishing to provide oral comments will be asked to register at the meeting entrance. Individual oral comments may have to be limited by the time available, depending upon the number of persons who register. If special equipment or accommodations are needed to attend or present information at the public meetings, the