

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–269–SLR–2, 50–270–SLR–2, and 50–287–SLR–2; ASLBP No. 24–985–03–SLR–BD01]

### Duke Energy Carolinas, LLC; Establishment of Atomic Safety and Licensing Board

Pursuant to the Commission's regulations, see, e.g., 10 CFR 2.104, 2.105, 2.300, 2.309, 2.313, 2.318, 2.321, notice is hereby given that an Atomic Safety and Licensing Board (Board) is being established to preside over the following proceeding:

#### Duke Energy Carolinas, LLC (Oconee Nuclear Station, Units 1, 2, and 3)

This proceeding involves an application seeking a twenty-year subsequent license renewal of Renewed Facility Operating License Nos. DPR–38, DPR–47, and DPR–55, which authorize Duke Energy Carolinas, LLC to operate the Oconee Nuclear Station, Units 1, 2, and 3, located in Seneca, South Carolina until, respectively, February 6, 2033, October 6, 2033, and July 19, 2034. In response to a notice published in the **Federal Register** announcing the opportunity to request a hearing, see 89 FR 10107 (Feb. 13, 2024), a hearing request was filed on April 29, 2024 on behalf of Beyond Nuclear and Sierra Club.<sup>1</sup>

The Board is comprised of the following Administrative Judges:

G. Paul Bollwerk, III, Chairman, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001

Dr. Sue H. Abreu, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001

Dr. Arielle J. Miller, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001

All correspondence, documents, and other materials shall be filed in accordance with the NRC E-Filing rule. See 10 CFR 2.302.

Rockville, Maryland.

Dated: May 2, 2024.

**Edward R. Hawkens,**

*Chief Administrative Judge, Atomic Safety and Licensing Board Panel.*

[FR Doc. 2024–09975 Filed 5–7–24; 8:45 am]

**BILLING CODE 7590–01–P**

<sup>1</sup> The Secretary of the Commission extended the deadline for requesting a hearing to April 29, 2024. See Order of the Secretary (Mar. 28, 2024) (ADAMS Accession Number ML24088A303).

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 72–69 and 50–440; NRC–2024–0082]

### Vistra Operations Company LLC.; Perry Nuclear Power Plant, Unit 1; Independent Spent Fuel Storage Installation; Environmental Assessment and Finding of No Significant Impact

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing an environmental assessment (EA) and a finding of no significant impact (FONSI) for an exemption request submitted by Energy Harbor Nuclear Corporation<sup>1</sup> that would permit Perry Nuclear Power Plant (Perry) to load two Holtec 89-assembly multi-purpose canisters (MPC) with continuous basket shims (CBS) in the HI–STORM Flood/Wind (FW) MPC Storage System at its Perry Unit 1 Independent Spent Fuel Storage Installation (ISFSI) in a storage condition where the terms, conditions, and specifications in the Certificate of Compliance (CoC) No. 1032, Amendment No. 5 are not met.

**DATES:** The EA and FONSI referenced in this document are available on May 8, 2024.

**ADDRESSES:** Please refer to Docket ID NRC–2024–0082 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2024–0082. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: [Stacy.Schumann@nrc.gov](mailto:Stacy.Schumann@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the

<sup>1</sup> Effective March 1, 2024, the facility operating license for Perry Nuclear Power Plant was transferred from Energy Harbor Nuclear Generation LLC (owner) and Energy Harbor Nuclear Corp. (operator) to Energy Harbor Nuclear Generation LLC (owner) and Vistra Operations Company LLC. Upon completion of this license transfer, Vistra Operations Company LLC (VistraOps) assumed the responsibility for all licensing actions under NRC review at the time of the transfer and requested that the NRC continue its review of these actions.

ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, 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, at 301–415–4737, or by email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov). For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the “Availability of Documents” section.

- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov) or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Bernard White, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555; telephone: 301–415–6577; email: [Bernard.White@nrc.gov](mailto:Bernard.White@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The NRC is reviewing an exemption request from Energy Harbor Nuclear Corporation, dated February 27, 2024, and supplemented by VistraOps on March 22, 2024. VistraOps is requesting an exemption, pursuant to section 72.7 of title 10 of the *Code of Federal Regulations* (10 CFR), in paragraphs 72.212(a)(2), 72.212(b)(3), 72.212(b)(5)(i), 72.212(b)(11), and 72.214 that require VistraOps to comply with the terms, conditions, and specifications of the CoC No. 1032, Amendment No. 5. If approved, the exemption would allow VistraOps to load two MPCs which contain the 89-assembly CBS basket (MPC–89–CBS) beginning in August 2024 in the HI–STORM FW Storage System at the Perry ISFSI in a storage condition where the terms, conditions, and specifications in the CoC No. 1032, Amendment No. 5 are not met.

##### II. Environmental Assessment

###### Background

Perry is located on a 1,100 acre site on Lake Erie, 40 miles northeast of Cleveland in North Perry, Ohio. Unit 1 began operating in 1987. VistraOps has been storing spent fuel in an ISFSI at Perry under a general license as authorized by 10 CFR part 72, subpart K, “General License for Storage of Spent Fuel at Power Reactor Sites.” VistraOps