

**NUCLEAR REGULATORY COMMISSION**

[DOCKET NOS. 52-040 and 52-041; NRC-2009-0337]

**Florida Power & Light Company; Acceptance for Docketing of an Application for Combined License for Turkey Point Units 6 & 7 Nuclear Power Plants**

By letter dated June 30, 2009, as supplemented by a letter dated August 7, 2009, Florida Power & Light (FPL) submitted an application to the U.S. Nuclear Regulatory Commission (NRC) for a combined license (COL) for two AP1000 pressurized water reactors in accordance with the requirements contained in Title 10 of the *Code of Federal Regulations* (10 CFR) part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants." These reactors will be identified as Turkey Point Unit 6 & 7 Power Plants and they are to be located at the existing Turkey Point facility in Miami-Dade County, Florida. A notice of receipt and availability of this application was previously published in the **Federal Register** (74 FR 38477) on August 3, 2009.

The NRC has determined that FPL has submitted information in accordance with 10 CFR part 2, "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," and 10 CFR part 52 that is acceptable for docketing. The docket numbers established are 52-040 and 52-041.

The NRC will perform a detailed technical review of the application. Docketing of the application does not preclude the NRC from requesting additional information from the applicant as the review proceeds, nor does it predict whether the Commission will grant or deny the application. The Commission will conduct a hearing in accordance with 10 CFR part 2 and will receive a report on the COL application from the Advisory Committee on Reactor Safeguards in accordance with 10 CFR 52.87, "Referral to the Advisory Committee on Reactor Safeguards (ACRS)." If the Commission finds that the COL application meets the applicable standards of the Atomic Energy Act and the Commission's regulations, the Commission will issue a COL, in the form and containing conditions and limitations that the Commission finds necessary and appropriate.

In accordance with 10 CFR part 51, the Commission will also prepare an environmental impact statement for the proposed action. Pursuant to 10 CFR 51.26, and as part of the environmental

scoping process, the NRC intends to hold a public scoping meeting. Detailed information regarding this meeting will be included in a future **Federal Register** notice.

Finally, the Commission will announce in a future **Federal Register** notice the opportunity to petition for leave to intervene in the hearing required for this application by 10 CFR 2.104 and 52.85.

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-1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland, and will be accessible electronically through the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room link at the NRC Web site <http://www.nrc.gov/reading-rm/adams.html>. The application is also available at <http://www.nrc.gov/reactors/new-reactors/col.html>. Persons who do not have access to ADAMS or who encounter problems in accessing documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland this 4th day of September 2009.

For the Nuclear Regulatory Commission.

**Amy M. Snyder,**

*Senior Project Manager, AP1000 Projects Branch 1, Division of New Reactor Licensing, Office of New Reactors.*

[FR Doc. E9-24207 Filed 10-6-09; 8:45 am]

**BILLING CODE 7590-01-P**

**NUCLEAR REGULATORY COMMISSION**

[NRC-2009-0442]

**NUREG-1924, "Electric Raceway Fire Barrier Systems (ERFBS) in Nuclear Power Plants, Draft Report for Comment"**

**AGENCY:** Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of availability of NUREG-1924, "Electric Raceway Fire Barrier Systems (ERFBS) in Nuclear Power Plants, Draft Report for Comment" and request for public comment.

**SUMMARY:** The NRC is making the proposed draft, "NUREG-1924, "Electric Raceway Fire Barrier Systems (ERFBS) in Nuclear Power Plants, Draft Report for Comment," available for public comment.

**DATES:** Comments on this document should be submitted by Friday,

December 4, 2009. Comments received after that date will be considered to the extent practicable. To ensure efficient and complete comment resolution, comments should include section, page, and line numbers of the document to which the comment applies, if possible.

**ADDRESSES:** You may submit comments by any one of the following methods. Please include Docket ID NRC-2009-0442 in the subject line of your comments. Comments submitted in writing or in electronic form will be posted on the NRC Web site and on the Federal rulemaking Web site *Regulations.gov*. Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed.

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-2009-0442. Address questions about NRC dockets to Carol Gallagher 301-492-3668; e-mail [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

*Mail comments to:* Michael T. Lesar, Chief, Rulemaking and Directives Branch (RDB), 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 RDB 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 O1 F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland.

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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 proposed draft NUREG-1924, "Electric Raceway Fire Barrier Systems (ERFBS) in Nuclear Power Plants," is available electronically under ADAMS Accession Number ML092650002.

*Federal Rulemaking Web site:* Public comments and supporting materials related to this notice can be found at <http://www.regulations.gov> by searching on Docket ID: NRC-2009-0442.

**FOR FURTHER INFORMATION CONTACT:** Gabriel Taylor, Fire Research Branch, Division of Risk Analysis, Office of Nuclear Regulatory Research, telephone (301) 251-7576, e-mail [gabriel.taylor@nrc.gov](mailto:gabriel.taylor@nrc.gov).

**SUPPLEMENTARY INFORMATION:** In response to the 1975 Browns Ferry fire, the United States Nuclear Regulatory Commission (NRC) issued Appendix R to Title 10 of the *Code of Federal Regulations* part 50 (10 CFR part 50). To support fire protection defense-in-depth one- or three-hour Electric Raceway Fire Barrier Systems (ERFBS) were permitted for use as an acceptable method to protect electrical cables essential to fire protection safe shutdown capability. However, ERFBS were a new approach to fire barrier applications and as the initial installation of the ERFBS began, there was uncertainty regarding the ERFBS performance and definitive test standards for ERFBS qualification. Following review and research efforts, the NRC resolved many concerns with ERFBS, including the fire resistance, ampacity derating, and seismic position retention. This report documents the history of these barriers and how US NPPs use ERFBS for compliance. This report also documents the current state of the use of these barriers and evaluates the effectiveness of these barriers in achieving adequate protection for nuclear power plants.

The NRC is seeking public comment in order to receive feedback from the widest range of interested parties and to ensure that all information relevant to the information contained within this document is correct and accurate. This document is issued for comment only and is not intended for interim use. The NRC will review public comments received on the documents, incorporate suggested changes as necessary, and make the final NUREG-report available to the public.

Dated at Rockville, Maryland, this 1st day of October 2009.

For the Nuclear Regulatory Commission.

**Mark H. Salley,**

*Chief, Fire Research Branch, Division of Risk Analysis, Office of Nuclear Regulatory Research.*

[FR Doc. E9-24211 Filed 10-6-09; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[NRC-2009-0440; Docket No. 40-8989]**

### **Issuance of Environmental Assessment and Draft Finding of No Significant Impact for Modification of Exemption From Certain U.S. Nuclear Regulatory Commission Licensing Requirements for Special Nuclear Material for EnergySolutions LLC, Clive, UT**

**AGENCY:** U.S. Nuclear Regulatory Commission.

**ACTION:** Environmental Assessment and Draft Finding of No Significant Impact.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has prepared an Environmental Assessment for the issuance of an Order pursuant to Section 274f of the Atomic Energy Act that would modify an Order issued to EnergySolutions, LLC (EnergySolutions) on May 30, 2006. In accordance with 10 CFR 51.33, the NRC has also prepared a draft Finding of No Significant Impact (FONSI) for public review and comment. The current action is in response to a request by EnergySolutions dated September 26, 2006. The May 30, 2006 Order was published in the **Federal Register** on June 13, 2006 (71 FR 34165). The May 30, 2006 Order, which modified a previous Order issued to EnergySolutions on July 11, 2005, exempted EnergySolutions from certain NRC regulations and permitted WCS, under specified conditions, to possess waste containing special nuclear material (SNM), in greater quantities than specified in 10 CFR Part 150, at EnergySolutions's facility located in Clive, Utah, without obtaining an NRC license pursuant to 10 CFR Part 70.

**DATES:** The public comment period on the draft FONSI closes on November 6, 2009. Written comments should be submitted as described in the **ADDRESSES** section of this notice. Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before November 6, 2009.

**ADDRESSES:** You may submit comments by any one of the following methods.

Please include Docket ID NRC-2009-0440 in the subject line of your comments. Comments submitted in writing or in electronic form will be posted on the NRC Web site and on the Federal rulemaking website [Regulations.gov](http://www.regulations.gov). Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed.

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 Website:* Go to <http://www.regulations.gov> and search for documents filed under Docket ID NRC-2009-0440. Address questions about NRC dockets to Carol Gallagher 301-492-3668; e-mail [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

*Mail comments to:* Michael T. Lesar, Chief, Rulemaking and Directives Branch (RDB), 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 RDB at (301) 492-3446.

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*Federal Rulemaking Web site:* Public comments and supporting materials related to this notice can be found at