The Commission hereby provides notice that this is a proceeding for a license amendment falling within the scope of section 134 of the Nuclear Waste Policy Act of 1982 (NWPA), 42 U.S.C. 10154. Under section 134 of the NWPA, the Commission, at the request of any party to the proceeding, must use hybrid hearing procedures with respect to “any matter which the Commission determines to be in controversy among the parties.”

The hybrid procedures in section 134 provide for oral argument on matters in controversy, preceded by discovery under the Commission’s rules and the designation, following argument of only those factual issues that involve a genuine and substantial dispute, together with any remaining questions of law, to be resolved in an adjudicatory hearing. Actual adjudicatory hearings are to be held on only those issues found to meet the criteria of section 134 and set for hearing after oral argument.

The Commission’s rules implementing section 134 of the NWPA are found in 10 CFR part 2, subpart K, “Hybrid Hearing Procedures for Expansion of Spent Fuel Storage Capacity at Civilian Nuclear Power Reactors.” Under those rules, any party to the proceeding may invoke the hybrid hearing procedures by filing with the presiding officer a written request for oral argument under 10 CFR 2.1109. To be timely, the request must be filed together with a request for hearing/petition to intervene, filed in accordance with 10 CFR 2.309. If it is determined a hearing will be held, the presiding officer must grant a timely request for oral argument. The presiding officer may grant an untimely request for oral argument only upon a showing of good cause by the requesting party for the failure to file on time and after providing the other parties an opportunity to respond to the untimely request. If the presiding officer grants a request for oral argument, any hearing held on the application must be conducted in accordance with the hybrid hearing procedures. In essence, those procedures limit the time available for discovery and require that an oral argument be held to determine whether any contentions must be resolved in an adjudicatory hearing. If no party to the proceeding timely requests oral argument, and if all untimely requests for oral argument are denied, then the usual procedures in 10 CFR part 2, subpart L apply.

For further details with respect to this license application, see the application for amendment dated January 6, 2010, as supplemented by letters dated August 20 and October 14, 2010, which are available for public inspection at the Commission’s PDR, located at One White Flint North, Room O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the ADAMS Public Electronic Reading Room on the Internet at the NRC Web site, 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 by email to pdr.resource@nrc.gov.

Attorney for licensee: Mr. Bradley J.Fewell, Associate General Counsel, Exelon Nuclear, 4300 Winfield Road, Warrenville, IL 60555.

Dated at Rockville, Maryland, this 4th day of November 2010.

For the Nuclear Regulatory Commission.

Eva A. Brown,
Senior Project Manager, Plant Licensing Branch III–2, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2010–28635 Filed 11–12–10; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2010–0184]

Office of New Reactors; Notice of Availability of the Final Staff Guidance; Standard Review Plan, Section 13.6.6, Revision 0 on Cyber Security Plan

AGENCY: Nuclear Regulatory Commission (NRC).

ACTION: Notice of Availability.

SUMMARY: The NRC is issuing its Final Revision 0 to NUREG–0800, “Standard Review Plan (SRP) for the Review of Safety Analysis Reports for Nuclear Power Plants,” Section 13.6.6, Revision 0 on “Cyber Security Plan” (Agencywide Documents Access and Management System (ADAMS) Accession No. ML102630477). The NRC staff issues revisions to SRP sections to facilitate timely implementation of the current staff guidance and to facilitate reviews to amendments to licenses for operating reactors or for activities associated with review of applications for early site permits and combined licenses for the Office of New Reactors. The NRC staff will also incorporate Revision 0 of SRP Section 13.6.6 into the next revisions of the Regulatory Guide 1.206, “Combined License Applications for Nuclear Power...
Plants,” and related guidance
documents.
Disposition: On May 13, 2010, the
NRC staff issued the proposed Revision
0 on SRP Section 13.6.6 on “Cyber
ML093560837. There were comments
received on the proposed guidance
(ADAMS Accession No. ML101810249). These comments were incorporated as
appropriate and the details of
disposition of the stakeholder’s
comments are available under ADAMS
Accession No. ML102590155.

ADDRESSES: The NRC maintains
ADAMS, which provides text and image
files of NRC’s public documents. These
documents may be accessed through the
NRC’s Public Electronic Reading Room
on the Internet at 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 Public Document Room
reference staff at 1–800–397–4209, 301–
415–4737, or by e-mail at
pdr.resource@nrc.gov.

FOR FURTHER INFORMATION CONTACT: Mr.
William F. Burton, Chief, Rulemaking
and Guidance Development Branch,
Division of New Reactor Licensing,
Office of New Reactors, U.S. Nuclear
Regulatory Commission, Washington,
DC 20555–0001; telephone at 301–415–
6332 or e-mail at
william.burton@nrc.gov.

SUPPLEMENTARY INFORMATION: The NRC
posts its issued staff guidance on the
NRC external Web page (http://
www.nrc.gov/reading-rm/doc-
collections/isg/).

Dated at Rockville, Maryland, this 3rd day
of November 2010.
For the Nuclear Regulatory Commission.
William F. Burton,
Chief, Rulemaking and Guidance
Development Branch, Division of New Reactor
Licensing, Office of New Reactors.
[FR Doc. 2010–28634 Filed 11–12–10; 8:45 am]
BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–302; NRC–2010–0105]

Florida Power Corporation, et al.;
Crystal River Unit 3 Nuclear
Generating Plant 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 Facility Operating
License No. DPR 72 issued to Florida
Power Corporation (the licensee), for
operation of the Crystal River Unit 3
Nuclear Generating Plant (CR–3),
located in Citrus County, Florida. In
accordance with 10 CFR 51.21, the NRC
prepared an environmental assessment
documenting its finding. The NRC
concluded that the proposed actions
will have no significant environmental
impact.

Environmental Assessment
Identification of the Proposed Action

The proposed action would exempt
the licensee from the required
implementation date of March 31, 2010,
for four new requirements of 10 CFR
part 73. Specifically, CR–3 would be
granted a second exemption, further
extending the date for full compliance
with four new requirements contained
in 10 CFR 73.55, from November 15 and
December 15 (the dates specified in a
prior exemption granted by NRC on
March 25, 2010), until December 15,
2011 and March 15, 2012, respectively.
The licensee has proposed an alternate
full compliance implementation date of
March 15, 2012, which is approximately
2 years beyond the compliance 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 CR–3 site. The proposed
action is in accordance with the licensee’s application dated
September 8, 2010.

The Need for the Proposed Action

The proposed second scheduler
exemption is needed to provide the
licensee with additional time, beyond
the previously approved by the NRC
letter dated March 25, 2010, to
implement four specific elements of the
new requirements that involve
significant physical upgrades to the CR–
3 security system. The schedules used
in the original scheduler exemption
were based on the conceptual design
information available to the licensee at
the time of the submittal. At this time,
the licensee has fully developed the
design and has completed the discovery
phase. Therefore, due to the unforeseen
need for design changes necessary to
achieve full compliance with the Final
Rule, additional time is needed to
complete the complex revised design
and construction and associated
analysis.

Environmental Impacts of the Proposed
Action

The NRC has completed its
environmental assessment of the
proposed exemption. The NRC staff has
concluded that the proposed action to
further extend the implementation
deadline for two items 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 hazards 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 13926. 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 nonradiological effluents.
No changes to the National Pollutant
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–
Stevens 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 nonradiological 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, March
27, 2009; 74 FR 13926].

With its request to extend the
implementation deadline, the licensee
currently maintains a system acceptable
to the NRC and that will
continue to provide acceptable physical