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Dated at Rockville, Maryland, this 21st day of January, 2011.

For the Nuclear Regulatory Commission.

**Edward O'Donnell,**

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

[FR Doc. 2011-1909 Filed 1-27-11; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[NRC-2008-0339]

### Notice of Availability of Final Supplemental Environmental Impact Statement for the Nichols Ranch In-situ Recovery Project in Campbell and Johnson Counties, WY; Supplement to the Generic Environmental Impact Statement for In-situ Leach Uranium Milling Facilities

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability.

**SUMMARY:** Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) has published a final Supplemental Environmental Impact Statement (SEIS) to the Generic Environmental Impact Statement (GEIS), for *In-situ* Leach Uranium Milling Facilities (NUREG-1910, Supplement 2) for the Nichols Ranch *In-situ* Recovery Project in Campbell and Johnson Counties, Wyoming. By letter dated November 30, 2007, Uranerz Energy Corporation (Uranerz), submitted an application to the NRC for a new source material license for the proposed Nichols Ranch *In-situ* Uranium Recovery Project, located in the Pumpkin Buttes Uranium Mining District within the Powder River Basin. Uranerz is proposing to recover uranium from the site using an *in-situ* leach (also known as an *in-situ* recovery [ISR]) process. In this final SEIS, the NRC staff assessed the environmental impacts from the construction, operation, aquifer restoration, and decommissioning of the proposed Nichols Ranch ISR Project. The proposed Nichols Ranch ISR Project is comprised of two noncontiguous units, the Nichols Ranch Unit and the Hank Unit.

In addition to the proposed action, the NRC staff assessed two alternatives in the final SEIS: the No-Action alternative and an alternative where only the

Nichols Ranch Unit would be developed for ISR operations. Under the No-Action alternative, NRC would deny Uranerz's request to construct, operate, conduct aquifer restoration, and decommission an ISR facility at Nichols Ranch. Alternatives that were considered, but were eliminated from detailed analysis, include conventional mining and conventional milling or heap leach processing. However, given the substantial environmental impact from implementing of these alternatives, they were not further considered. The NRC staff also evaluated alternative leachants, alternative wastewater disposal options, and an alternative where only the Hank Unit would be developed for ISR operations. For reasons discussed in the SEIS, these alternatives were also eliminated from detailed analysis.

As discussed in Section 2.3 of the final SEIS, unless safety issues mandate otherwise, the NRC staff's recommendation to the Commission related to the environmental aspects of the proposed action is that the source material license be issued as requested. This recommendation is based upon: (1) The license application, including the environmental and technical report submitted by Uranerz and the applicant's supplemental letters and responses to the NRC staff's requests for additional information; (2) consultation with Federal, State, Tribal, and local agencies; (3) the NRC staff's independent review; (4) the NRC staff's consideration of comments received on the draft SEIS; and (5) the assessments summarized in this SEIS.

The final SEIS for the Nichols Ranch ISR Project may be accessed on the Internet at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1910/s2/>. Additionally, the NRC maintains an Agencywide Documents and Management System (ADAMS), which provides text and image files of the NRC's public documents. The SEIS may also be accessed through the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/reading-rm/adams.html>. The final "Environmental Impact Statement for the Nichols Ranch ISR Project in Campbell and Johnson Counties, Wyoming—Supplement to the Generic Environmental Impact Statement for *In-situ* Leach Uranium Milling Facilities" is available electronically under ADAMS Accession Number ML104330120. If you do not have access to ADAMS or if there is a problem accessing documents located in ADAMS, contact the NRC Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by

e-mail [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Information and documents associated with the final SEIS are also available for inspection at the NRC's PDR, NRC's Headquarters Building, 11555 Rockville Pike (first floor), Rockville, Maryland 20852-2738. For those without access to the Internet, paper copies of any electronic documents may be obtained for a fee by contacting the NRC's PDR at 1-800-397-4209. The final SEIS and related documents may also be found at the following public libraries:

Campbell County Public Library, 2101 South 4J Road, Gillette, Wyoming 82718, 307-687-0009.  
Johnson County Library, 171 North Adams Avenue, Buffalo, Wyoming 82834, 307-684-5546.

**FOR FURTHER INFORMATION CONTACT:** Ms. Patricia Swain, Project Manager, Environmental Review Branch-B, Division of Waste Management and Environmental Protection (DWMEP), Office of Federal and State Materials and Environmental Management Programs (FSME), Mail Stop T-8F5, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: 1 (800) 368-5642, extension 5405; E-mail: [Patricia.Swain@nrc.gov](mailto:Patricia.Swain@nrc.gov). For general or technical information associated with the safety and licensing of uranium milling facilities, please contact Stephen Cohen, Team Lead, Uranium Recovery Licensing Branch, DWMEP, FSME, Mail Stop T-8F5, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: 1 (800) 368-5642, extension 7182; E-mail: [Stephen.Cohen@nrc.gov](mailto:Stephen.Cohen@nrc.gov).

Dated at Rockville, Maryland, this 20th day of January, 2011.

For the Nuclear Regulatory Commission.

**Gregory Suber,**

*Acting Deputy Director, Environmental Protection and Performance Assessment Directorate, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs.*

[FR Doc. 2011-1813 Filed 1-27-11; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-302; NRC-2011-0024]

### Florida Power Corporation, Crystal River Unit 3 Nuclear Generating Plant; Exemption

#### 1.0 Background

Florida Power Corporation (the licensee) is the holder of Facility Operating License No. DPR-72, which authorizes operation of the Crystal River

Unit 3 Nuclear Generating Plant (Crystal River). The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC, the Commission) now or hereafter in effect.

The facility consists of one pressurized-water reactor located in Citrus County, Florida.

## 2.0 Request/Action

Title 10 of the *Code of Federal Regulations* (10 CFR) Part 55, "Operators' Licenses," Section 55.59, "Requalification," requires that a facility's licensed operator requalification program be conducted for a continuous period not to exceed 2 years (24 months) and upon conclusion must be promptly followed, pursuant to a continuous schedule, by successive requalification programs. Each 2-year requalification program must include a biennial comprehensive written examination and annual operating tests.

By letter dated December 2, 2010, as superseded by letter dated December 13, 2010, the licensee requested a one-time exemption under 10 CFR 55.11 from the schedule requirements of 10 CFR 55.59. Specifically for Crystal River, the licensee has requested a one-time extension from February 28, 2011, to April 30, 2011, for completing the current licensed operator requalification program. The next requalification program period would begin May 1, 2011, and continue for 24 months to April 30, 2013, with successive periods running for 24 months. This requested exemption would allow an extension of 2 months beyond the 24-month requalification program schedule required by 10 CFR 55.59.

## 3.0 Discussion

Pursuant to 10 CFR 55.11, the Commission may, upon application by an interested person, or upon its own initiative, grant exemptions from the requirements of 10 CFR Part 55 when the exemptions are authorized by law and will not endanger life or property and are otherwise in the public interest.

### *Authorized by Law*

The exemption being requested for Crystal River would alleviate potential scheduling difficulties associated with administering requalification examinations and completing the requalification program at the end of an extended shutdown period. As stated above, 10 CFR 55.11 allows the NRC to grant exemptions from the requirements of 10 CFR Part 55. The NRC staff has determined that granting of the licensee's proposed exemption will not

result in a violation of the Atomic Energy Act of 1954, as amended, or the Commission's regulations. Therefore, the exemption is authorized by law.

### *No Endangerment of Life or Property and Otherwise in the Public Interest*

The underlying purposes of 10 CFR 55 are to establish procedures and criteria for the issuance of licenses to operators, provide for the terms and conditions upon which the Commission will issue or modify these licenses, and provide for the terms and conditions to maintain and renew these licenses. Specifically, 10 CFR 55.59 establishes the requirements for operator requalification programs and requires a 2-year (24-month) requalification schedule to include a biennial comprehensive written examination and annual operating tests.

Crystal River is in the final stages of an extended outage in which significant plant modifications have been completed. Crystal River has requested a 2-month extension to the requirements of 10 CFR 55.59 due to the reasonable probability of activities associated with plant startup overlapping the biennial comprehensive written examination and annual operating examination period.

Although the 24-month schedule requirement of 10 CFR 55.59 at Crystal River would be exceeded, Crystal River has trained the licensed operators on the plant modifications completed during the outage and examined operators on the modified plant configuration with positive results. During both the originally scheduled and extended periods of the outage, Crystal River has continued the requalification training cycle in accordance with the Institute of Nuclear Power Operations (INPO) accredited training program. All Crystal River licensed operators are actively enrolled in the accredited training program.

Moving the end of the requalification program, including the biennial comprehensive written examination and annual operating test, to April 30, 2011, would: (1) Allow operators to focus on preparing for and performing activities associated with plant startup after an extended maintenance period with significant plant modifications; (2) maximize the number of licensed operators available to perform licensed duties during startup; and (3) assist in managing operator fatigue during startup activities.

Licensed operator fatigue is of serious concern to the NRC, and the NRC staff has concluded that this exemption will allow the licensee to better manage licensed operator fatigue during a period of high workload. Further, the

NRC staff has concluded that allowing operators to focus on startup activities will support safe plant operations during a series of infrequently performed evolutions. Based on the above, the NRC staff has determined that the exemption will not endanger life or property and is otherwise in the public interest.

## 4.0 Environmental Consideration

This exemption authorizes a one-time exemption from the requirements of 10 CFR 55.59(c)(1) for Crystal River. The NRC staff has determined that this exemption involves no significant hazards considerations:

(1) The proposed exemption is administrative in nature and is limited to extending the current licensed operator requalification program period for Crystal River from 24 to 26 months on a one-time only basis. The proposed exemption does not make any changes to the facility or operating procedures and does not alter the design, function or operation of any plant equipment. Therefore, issuance of this exemption does not increase the probability or consequences of an accident previously evaluated.

(2) The proposed exemption is administrative in nature and is limited to extending the current licensed operator requalification program period for Crystal River from 24 to 26 months on a one-time only basis. The proposed exemption does not make any changes to the facility or operating procedures and would not create any new accident initiators. The proposed exemption does not alter the design, function or operation of any plant equipment. Therefore, this exemption does not create the possibility of a new or different kind of accident from any accident previously evaluated.

(3) The proposed exemption is administrative in nature and is limited to extending the current licensed operator requalification program period for Crystal River from 24 to 26 months on a one-time only basis. The proposed exemption does not alter the design, function or operation of any plant equipment. Therefore, this exemption does not involve a significant reduction in the margin of safety.

Based on the above, the NRC staff concludes that the proposed exemption does not involve a significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and accordingly, a finding of "no significant hazards consideration" is justified.

The NRC staff has also determined that the exemption involves no significant increase in the amounts, and no significant change in the types, of

any effluents that may be released offsite; that there is no significant increase in individual or cumulative occupational radiation exposure; that there is no significant construction impact; and there is no significant increase in the potential for or consequences from a radiological accident. Furthermore, the requirement from which the licensee will be exempted involves scheduling requirements. Accordingly, the exemption meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(25). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the exemption.

### 5.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 55.11, granting an exemption to the licensee from the schedule requirements in 10 CFR 55.59, by allowing Crystal River a one-time extension in the allowed time for completing the current licensed operator requalification program, is authorized by law and will not endanger life or property and is otherwise in the public interest. Therefore, the Commission hereby grants Florida Power Corporation an exemption on a one-time only basis from the schedule requirement of 10 CFR 55.59, to allow the completion date for the current licensed operator requalification program for the Crystal River Unit 3 Nuclear Generating Plant to be extended from February 28, 2011, to April 30, 2011. The next requalification program period would begin May 1, 2011, and continue for 24 months to April 30, 2013, with successive periods running for 24 months.

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 20th day of January 2011.

For the Nuclear Regulatory Commission.

#### Joseph G. Giitter,

Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2011-1911 Filed 1-27-11; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards (ACRS); Meeting of the ACRS Subcommittee on Advanced Boiling Water Reactor (ABWR); Notice of Meeting

The ACRS Subcommittee on Advanced Boiling Water Reactor (ABWR) will hold a meeting on February 8, 2011, 11545 Rockville Pike, Rockville, MD T-2B3.

The entire meeting will be open to public attendance with the exception of a portion that may be closed to protect information that is proprietary to South Texas Project Nuclear Operating Company (STPNOC) and its contractors, pursuant to 5 U.S.C. 552b(c)(4).

The agenda for the subject meeting shall be as follows:

#### Wednesday, February 8, 2011—1 p.m. until 5 p.m.

The purpose of the meeting is for the Subcommittee to review Chapter 7 of the Safety Evaluation Report (SER) with no open items associated with the Combined License Application (COLA) for South Texas Project, Units 3 and 4. The Subcommittee will hear presentations by and hold discussions with representatives of the NRC staff, STPNOC, and other interested persons. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official, Maitri Banerjee (Telephone 301-415-6973 or E-mail: [Maitri.Banerjee@nrc.gov](mailto:Maitri.Banerjee@nrc.gov)) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the Designated Federal Official 30 minutes before the meeting. In addition, one electronic copy of each presentation should be e-mailed to the Designated Federal Official 1 day before meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the Designated Federal Official with a CD containing each presentation at least 30 minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 21, 2010 (75 FR 65038-65039).

Detailed meeting agendas and meeting transcripts are available on the NRC Web site at <http://www.nrc.gov/reading-rm/doc-collections/acrs>. Information regarding topics to be discussed, changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained from the Web site cited above or by contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with these references if such rescheduling would result in a major inconvenience.

Dated: January 24, 2011.

**Antonio Dias,**

Chief, Reactor Safety Branch B, Advisory Committee on Reactor Safeguards.

[FR Doc. 2011-1891 Filed 1-27-11; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards

In accordance with the purposes of Sections 29 and 182b of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards (ACRS) will hold a meeting on February 10-12, 2011, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Thursday, October 21, 2010 (74 FR 65038-65039).

#### Thursday, February 10, 2011, Conference Room T2-B1, 11545 Rockville Pike, Rockville, Maryland

*8:30 a.m.—8:35 a.m.: Opening Remarks by the ACRS Chairman (Open)*—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

*8:35 a.m.—10 a.m.: Final Safety Evaluation Report Associated with the License Renewal Application for the Palo Verde Nuclear Generating Station (Open)*—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and Arizona Public Service Company regarding the final Safety Evaluation Report associated with the License Renewal Application for the Palo Verde Nuclear Generating Station.

*10:15 a.m.—12:45 p.m.: Final Safety Evaluation Report Associated with the Virgil C. Summer Units 2 and 3 Combined License Application (Open/*