equipment includes portable battery-operated total station surveying equipment, mine transits, distance meters, and data loggers.

(b) All nonpermissible electronic surveying equipment to be used within 150 feet of pillar workings or longwall faces will be examined by surveying personnel prior to use to ensure the equipment is being maintained in a safe operating condition. These examinations will include the following steps:

(i) Checking the instrument for any physical damage and the integrity of the case.

(ii) Removing the battery and inspecting for corrosion.

(iii) Inspecting the contact points to ensure a secure connection to the battery.

(iv) Reinserting the battery and powering up and shutting down to ensure proper connections.

(v) Checking the battery compartment cover to ensure that it is securely fastened.

(c) The results of such examinations will be recorded and retained for one year and made available to MSHA on request.

(d) A qualified person as defined in 30 CFR 75.151 will continuously monitor for methane immediately before and during the use of nonpermissible surveying equipment within 150 feet of pillar workings.

(e) Nonpermissible surveying equipment will not be used if methane is detected in concentrations at or above one percent for the area being surveyed. When methane is detected at such levels while the nonpermissible surveying equipment is being used, the equipment will be deenergized immediately and the nonpermissible electronic equipment withdrawn further than 150 feet from pillar workings and longwall faces.

(f) All hand-held methane detectors will be MSHA-approved and maintained in permissible and proper operating condition as defined in 30 CFR 75.320.

(g) Batteries in the surveying equipment will be changed out or charged in fresh air more than 150 feet from pillar workings.

(h) Qualified personnel who use surveying equipment will be properly trained to recognize the hazards and limitations associated with the use of nonpermissible surveying equipment in areas where methane could be present.

(i) The nonpermissible surveying equipment will not be put into service until MSHA has initially inspected the equipment and determined that it is in compliance with all the terms and conditions in this petition.

Within 60 days after the Proposed Decision and Order becomes final, the petitioner will submit proposed revisions for its approved 30 CFR part 48 training plan to the District Manager. The revisions will specify initial and refresher training regarding the terms and conditions in the Proposed Decision and Order.

The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection as that afforded by the existing standard.

Dated: December 21, 2012.

George F. Triebsch,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 2012–31233 Filed 12–28–12; 8:45 am]

BILLING CODE 4510–43–P

NUCLEAR REGULATORY COMMISSION

[NRC–2012–0314]

Proposed Revision 0 on Access Authorization—Operational Program

AGENCY: Nuclear Regulatory Commission.

ACTION: Standard review plan-draft section revision: request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC or the Commission) is soliciting public comment on NUREG–0800, ''Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants'' LWR Edition: Section 13.6.4, ''Access Authorization—Operational Program.'' The NRC seeks comments on the new Section 13.6.4 of the Standard Review Plan (SRP) concerning implementation of an access authorization program through revisions to the nuclear power reactor licensee Commission-approved Physical Security Plan under of Title 10 of the *Code of Federal Regulations* (10 CFR) 73.55, ''Requirements for Physical Protection of Licensed Activities in Nuclear Power Reactors against Radiological Sabotage,'' Section (b)(7), that integrates the performance requirements contained within 10 CFR 73.56, ''Personnel Access Authorization Requirements for Nuclear Power Plants,'' and the criminal history checks of 10 CFR 73.57, ''Requirements for Criminal History Checks of Individuals Granted Unescorted Access to a Nuclear Power Facility or Access to Safeguards Information by Power Reactor Licensees.'' The current SRP does not contain guidance on the review of an applicant's proposed access authorization program.

DATES: Comments must be filed no later than 30 days from the date of publication of this notice in the **Federal Register**. Comments received after this date will be considered, if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

ADDRESSES: You may access information and comment submissions related to this document, which the NRC possesses and is publicly available, by searching on *http://www.regulations.gov* under Docket ID NRC–2012–0314. You may submit comments by any of the following methods:

- *Federal rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2012–0314. Address questions about NRC dockets to Carol Gallagher; telephone: 301–492–3668; email: *Carol.Gallagher@nrc.gov.*
- *Mail comments to:* Cindy Bladey, Chief, Rules, Announcements, and Directives Branch (RADB), Office of Administration, Mail Stop: TWB–05–B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.
- *Fax comments to:* RADB at 301–492–3446.

For additional direction on accessing information and submitting comments, see ''Accessing Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Amy E. Cubbage, Division of Advanced Reactors and Rulemaking, Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone: 301–415–2875, email: *amy.cubbage@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Accessing Information and Submitting Comments

A. Accessing Information

Please refer to Docket ID NRC–2012–0314 when contacting the NRC about the availability of information regarding this document. You may access information related to this document, which the NRC possesses and are publicly available, by any of the following methods:

- *Federal Rulemaking Web Site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2012–0314.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may access publicly available documents online in the NRC Library at *http://www.nrc.gov/reading-*

rm/adams.html. To begin the search, select ''ADAMS Public Documents'' and then select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS Accession number for the proposed revision of SRP 13.6.4 on ''Access Authorization—Operational Program,'' is available in ADAMS under Accession No. ML12125A098.

• *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

B. Submitting Comments

Please include Docket ID NRC–2012–0314 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed. The NRC posts all comment submissions at *http://www.regulations.gov* as well as enters the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information in their comment submissions that they do not want to be publicly disclosed. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

II Further Information

The NRC seeks public comment on a proposed a new section of the SRP Section 13.6.4, ''Access Authorization—Operational Program,'' (ADAMS Accession No. ML12125A098). This section has been developed to assist NRC staff with the review of applications for certain construction permits, early site permits, licenses, license amendments, and combined licenses and to inform new reactor applicants and other affected entities of proposed SRP guidance regarding an acceptable method by which to evaluate a proposed access authorization program for compliance with 10 CFR Part 26, 10 CFR 73.56 and 73.57. Following NRC staff evaluation of public comments, the NRC intends to incorporate the final approved guidance into the next revision of NUREG–0800. The SRP is guidance for the NRC staff. The SRP is not a substitute for the NRC regulations, and compliance with the SRP is not required. Accordingly, issuance of the SRP does not constitute ''backfitting'' as defined in 10 CFR 50.109(a)(1) of the Backfit Rule and is not otherwise inconsistent with the applicable issue finality provisions in 10 CFR Part 52.

For the Nuclear Regulatory Commission.

Dated at Rockville, Maryland, this 21st day of December 2012.

Amy E. Cubbage,

Chief, Policy Branch, Division of Advanced Reactors and Rulemaking, Office of New Reactor.

[FR Doc. 2012–31419 Filed 12–28–12; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 030–04530; NRC–2012–0313]

Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for the United States Department of Agriculture, Beltsville, MD

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability.

FOR FURTHER INFORMATION CONTACT: Mark C. Roberts, Senior Health Physicist, Decommissioning Branch, Division of Nuclear Materials Safety, Region I, U.S. Nuclear Regulatory Commission, King of Prussia, PA 19406; telephone: 610–337–5094; fax number: 610–337–5269; email: *Mark.Roberts@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to NRC License No. 19–00915–03, issued to the United States Department of Agriculture (USDA or the licensee), to authorize decommissioning of its Low-Level Radiation Burial Site at the Beltsville Agricultural Research Center (or the Site) in Beltsville, Maryland, so that the residual radioactivity at the site can be reduced to a level that meets the criteria for release for unrestricted use. The USDA license would not be terminated at the time of release for unrestricted use because the USDA would continue to conduct authorized activities under this license at other locations. The NRC has prepared an Environmental Assessment (EA) in support of this amendment in accordance with the requirements of Part 51, ''Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions,'' to Title 10 of the *Code of Federal Regulations* (10 CFR), which implements the NRC's environmental protection program under the National Environmental Policy Act of 1969, as amended (NEPA). Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate. The amendment approving the Decommissioning Plan would be issued following completion of a Safety Evaluation Report.

II. Environmental Assessment

Background

In 1949, the USDA initiated disposal of low-level radioactive waste from research laboratory operations at the USDA's Low-Level Radiation Burial Site at the Beltsville Agricultural Research Center in Beltsville, Maryland under agreement with the USDA and the U.S. Atomic Energy Commission (AEC) (predecessor of the NRC). The authorization for onsite disposal by burial in soil was subsequently established in AEC and NRC regulations (10 CFR 20.304, ''Disposal by Burial in Soil''). In January 1981, the NRC rescinded the regulations in 10 CFR 20.304 that authorized generic onsite disposals by burial in soil. However, the USDA continued authorized disposal of low-level radioactive wastes at the Site under the regulations in 10 CFR 20.302, ''Method for Obtaining Approval of Proposed Disposal Procedures,'' with specific prior approval of the NRC. In 1987, the USDA initiated use of a commercial service to have radioactive waste transported and disposed at a licensed disposal facility and terminated radioactive waste disposal at the Site.

The low-level radioactive wastes generated by the USDA research laboratories included gloves, paper, liquid scintillation vials, small glass and plastic laboratory containers, metal and fiberboard drums, and decomposed small animal carcasses. The radioactive isotopes used at the USDA facilities and disposed as radioactive waste at the Site were primarily tritium and carbon-14, with significantly lesser quantities of chlorine-36, nickel-63, strontium-90, cesium-137, lead-210, and radium-226. In addition to the radioactive materials disposed as waste, non-radiological chemicals were included in the waste buried at the Site. The burials consisted