

this action are listed below, along with their ADAMS accession numbers.

1. National Health Physics Program Request for Decommissioning for Unrestricted Release of Building 26 at the VA North Florida/South Georgia Veterans Health System, Gainesville, Florida, dated October 29, 2009 (ADAMS Accession No. ML093060270).

2. Additional Information for Closeout of Building 26 North Florida/South Georgia Veterans Health System, Gainesville, Florida (ADAMS Accession No. ML100110095).

3. Title 10 Code of Federal Regulations, Part 20, Subpart E, "Radiological Criteria for License Termination."

4. Title 10 Code of Federal Regulations, Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Function."

5. NUREG-1556, Consolidated Guidance about Material Licenses, Volume 9.

6. NUREG-1757, Consolidated Decommissioning Guidance.

7. These documents may also be viewed electronically on the public computers located at the NRC's PDR, O1F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Lisle, Illinois, this 17th day of February 2010.

For the Nuclear Regulatory Commission.

**Christine A. Lipa,**

*Chief, Materials Control, ISFSI, and Decommissioning Branch, Division of Nuclear Materials Safety, Region III.*

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## **NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-395; NRC-2010-0067]

### **South Carolina Electric and Gas Company, Virgil C. Summer Nuclear Station, Unit 1; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an Exemption, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) section 73.5, "Specific exemptions," from the implementation date for certain new requirements of 10 CFR part 73, "Physical protection of plants and materials," for Renewed Facility Operating License No. NPF-12, issued to South Carolina Electric & Gas

Company (SCE&G, the licensee), for operation of the Virgil C. Summer Nuclear Station, Unit 1 (VCSNS), located in Fairfield County, South Carolina. In accordance with 10 CFR 51.21, the NRC prepared an environmental assessment documenting its finding. The NRC concluded that the proposed action will have no significant environmental impact.

#### **Environmental Assessment**

##### *Identification of the Proposed Action*

The proposed action would exempt VCSNS from the required implementation date of March 31, 2010, for two new requirements of 10 CFR part 73. Specifically, VCSNS would be granted an exemption from being in full compliance with two new requirements contained in 10 CFR 73.55 by the March 31, 2010, deadline. SCE&G has proposed an alternate full compliance implementation date of September 30, 2010, approximately 6 months beyond the date required by 10 CFR part 73. The proposed action, an extension of the schedule for completion of certain actions required by the revised 10 CFR part 73, does not involve any physical changes to the reactor, fuel, plant structures, support structures, water, or land at the VCSNS, Unit 1 site.

The proposed action is in accordance with the licensee's application contained in two letters dated December 11, 2009, SCE&G designation RC-09-0154 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML093490316) and RC-09-0148 (NRC ADAMS ML093480496 and ML093480497). SCE&G's letter RC-09-0148 contains security-related information and, accordingly, is not available to the public. SCE&G's letter RC-09-0154 is a redacted version of RC-09-0148 that does not contain security related information.

##### *The Need for the Proposed Action*

The proposed action is needed to provide the licensee with additional time to complete the design, planning, procurement, construction, testing and project closeout activities for the required upgrades to the SCE&G security system, while simultaneously maintaining the current security defensive strategy.

##### *Environmental Impacts of the Proposed Action*

The NRC has completed its environmental assessment of the proposed exemption. The staff has concluded that the proposed action to extend the implementation deadline would not significantly affect plant

safety and would not have a significant adverse effect on the probability of an accident occurring.

The proposed action would not result in an increased radiological hazard beyond those previously analyzed in the environmental assessment and finding of no significant impact made by the Commission in promulgating its revisions to 10 CFR part 73, as discussed in a **Federal Register** notice dated March 27, 2009 (74 FR 13967). There will be no change to radioactive effluents that affect radiation exposures to plant workers and members of the public. Therefore, no changes or different types of radiological impacts are expected as a result of the proposed 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-Steven's Act are expected. There are no impacts to the air or ambient air quality.

There are no impacts to historical and cultural resources. There would be no impact to socioeconomic resources. Therefore, no changes to or different types of non-radiological environmental impacts are expected as a result of the proposed exemption.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action. In addition, in promulgating its revisions to 10 CFR part 73, the Commission prepared an environmental assessment and published a finding of no significant impact [Part 73, Power Reactor Security Requirements, 74 FR 13926, 13967 (March 27, 2009)].

The licensee currently maintains a security system acceptable to the NRC and will continue to provide acceptable physical protection of the VCSNS. Therefore, the extension of the implementation date for certain new requirement of 10 CFR part 73 to September 30, 2010, would not have any significant environmental impacts.

The NRC staff's safety evaluation will be provided in the exemption that will be issued as part of the letter to the licensee approving the exemption to the regulation, if granted.

##### *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 exemption request would result in no change in current environmental impacts. If the proposed action was denied, the licensee would have to comply with the March 31, 2010, implementation deadline. The environmental impacts of the proposed exemption and the “no action” alternative are similar.

#### Alternative Use of Resources

The action does not involve the use of any different resources than those considered in the Final Environmental Statement for the Virgil C. Summer Nuclear Station, Unit No. 1, NUREG-0719, dated May 1981 (ADAMS Accession No. ML072750234) and the Generic Environmental Impact Statement for License Renewal of Nuclear Plants, NUREG-1437, Supplement 15, dated February 2004 (ADAMS Accession No. ML040540718).

#### Agencies and Persons Consulted

In accordance with its stated policy, on December 17, 2009, the NRC staff consulted with the South Carolina State official, Ms. Susan Jenkins of the South Carolina Department of Health and Environmental Control, 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 December 11, 2009 (RC-09-0154). The licensee's letter RC-09-0148, dated December 11, 2009 contains security-related information and, accordingly, is not available to the public pursuant to 10 CFR 2.390. The licensee's letter RC-09-0154 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 20852. 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: <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.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this 18th day of February 2010.

For the Nuclear Regulatory Commission.

**Robert E. Martin,**

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

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-298; NRC-2008-0617]

### Nebraska Public Power District, Cooper Nuclear Station, Unit 1; Notice of Availability of the Draft Supplement 41 to the Generic Environmental Impact Statement for License Renewal of Nuclear Plants, and Public Meetings for The License Renewal of Cooper Nuclear Station, Unit 1

Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC or Commission) has published a draft plant-specific supplement to the Generic Environmental Impact Statement for License Renewal of Nuclear Plants (GEIS), NUREG-1437, regarding the renewal of operating license DPR-46 for an additional 20 years of operation for Cooper Nuclear Station, Unit 1 (CNS-1). CNS-1 is located near Brownville, Nebraska, on the Missouri River in Nemaha County. Possible alternatives to the proposed action (license renewal) include no action and reasonable alternative energy sources.

Any interested party may submit comments on the draft supplement to the GEIS for consideration by the NRC staff. To be considered, comments on the draft supplement to the GEIS and the proposed action must be received by May 5, 2010; the NRC staff is able to ensure consideration only for comments received on or before this date.

**ADDRESSES:** You may submit comments by any one of the following methods. Please include Docket ID NRC-2008-0617 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](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 Web site:** Go to <http://www.regulations.gov> and search for documents filed under Docket ID NRC-2008-0617. 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 20852.

**NRC's Agencywide Documents Access and Management System (ADAMS):** 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 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 Accession Number for the draft Supplement 41 to the GEIS is available electronically under ADAMS Accession Number ML100331921.

**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-2008-0617.

In addition, a copy of the draft supplement to the GEIS is available to local residents near the site at the Auburn Memorial Library, 1810 Courthouse Avenue, Auburn, NE 68305.