

winds (or restoration of reliable offsite power). If the storm is projected to reach the site as a category 3, 4, or 5 hurricane prior to landfall, specific shutdown conditions are established at least two (2) hours before the projected onset of sustained hurricane force winds at the site. Because severe weather preparations will likely commence prior to the shutdown of the units, this exemption will allow sufficient personnel onsite to ensure that the facility is properly secured for severe weather. The NRC staff has reviewed the FPL exemption request for the St. Lucie site and agrees that preparing the site for the onset of severe wind conditions such as hurricanes, including sequestering enough essential personnel to provide for shift relief, is prudent to ensure plant and personnel safety.

The licensee plans to sequester sufficient individuals to staff two 12-hour shifts of workers consisting of personnel from operations, maintenance, health physics, chemistry, engineering, and security to maintain the safe and secure operation of the facility. The St. Lucie hurricane plan provides for bunking facilities that provide an accommodation for restorative rest for the off crew. A 12-hour break provides each individual with an opportunity for restorative rest. Although the accommodations and potentially stressful circumstances may not be ideal for restorative rest, the NRC finds that these actions are consistent with the practice of fatigue management when limited personnel are available during severe weather conditions.

In summary, by letter dated October 16, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML092990394), and pursuant to Title 10 of the *Code of Federal Regulations* (CFR) 26.9, FPL requested an exemption from the requirements of 10 CFR 26.205(c), "Work hours scheduling," and (d), "Work hour controls," during declarations of severe weather conditions such as tropical storm and hurricane force winds at the St. Lucie site. Supplemental responses and responses to requests for additional information are dated March 11, 2010 (ADAMS Accession No. ML100750658), September 16, 2010 (ADAMS Accession No. ML102640111), December 10, 2010 (ADAMS Accession No. ML103560079), and December 22, 2010 (ADAMS Accession No. ML103630360).

### 3.0 Discussion

Pursuant to 10 CFR 26.9, the Commission may, upon application of any interested person or on its own initiative, grant such exemptions from

the requirements of 10 CFR Part 26 as it determines are authorized by law and will not endanger life or property or the common defense and security, and are otherwise in the public interest.

#### *Authorized by Law*

As stated above, this exemption would allow the licensee to sequester the storm crew on site when conditions are met and suspend work hour controls for the stated reasons. As stated above, 10 CFR 26.9 allows the NRC to grant exemptions from the requirements of 10 CFR 26.205(c) and (d). The NRC staff has determined that granting of the licensee's proposed exemption will not result in a violation of the Atomic Energy Act of 1954, as amended, or the Commission's regulations. Therefore, the exemption is authorized by law.

#### *Will Not Endanger Life or Property*

The underlying purposes of 10 CFR 26.205(c) and (d) are to prevent impairment from fatigue due to duration, frequency, or sequencing of successive shifts. Based on the above evaluation, no new accident precursors are created by the licensee maintaining the additional staff on site necessary to respond to a plant emergency during a severe storm to ensure that the plant maintains a safe and secure status; therefore, the probability of postulated accidents is not increased. Even though the licensee will utilize whatever staff resources may be necessary during severe weather preparation and storm crew activation, opportunities for restorative sleep will be maintained. Also, the consequences of postulated accidents are not increased because there is no change in the types of accidents previously evaluated. Therefore, the exemption will not endanger life or property.

#### *Will Not Endanger the Common Defense and Security*

The proposed exemption would allow the licensee to utilize whatever staff resources may be necessary to respond to a plant emergency and ensure that the plant maintains a safe and secure status. The licensee will provide sufficient numbers of management and supervision over the storm crew or the resources utilized during the plant emergency to provide additional oversight for monitoring the effects of fatigue to ensure that the safety and security of the facility are maintained. Also, during the plant emergency, opportunities for restorative sleep will be maintained. Therefore, the common defense and security is not impacted by this exemption.

#### *Otherwise in the Public Interest*

The proposed exemption would increase the availability of the licensee staff. The exemption would allow licensee staff to remain at or return to the site and perform additional duties to ensure the plant is in a safe configuration during the emergency. Therefore, granting this exemption is otherwise in the public interest.

### 4.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 26.9, the exemption is authorized by law and will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby grants Florida Power & Light Company an exemption from the requirements of 10 CFR 26.205(c) and (d) under the conditions specified above for St. Lucie 1 and 2.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (75 FR 73134).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 22nd day of April 2011.

For the Nuclear Regulatory Commission.

**Robert A. Nelson,**

*Acting Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

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## **NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 50-528, 50-529, 50-530; NRC-2009-0012**

### **Arizona Public Service Company, Palo Verde Nuclear Generating Station, Units 1, 2, and 3, Notice of Issuance of Renewed Facility Operating License Nos. NPF-41, NPF-51, and NPF-74 for an Additional 20-Year Period; Record of Decision**

Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC, the Commission) has issued Renewed Facility Operating License Nos. NPF-41, NPF-51, and NPF-74 to Arizona Public Service Company (licensee), the operator of the Palo Verde Nuclear Generating Station, Units 1, 2, and 3 (PVNGS). Renewed Facility Operating License Nos. NPF-41, NPF-51, and NPF-74 authorize the licensee to operate PVNGS at reactor core power levels not in excess of 3990 megawatts

thermal for all three units, in accordance with the provisions of the PVNGS renewed licenses and technical specifications.

The notice also serves as the record of decision for Renewed Facility Operating License Nos. NPF-41, NPF-51, and NPF-74, consistent with Title 10 of the *Code of Federal Regulations* (10 CFR) 51.103, "Record of Decision—General." NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Supplement 43, Regarding Palo Verde Nuclear Generating Station," issued January 2011, discusses the Commission's consideration of a range of reasonable alternatives, including generation of replacement power from new supercritical coal-fired generation; natural gas combined-cycle generation; new nuclear generation; a combination of alternatives that includes natural gas combined-cycle generation, energy conservation, and solar; and not renewing the license (the no-action alternative). The factors considered in the record of decision appear in the supplemental environmental impact statement for PVNGS.

PVNGS units are pressurized water reactors located in Maricopa County, Arizona. The application for the renewed licenses complied with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations. As required by the Atomic Energy Act and the Commission's regulations in 10 CFR Chapter I, the Commission has made appropriate findings, which are set forth in the licenses. Prior public notice of the action involving the proposed issuance of the renewed licenses and of an opportunity for a hearing regarding the proposed issuance of the renewed licenses was published in the **Federal Register** on May 15, 2009 (74 FR 22978).

For further details with respect to this action, see: (1) Arizona Public Service Company's license renewal application for PVNGS dated December 11, 2008, as supplemented by letters dated through March 17, 2011; (2) the Commission's safety evaluation report (NUREG-1961), issued April 2011; (3) the licensee's updated final safety analysis report; and (4) the Commission's final environmental impact statement (NUREG-1437, Supplement 43), issued January 2011. These documents are available at the NRC's Public Document Room, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, and online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>.

Copies of Renewed Facility Operating License Nos. NPF-41, NPF-51, and

NPF-74, may be obtained by writing to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Director, Division of License Renewal. Copies of the PVNGS safety evaluation report (NUREG-1961) and the final environmental impact statement (NUREG-1437, Supplement 43) may be purchased from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22161 (<http://www.ntis.gov>), 703-605-6000, or Attention: Superintendent of Documents, U.S. Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250-7954 (<http://www.gpoaccess.gov>), 202-512-1800. All orders should clearly identify the NRC publication number and the requestor's Government Printing Office deposit account number or VISA or MasterCard number and expiration date.

Dated at Rockville, Maryland, this 21st day of April, 2011.

For the Nuclear Regulatory Commission.

**Andrew S. Imboden,**  
*Chief, Environmental Review and Guidance Update Branch, Division of License Renewal, Office of Nuclear Reactor Regulation.*

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## **NUCLEAR WASTE TECHNICAL REVIEW BOARD**

### **Board Workshop: June 6–7, 2011—Arlington, Virginia; the U.S. Nuclear Waste Technical Review Board Will Hold a Workshop on Methods for Evaluating Nuclear Waste Streams**

Pursuant to its authority under section 5051 of Public Law 100-203, Nuclear Waste Policy Amendments Act of 1987, the U.S. Nuclear Waste Technical Review Board will hold a workshop on Monday, June 6, and Tuesday, June 7, 2011, in Arlington, Virginia, on methods for evaluating waste streams associated with light-water reactor (LWR) fuel-cycle options. The Board has developed a personal-computer-based systems analysis tool, the Nuclear Waste Assessment System for Technical Evaluation (NUWASTE), to analyze the implications of various nuclear fuel-cycle scenarios being considered by the U.S. Department of Energy (DOE) for managing spent nuclear fuel. The Board will discuss NUWASTE, its methodology, and some preliminary results from the analysis at the meeting. Other organizations with similar projects under way have been invited to discuss their analytical methods and results at the workshop. The overall objectives of the workshop

are to benchmark each of the systems analysis tools against each other and to understand the basis for any differences among the results.

The workshop will be held at the Hilton Arlington Hotel; 950 N. Stafford Street; Arlington, VA 22203; telephone: 703-528-6000. A block of rooms has been reserved at the hotel. To make a reservation, attendees may call 1-800-Hiltons. The group code for the meeting is "NUC." Or, go to the hotel Web site, <http://www.arlingtonva.hilton.com>, and enter the arrival and departure dates and the group code. All reservations must be made by May 13 to receive the group rate.

The workshop will begin on Monday, June 6, at 9 a.m. and will conclude by 4 p.m. on Tuesday, June 7. A detailed agenda will be available on the Board's Web site at <http://www.nwtrb.gov> approximately one week before the workshop. The agenda also may be obtained by telephone request at that time.

The workshop will be open to the public, and opportunities for public comment will be provided. Those wanting to speak are encouraged to sign the "Public Comment Register" at the check-in table. It may be necessary to set a time limit on individual remarks, but written comments of any length may be submitted for the record.

Transcripts of the workshop discussions will be available on the Board's Web site, by e-mail, on computer disk, and on library-loan in paper form from Davonya Barnes of the Board's staff after June 27, 2011.

The Board was established as an independent federal agency to provide ongoing, objective expert advice to Congress and the Secretary of Energy on technical issues related to the management and disposition of spent nuclear fuel and high-level radioactive waste and to review the technical validity of DOE activities related to implementing the Nuclear Waste Policy Act. Board members are experts in their fields and are appointed to the Board by the President from a list of candidates submitted by the National Academy of Sciences. The Board is required to report to Congress and the Secretary no fewer than two times each year. Board reports, correspondence, congressional testimony, and meeting transcripts and materials are posted on the Board's Web site.

For information on the meeting agenda, contact Karyn Severson. For information on lodging or logistics, contact Linda Coultry. They can be reached at 2300 Clarendon Boulevard, Suite 1300; Arlington, VA 22201-3367; (tel) 703-235-4473; (fax) 703-235-4495.