

**NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-338; NRC-2010-0246]

**Virginia Electric and Power Company: North Anna Power Station, Unit No. 1 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, Appendix R, Section III.O, "Oil collection system for reactor coolant pump," for Facility Operating License No. NPF-4, issued to Virginia Electric and Power Company (the licensee), for operation of the North Anna Power Station, Unit 1 (NAPS Unit 1), located in Louisa County, Virginia. Therefore, as required by 10 CFR 51.21, the NRC prepared 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 exempt NAPS Unit 1 from the requirement that the reactor coolant pumps (RCPs) be equipped with an oil collection system (OCS) if the containment is not inerted during normal operation and such collection systems shall be capable of collecting lube oil from all potential pressurized and unpressurized leakage sites in the RCP lube oil systems. Specifically, NAPS Unit 1 would be granted an exemption from the collection of minor oil misting by the OCS.

The proposed action is in accordance with the licensee's application dated April 23, 2010, as supplemented by letter dated May 13, 2010.

*The Need for the Proposed Action*

The proposed action is needed to address expected minor uncollected oil misting from RCP motors and not allow oil pooling to occur outside the OCS.

*Environmental Impacts of the Proposed Action*

The NRC has completed its evaluation of the proposed action and concluded that the proposed action (*i.e.* to exempt NAPS Unit 1 from expected minor uncollected oil misting from RCP motors and to not allow oil pooling to occur outside the OCS) would not significantly affect plant safety and would not have a significant adverse effect on the probability of an accident occurring.

The proposed action will not significantly increase the probability or consequence 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 this proposed action.

Based on the nature of the 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 historic and cultural resources. There would be no noticeable effect on socioeconomic conditions in the region. Therefore, no changes or different types of non-radiological environmental impacts are expected as a result of 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 NRC 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 "no action" alternative 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 Related to the Continuation of Construction and the Operation of NAPS Units 1 and 2, and the Construction of Units 3 and 4," issued in 1973, as supplemented through the "Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Supplement 7 Regarding NAPS Units 1 and 2—Final Report (NUREG-1437, Supplement 7)," dated November 2002.

*Agencies and Persons Consulted*

In accordance with its stated policy, on June 7, 2010, the NRC staff consulted with the Virginia State official, Mr. Les Foldesi, Director, Division of Radiological Health of the Virginia Department of Health, 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 letter dated April 23, 2010, as supplemented by letter dated May 13, 2010.

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. Publicly available records will be accessible electronically from the Agencywide Document 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@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 30th day of June 2010.

For the Nuclear Regulatory Commission.

**V. Sreenivas,**

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

[FR Doc. 2010-16630 Filed 7-7-10; 8:45 am]

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**NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-391; NRC-2008-0369]

**Tennessee Valley Authority; Notice of Receipt of Updated Antitrust Information and Opportunity for Public Comment**

By letter dated May 13, 2010, the Tennessee Valley Authority (TVA) submitted antitrust information in conjunction with its updated application for an operating license (OL)

for a second pressurized-water reactor, Watts Bar Nuclear Plant (Watts Bar), Unit 2, located in Rhea County, Tennessee, approximately 50 miles northeast of Chattanooga, Tennessee. The information submitted to the U.S. Nuclear Regulatory Commission (NRC) will assist the staff in determining whether there have been any significant changes since the completion of the antitrust review conducted for Watts Bar in 1979. This **Federal Register** notice acknowledges receipt of the updated antitrust information, notifies the public of the availability of this information, seeks public comment on this information, and describes the procedures the NRC staff will use to evaluate the information.

On January 23, 1973, the NRC granted TVA's application for construction permits for Watts Bar, Units 1 and 2. On June 30, 1976, TVA filed an application for OLs for Watts Bar, Unit 1 and 2. The NRC issued an OL authorizing full-power operation of Watts Bar, Unit 1, in 1996. However, TVA did not complete construction of Unit 2, and construction was deferred. Since that time, the NRC has granted extensions of the time period for completing construction of Unit 2 under its construction permit. On March 4, 2009, TVA updated its application for an OL for Watts Bar, Unit 2. The receipt of the updated application was noticed in the **Federal Register** on May 1, 2009 (74 FR 20350). The OL application is currently pending review before the NRC.

At the time the NRC issued the construction permit for Watts Bar, Unit 2, Section 105c of the Atomic Energy Act (AEA) of 1954, as amended, required the NRC to conduct an antitrust review on all applications for a license to construct or operate a production or utilization facility [42 U.S.C. 2135(c)]. Thus, the NRC conducted an antitrust review in conjunction with the review of the application for a construction permit for Watts Bar, Unit 2 (37 FR 27646). In 2005, Congress determined that the NRC need not conduct antitrust reviews for applications filed after August 8, 2005 [42 U.S.C. 2135(c)(9)]. Congress did so because "other Government agencies more specialized in financial matters have demonstrated oversight and authority sufficient to discern and address potential anticompetitive behavior of nuclear energy producers" (70 FR 61885). However, because TVA filed its original OL application for Watts Bar Unit 2 before 2005, under the AEA, the NRC must complete an antitrust review on this application.

Under Section 105(c)(2) of the AEA, the NRC will undertake an in-depth

antitrust review on applications for an OL only when the NRC determines that "significant changes in the licensee's activities or proposed activities have occurred subsequent" to the previous antitrust review on the construction permit [42 U.S.C. 2135(c)(2)]. The Commission has interpreted this requirement to mean that the NRC must find "the situation as changed has negative antitrust implications" before it will conduct an in-depth antitrust review. See *South Carolina Electric and Gas Company and South Carolina Public Service Authority* (Virgil C. Summer Nuclear Station, Unit 1), CLI-80-28, 11 NRC 817, 835 (1980). Thus, the threshold question before the NRC is whether significant changes have occurred in TVA's activities, from an antitrust perspective, since the NRC previously conducted its antitrust review on the application to construct Watts Bar, Unit 2.

The data submitted by TVA on May 13, 2010, contained information for review, based on NRC Regulatory Guide 9.3, "Information Needed by the AEC Regulatory Staff in Connection with its Antitrust Review of Operating License Applications for Nuclear Power Plants." This information updated previous submissions to the NRC that supported the significant changes review the agency conducted on TVA for Watts Bar, Unit 1. The NRC completed this evaluation on August 15, 1991. Although the evaluation addressed TVA's OL application for Watts Bar, Unit 1, the analysis itself focused on TVA's economic activities. Thus, a separate significant changes analyses for Watts Bar, Unit 2, for that time period would be largely identical to the analysis already conducted for Unit 1. Therefore, the NRC staff sees no reason to conduct such a repetitive significant changes analysis. Instead, in conducting its significant changes analysis for Watts Bar, Unit 2, the NRC will rely on the analysis of TVA's economic activities conducted for Watts Bar, Unit 1, for the time period between the issuance of the construction permit and August 15, 1991. In addition, for the time period from August 15, 1991, to the present, the NRC will conduct a new significant changes analysis for Watts Bar, Unit 2.

For further details pertinent to the matters under consideration, see the application for the facility OL dated June 30, 1975, as supplemented on September 27, 1976, and as updated on March 4, 2009, and the updated antitrust information dated May 13, 2010, which are available for public inspection at the NRC's Public Document Room (PDR), located at One White Flint North, Room O-1F21, 11555

Rockville Pike (first floor), Rockville, Maryland. 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 the Agencywide Documents Access and Management System (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](mailto:pdr.resource@nrc.gov). The ADAMS accession numbers for the OL application cover letter and supplement cover letter are ML073400595 and ML073381112, respectively. The ADAMS accession number for the update to the application is ML090700378. The ADAMS accession number for the antitrust information is ML101400185. To search for other related documents in ADAMS using the Watts Bar Nuclear Plant Unit 2 OL application docket number, 50-391, enter the term "05000391" in the "Docket Number" field when using either the Web-based search (advanced search) engine or the ADAMS find tool in Citrix.

Within 30 days from the date of this **Federal Register** notice, members of the public may send written comments with respect to significant changes related to antitrust matters that occurred since completion of the previous antitrust review to: Chief, Rules, Announcements and Directives Branch (RADB), Division of Administrative Services, Office of Administration, Mailstop: TWB-05B01, U.S. Nuclear Regulatory Commission, Washington, DC, 20555-0001, or by fax to RADB at (301) 492-3446, and should cite the publication date and page number of this **Federal Register** notice. Electronic comments may also be submitted to <http://www.regulations.gov>, and should be sent no later than 30 days from the date of this **Federal Register** notice to be considered in the review process. Comments will be available electronically and accessible through ADAMS at <http://adamswebsearch.nrc.gov/dologin.htm>.

Because these comments will not be edited to remove any identifying or contact information, the NRC cautions the commenter against including any information that he/she does not want to be publicly disclosed. The NRC requests that any person 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.

The NRC will consider such comments submitted and forward those comments, as well as the information submitted by TVA, to the United States Attorney General. Upon reviewing this information, the United States Attorney General will provide the NRC with an opinion on whether there have been significant changes related to antitrust matters in TVA's activities.

Upon completion of the staff's review of significant changes, and after considering any opinion from the United States Attorney General and comments submitted by the public, the Director of the Office of Nuclear Reactor Regulation (NRR), as authorized by the Commission, may issue an initial finding as to whether there have been "significant changes" under Section 105c(2) of the AEA. A copy of this finding will be published in the **Federal Register** and will be sent to the Washington, DC public document room and to those persons providing comments or information in response to this notice. The NRC will also make that initial finding available in ADAMS.

If the initial finding concludes that there have not been any significant changes, a request for reevaluation of the finding may be submitted within 30 days of the date of that **Federal Register** notice. The results of that reevaluation, if requested, will also be published in the **Federal Register**, and copies will be sent to the Washington, DC public document room. The reevaluation will also be available on the NRC's public website through ADAMS. If that determination also finds no significant changes, it will become the final NRC decision after 30 days unless the Commission exercises sua sponte review.

If the Director of NRR concludes that significant changes have occurred since the completion of the antitrust review that the NRC previously conducted, the NRC will begin the procedures necessary to conduct an in-depth antitrust review, as required by Section 105c of the AEA.

Information about the proposed action and the antitrust review process may be obtained from Mr. Aaron Szabo at 301-415-1985 or by e-mail to [Aaron.Szabo@nrc.gov](mailto:Aaron.Szabo@nrc.gov).

Dated at Rockville, Maryland, this 1st day of July 2010.

For the Nuclear Regulatory Commission.  
**Michael A. Dusanivskyj**,  
*Acting Chief, Financial, Policy, and Rulemaking Branch, Division of Policy and Rulemaking, Office of Nuclear Reactor Regulation.*

[FR Doc. 2010-16628 Filed 7-7-10; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

*Upon Written Request, Copies Available From:* Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549-0213.

#### Extension:

Rule 6a-4, Form 1-N; OMB Control No. 3235-0554; SEC File No. 270-496.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below. The Code of Federal Regulation citation to this collection of information is 17 CFR 240.6a-4 and 17 CFR 249.10 under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) (the "Act").

Section 6 of the Act<sup>1</sup> sets out a framework for the registration and regulation of national securities exchanges. Under the Commodity Futures Modernization Act of 2000, a futures market may trade security futures products by registering as a national securities exchange. Rule 6a-4<sup>2</sup> sets forth these registration procedures and directs futures markets to submit a notice registration on Form 1-N.<sup>3</sup> Form 1-N calls for information regarding how the futures market operates, its rules and procedures, its criteria for membership, its subsidiaries and affiliates, and the security futures products it intends to trade. Rule 6a-4 also requires entities that have submitted an initial Form 1-N to file: (1) Amendments to Form 1-N in the event of material changes to the information provided in the initial Form 1-N; (2) periodic updates of certain information provided in the initial Form 1-N; (3) certain information that is provided to the futures market's members; and (4) a monthly report summarizing the futures

<sup>1</sup> 15 U.S.C. 78f.

<sup>2</sup> 17 CFR 240.6a-4.

<sup>3</sup> 17 CFR 249.10.

market's trading of security futures products. The information required to be filed with the Commission pursuant to Rule 6a-4 is designed to enable the Commission to carry out its statutorily mandated oversight functions and to ensure that registered and exempt exchanges continue to be in compliance with the Act.

The respondents to the collection of information are futures markets.

The Commission estimates that the total annual burden for all respondents to provide the amendments and periodic updates under Rule 6a-4 would be 45 hours (15 hours/respondent per year × 3 respondents) and \$300 of miscellaneous clerical expenses. The Commission estimates that the total annual burden for the filing of the supplemental information and the monthly reports required under Rule 6a-4 would be 37.5 hours (12.5 hours/respondent per year × 3 respondents) (rounded to 38 hours) and \$375 of miscellaneous clerical expenses.

Compliance with Rule 6a-4 is mandatory. Information received in response to Rule 6a-4 shall not be kept confidential; the information collected is public information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

Comments should be directed to (1) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC, 20503 or by sending an e-mail to: [Shagufta\\_Ahmed@omb.eop.gov](mailto:Shagufta_Ahmed@omb.eop.gov); and (ii) Charles Boucher, Director/Chief Information Officer, Securities and Exchange Commission, c/o Shirley Martinson, 6432 General Green Way, Alexandria, Virginia 22312 or send an e-mail to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov). Comments must be submitted to OMB within 30 days of this notice.

Dated: June 30, 2010.

**Florence E. Harmon**,

*Deputy Secretary.*

[FR Doc. 2010-16537 Filed 7-7-10; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

*Upon Written Request, Copies Available From:* Securities and Exchange Commission, Office of Investor