

NUCLEAR REGULATORY COMMISSION

[NRC-2011-0055]

Economic Simplified Boiling Water Reactor Standard Design: GE Hitachi Nuclear Energy; Issuance of Final Design Approval

The U.S. Nuclear Regulatory Commission has issued a final design approval (FDA) to GE Hitachi Nuclear Energy (GEH) for the economic simplified boiling water reactor (ESBWR) standard design under Subpart E, "Standard Design Approvals," of Title 10 of the Code of Federal Regulations (10 CFR) part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants." This FDA allows the ESBWR standard design to be referenced in an application for a construction permit or operating license under 10 CFR part 50, "Domestic Licensing of Production and Utilization Facilities," or an application for a combined license or manufacturing license under 10 CFR part 52. In addition, the Commission has issued the final safety evaluation report (FSER) (Agencywide Documents Access and Management System (ADAMS) Accession No. ML102850376) that supports issuance of the FDA.

Issuance of this FDA signifies completion of the NRC staff's technical review of GEH's ESBWR design. The NRC staff performed its technical review of the ESBWR design control document in accordance with the standards for review of standard design approval applications set forth in 10 CFR 52.139, "Standards for Review of Applications," as modified by the exemptions identified in Section 1.8 of the NRC's FSER.

On the basis of its evaluation and independent analyses, as described in the FSER, the NRC staff concludes that GEH's application for standard design approval meets the applicable portions of 10 CFR 52.137, "Content of Applications; Technical Information," and the review standards identified in 10 CFR 52.139, except for those review standards subject to the exemptions identified in Section 1.8 of the FSER.

Copies of the ESBWR FSER and FDA have been placed in the NRC's Public Document Room, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, for review and copying by interested persons.

Dated at Rockville, Maryland, this 9th day of March 2011.

For the Nuclear Regulatory Commission.
David B. Matthews,
*Director, Division of New Reactor Licensing,
Office of New Reactors.*

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NUCLEAR REGULATORY COMMISSION

[Docket No. 040-0299; NRC-2011-0054]

Notice of Opportunity To Request a Hearing and To Petition for Leave To Intervene, License Amendment Request From Umetco Minerals Corporation for Approval of an Erosion Enhancement Design for the Gas Hills Reclamation Project; Source Material License No. SUA-648**AGENCY:** Nuclear Regulatory Commission (NRC).**ACTION:** Notice of receipt of a license amendment request and opportunity to request a hearing.**DATES:** Requests for a hearing must be filed by May 16, 2011.**ADDRESSES:** 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, Room O1 F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland.

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. The ADAMS accession number for the documents related to this notice are: ML1036402653, and ML110340384.

FOR FURTHER INFORMATION CONTACT: Dominick A. Orlando, Senior Project Manager, Special Projects Branch, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555. *Telephone:* 301-415-6749; *fax number:* 301-415-

5369; *e-mail:*
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SUPPLEMENTARY INFORMATION:**I. Introduction**

The Umetco Minerals Corporation (Umetco) uranium mill site is located in the East Gas Hills area of central Wyoming, 50 miles (80 km) southeast of Riverton, and west of East Canyon Creek. The Umetco site is licensed by the U.S. Nuclear Regulatory Commission (NRC) under Source Materials License SUA-648 to possess byproduct material in the form of uranium mill waste tailings, as well as other radioactive wastes generated by past milling operations.

The mill operated from 1960 to 1979 and has been dismantled. The current Umetco site consists of three primary tailings disposal areas on the 1,920 acre parcel—the 170 acre Above Grade Tailings Impoundment (AGTI), the 55 acre A-9 Repository, and the 60 acre Heap Leach area. In addition, the Gas Hills Pond No. 2 area, adjacent to the AGTI and Heap Leach area, also contains waste from heap leach operations.

Monitoring and inspection activities performed by Umetco of the AGTI and A-9 Reclamation covers have identified isolated shallow incisions of the underlying cover soils in isolated locations on the AGTI and A-9 covers. Subsequent field investigations and review of approved design documents by Umetco has identified what Umetco believes is the cause of the sub-grade erosion. The cause identified by Umetco is an error in the calculation of the interstitial velocity for determining if a filter or bedding layer is necessary in the erosion protection design. Umetco stated that they had completed a review of approved designs associated with all reclamation cover systems constructed at the site to ensure the design deficiency is confined to AGTI and A-9 and that other potential contributing factors are adequately addressed.

In a letter dated December 21, 2010, Umetco requested NRC approval of a design for various erosion protection enhancements for the AGTI, the A-9 Repository, the Launch Rock area located at the eastern toe of the AGTI, and an area located adjacent to the southeast corner of the reclamation cover toe (ADAMS Accession No. ML1036402653).

An administrative review, documented in an e-mail to Umetco dated January 31, 2011 (ADAMS Accession No. ML110340384), found Umetco's request acceptable to begin a formal technical review. If the NRC