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Dated at Rockville, Maryland, this 8th day of June 2011.

For the Nuclear Regulatory Commission.

**Tremaine Donnell,**

*NRC Clearance Officer, Office of Information Services.*

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## NUCLEAR REGULATORY COMMISSION

[NRC-2011-0133]

### Biweekly Notice; Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations

#### I. Background

Pursuant to section 189a. (2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (the Commission or NRC) is publishing this regular biweekly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a

determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from May 19, 2011, to June 1, 2011. The last biweekly notice was published on May 31, 2011 (76 FR 31369).

**ADDRESSES:** Please include Docket ID NRC-2011-0133 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, <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. You may submit comments by any one of the following methods:

- *Federal Rulemaking Web Site:* Go to <http://www.regulations.gov> and search for documents filed under Docket ID NRC-2011-0133. Address questions about NRC dockets to Carol Gallagher, telephone: 301-492-3668; e-mail: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

- *Mail comments to:* Cindy Bladey, Chief, Rules, Announcements, and Directives Branch (RADB), Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

- *Fax comments to:* RADB 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, 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 online in the NRC Library 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 the 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).

- *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-2011-0133.

### Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. Should the

Commission make a final No Significant Hazards Consideration Determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

Within 60 days after the date of publication of this notice, any person(s) whose interest may be affected by this action may file a request for a hearing and a petition to intervene with respect to issuance of the amendment to the subject facility operating license. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested person(s) should consult a current copy of 10 CFR 2.309, which is available at the Commission's PDR, located at One White Flint North, Public File Area O1-F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. The NRC regulations are accessible electronically from the NRC Library on the NRC Web site at <http://www.nrc.gov/reading-rm/doc-collections/cfr/>. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements: (1) The name, address, and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also identify the specific contentions which the requestor/petitioner seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the requestor/petitioner shall

provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the requestor/petitioner intends to rely in proving the contention at the hearing. The requestor/petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the requestor/petitioner intends to rely to establish those facts or expert opinion. The petition must include sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the requestor/petitioner to relief. A requestor/petitioner who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

All documents filed in NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in accordance with the NRC E-Filing rule (72 FR 49139, August 28, 2007). The E-Filing process requires participants to submit and serve all adjudicatory documents over the Internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings

unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least ten (10) days prior to the filing deadline, the participant should contact the Office of the Secretary by e-mail at [hearing.docket@nrc.gov](mailto:hearing.docket@nrc.gov), or by telephone at 301-415-1677, to request (1) a digital ID certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a request or petition for hearing (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals/apply-certificates.html>. System requirements for accessing the E-Submittal server are detailed in NRC's "Guidance for Electronic Submission," which is available on the agency's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>. Participants may attempt to use other software not listed on the Web site, but should note that the NRC's E-Filing system does not support unlisted software, and the NRC Meta System Help Desk will not be able to offer assistance in using unlisted software.

If a participant is electronically submitting a document to the NRC in accordance with the E-Filing rule, the participant must file the document using the NRC's online, Web-based submission form. In order to serve documents through EIE, users will be required to install a Web browser plug-in from the NRC Web site. Further information on the Web-based submission form, including the installation of the Web browser plug-in, is available on the NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>.

Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC public Web site at <http://www.nrc.gov/site-help/e->

*submittals.html*. A filing is considered complete at the time the documents are submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an e-mail notice confirming receipt of the document. The E-Filing system also distributes an e-mail notice that provides access to the document to the NRC Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically using the agency's adjudicatory E-Filing system may seek assistance by contacting the NRC Meta System Help Desk through the "Contact Us" link located on the NRC Web site at <http://www.nrc.gov/site-help/e-submittals.html>, by e-mail at [MSHD.Resource@nrc.gov](mailto:MSHD.Resource@nrc.gov), or by a toll-free call at 866-672-7640. The NRC Meta System Help Desk is available between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the

service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in NRC's electronic hearing docket which is available to the public at <http://ehd1.nrc.gov/EHD/>, unless excluded pursuant to an order of the Commission, or the presiding officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

Petitions for leave to intervene must be filed no later than 60 days from the date of publication of this notice. Non-timely filings will not be entertained absent a determination by the presiding officer that the petition or request should be granted or the contentions should be admitted, based on a balancing of the factors specified in 10 CFR 2.309(c)(1)(i)-(viii).

For further details with respect to this license amendment application, see the application for amendment, which is available for public inspection at the Commission's PDR. (For more information, see the **ADDRESSES** section.)

*Arizona Public Service Company, et al., Docket Nos. STN 50-528, STN 50-529, and STN 50-530, Palo Verde Nuclear Generating Station, Units 1, 2, and 3, Maricopa County, Arizona*

*Date of amendment request:* March 31, 2011.

*Description of amendment request:* The amendments would relocate certain surveillance frequencies to a licensee-controlled program (the Surveillance Frequency Control Program, SFCP) in accordance with Technical Specification Task Force (TSTF) Improved Standard Technical Specifications Change Traveler TSTF-425, "Relocate Surveillance Frequencies to Licensee Control—RITSTF [Risk Informed Technical Specification Task Force] Initiative 5b," Revision 3 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML090850642). The licensee proposes an administrative

change to TSTF-425, Revision 3, which would allow it to retain the definition of "Staggered Test Basis" that also appears in a portion of the plants' technical specifications (TSs) that are not subject to TSTF-425. The licensee also proposes to deviate from TSTF-425 by making the changes recommended to the TSTF in the NRC letter dated April 14, 2010 (ADAMS Accession No. ML100990099), regarding the TS Bases.

The NRC staff issued a Notice of Availability for TSTF-425 in the **Federal Register** on July 6, 2009 (74 FR 31996). The notice included a model safety evaluation and a model no significant hazards consideration (NSHC) determination. In its application dated March 31, 2011, the licensee affirmed the applicability of the model NSHC determination which is presented below.

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of NSHC, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of any accident previously evaluated?

*Response:* No.

The proposed change relocates the specified frequencies for periodic surveillance requirements to licensee control under a new Surveillance Frequency Control Program. Surveillance frequencies are not an initiator to any accident previously evaluated. As a result, the probability of any accident previously evaluated is not significantly increased. The systems and components required by the technical specifications for which the surveillance frequencies are relocated are still required to be operable, meet the acceptance criteria for the surveillance requirements, and be capable of performing any mitigation function assumed in the accident analysis. As a result, the consequences of any accident previously evaluated are not significantly increased.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any previously evaluated?

*Response:* No.

No new or different accidents result from utilizing the proposed change. The changes do not involve a physical alteration of the plant (*i.e.*, no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. In addition, the changes do not impose any new or different requirements. The changes do not alter assumptions made in the safety analysis. The proposed changes are consistent with the safety analysis assumptions and current plant operating practice.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in the margin of safety?  
*Response:* No.

The design, operation, testing methods, and acceptance criteria for systems, structures, and components (SSCs), specified in applicable codes and standards (or alternatives approved for use by the NRC) will continue to be met as described in the plant licensing basis (including the Final Safety Analysis Report and Bases to TS), since these are not affected by changes to the surveillance frequencies. Similarly, there is no impact to safety analysis acceptance criteria as described in the plant licensing basis. To evaluate a change in the relocated surveillance frequency, [Arizona Public Service Company] will perform a probabilistic risk evaluation using the guidance contained in NRC approved [Nuclear Energy Institute (NEI)] 04–10, Rev. 1 in accordance with the TS SFCP. NEI 04–10, Rev. 1, methodology provides reasonable acceptance guidelines and methods for evaluating the risk increase of proposed changes to surveillance frequencies consistent with Regulatory Guide 1.177.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on that review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the request for amendments involves no significant hazards consideration.

*Attorney for licensee:* Michael G. Green, Senior Regulatory Counsel, Pinnacle West Capital Corporation, P.O. Box 52034, Mail Station 8695, Phoenix, Arizona 85072–2034.

*NRC Branch Chief:* Michael T. Markley.

*Calvert Cliffs Nuclear Power Plant, LLC, Docket Nos. 50–317 and 50–318, Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, Calvert County, Maryland*

*Date of amendment requests:* May 11, 2011.

*Description of amendment requests:* The amendment would modify a note within Technical Specification 3.3.1, "Reactor Protective System (RPS) Instrumentation—Operating," to change the value at which the RPS trip function, Steam Generator Pressure-Low, is bypassed from 785 psig to 785 psia. The revision corrects an administrative error that occurred during Calvert Cliffs' conversion to the Standard Technical Specifications.

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the

issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

*Response:* No.

The proposed administrative change to correct the unit of measure listed in note (c) of Technical Specification 3.3.1 to read psia vice psig does not affect any analyzed accident initiators, nor does it affect the unit's ability to successfully respond to any previously evaluated accident. In addition the proposed does not change the operation or maintenance that it performed on plant equipment.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

*Response:* No.

The proposed administrative change corrects the unit of measure listed in note (c) of Technical Specification 3.3.1 to read psia vice psig. The proposed change does not involve a physical alteration to the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation.

Therefore it is concluded that the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

*Response:* No.

The proposed administrative change corrects the unit of measure listed in note (c) of Technical Specification 3.3.1 to read psia vice psig. Since this is an administrative change the safety functions of plant equipment and their response to any analyzed accident scenario are unaffected by this proposed change and thus there is no reduction in any margin of safety.

Therefore the proposed change does not involve a significant reduction in the margin of safety for the operation of each unit.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment requests involve no significant hazards consideration.

*Attorney for licensee:* Carey Fleming, Sr. Counsel—Nuclear Generation, Constellation Generation Group, LLC, 750 East Pratt Street, 17th floor, Baltimore, MD 21202.

*NRC Branch Chief:* Nancy L. Salgado.

*Entergy Nuclear Operations, Inc., (ENO) Docket No. 50–255, Palisades Nuclear Plant, Van Buren County, Michigan*

*Date of amendment request:* April 6, 2011.

*Description of amendment request:* The proposed amendment would revise Appendix A, Technical Specifications (TS), to allow extension of the ten-year plus 15-month frequency of the Palisades Nuclear Plant Type A, or Integrated Leak Rate Test (ILRT) that is required by TS 5.5.14, to 15 years on a permanent basis.

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

*Response:* No.

The proposed amendment involves changes to the PLP [Palisades Nuclear Plant] containment leakage rate testing program. The proposed amendment does not involve a physical change to the plant or a change in the manner in which the plant is operated or controlled. The primary containment function is to provide an essentially leak tight barrier against the uncontrolled release of radioactivity to the environment for postulated accidents. As such, the containment itself and the testing requirements to periodically demonstrate the integrity of the containment exist to ensure the plant's ability to mitigate the consequences of an accident, do not involve any accident precursors or initiators.

Therefore, the probability of occurrence of an accident previously evaluated is not significantly increased by the proposed amendment.

The proposed amendment adopts the NRC-accepted guidelines of NEI [Nuclear Energy Institute] 94–01, Revision 2–A, for development of the PLP performance-based testing program. Implementation of these guidelines continues to provide adequate assurance that during design basis accidents, the primary containment and its components would limit leakage rates to less than the values assumed in the plant safety analyses. The potential consequences of extending the ILRT interval to 15 years have been evaluated by analyzing the resulting changes in risk. The increase in risk in terms of person-rem per year within 50 miles resulting from design basis accidents was estimated to be acceptably small and determined to be within the guidelines published in RG [Regulatory Guide] 1.174. Additionally, the proposed change maintains defense-in-depth by preserving a reasonable balance among prevention of core damage, prevention of containment failure, and consequence mitigation. ENO has determined that the increase in conditional containment failure probability due to the proposed change would be very small.

Therefore, it is concluded that the proposed amendment does not significantly increase the consequences of an accident previously evaluated.

Therefore, the proposed change does not involve a significant increase in the

probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

*Response:* No.

The proposed amendment adopts the NRC-accepted guidelines of NEI 94-01, Revision 2-A, for the development of the PLP performance-based leakage testing program, and establishes a 15-year interval for the performance of the containment ILRT. The containment and the testing requirements, to periodically demonstrate the integrity of the containment, exist to ensure the plant's ability to mitigate the consequences of an accident do not involve any accident precursors or initiators. The proposed change does not involve a physical change to the plant (*i.e.*, no new or different type of equipment will be installed) or a change to the manner in which the plant is operated or controlled.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

*Response:* No.

The proposed amendment adopts the NRC-accepted guidelines of NEI 94-01, Revision 2-A, for the development of the PLP performance-based leakage testing program, and establishes a 15-year interval for the performance of the containment ILRT. This amendment does not alter the manner in which safety limits, limiting safety system setpoints, or limiting conditions for operation are determined. The specific requirements and conditions of the containment leakage rate testing program, as defined in the TS, ensure that the degree of primary containment structural integrity and leak-tightness that is considered in the plant's safety analysis is maintained. The overall containment leakage rate limit specified by the TS is maintained, and the Type A, Type B, and Type C containment leakage tests would be performed at the frequencies established in accordance with the NRC-accepted guidelines of NEI 94-01, Revision 2-A.

Containment inspections performed in accordance with other plant programs serve to provide a high degree of assurance that the containment would not degrade in a manner that is not detectable by an ILRT. A risk assessment using the current PLP PSA [probabilistic safety assessment] model concluded that extending the ILRT test interval from 10 years to 15 years results in a very small change to the PLP risk profile.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* Mr. William Dennis, Assistant General Counsel, Entergy Nuclear Operations, Inc., 440 Hamilton Ave., White Plains, NY 10601.

*NRC Branch Chief:* Robert J. Pascarelli.

*Florida Power Corporation, et al., Docket No. 50-302, Crystal River Unit 3 Nuclear Generating Plant, Citrus County, Florida*

*Date of amendment request:* February 25, 2011.

*Description of amendments request:* The proposed licensing amendment request would revise the Crystal River Unit 3 (CR-3) Improved Technical Specifications (ITS) 3.7.19, "Diesel Driven EFW [Emergency Feedwater] (DD-EFW) Pump Fuel Oil, Lube Oil, Starting Air," Condition A and ITS Surveillance Requirement 3.7.19.1, in order to increase the ITS minimum required stored diesel fuel for the DD-EFW pump in the fuel oil supply tank.

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The LAR [license amendment request] proposes to revise the Diesel Driven Emergency Feedwater (DD-EFW) pump (EFP-3) fuel oil supply tank (DFT-4) action condition and surveillance values to ensure that the EFW pump will remain capable of performing the design function of operating continuously for up to seven days. The proposed amendment provides the same functional requirement as previously approved.

The consequences of an accident refer to the impact on both plant personnel and the public from any radiological release associated with the accident. The Emergency Feedwater (EFW) System removes decay heat to prevent a radiological release. A more conservative action condition and surveillance value restores design margin and provides assurance that the equipment supplied by the EFW System will operate correctly and within the assumed timeframe to perform their mitigating functions. The administrative controls that have been established are an acceptable short term correction along with this LAR. The EFW System is used for accident mitigation and is not an initiator of design basis accidents. Therefore, the probability of previously analyzed events is not affected by this change. No capability or design functions of EFP-3 or the EFW System will change. The initial conditions for accidents that require EFW and accident mitigation capability of the EFW System will remain unchanged.

EFP-3 and DFT-4 are mitigating components and are not initiators for any analyzed accident.

Therefore, the proposed amendment will not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed Improved Technical Specifications (ITS) Condition will ensure equipment is restored to an operable status in accordance with previously approved timeframes and functional levels. The proposed Surveillance Requirement (SR) will ensure the same functional requirement as the previously approved SR. The more conservative DFT-4 tank levels will provide additional assurance that the EFP-3 can provide the seven day operation that is required.

No new plant configurations or conditions are created by the proposed ITS Condition or SR. Therefore, the proposed amendment cannot create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does not involve a significant reduction in a margin of safety.

The proposed ITS Condition and SR ensure adequate fuel oil inventory is available to operate EFP-3 for seven days. The proposed changes replace the calculated fuel oil inventory values with a more conservative value. The proposed SR ensures the same functional requirement for a seven day supply of fuel oil for EFP-3 as was previously approved. Similarly, the proposed ITS Condition ensures the same functional level as currently approved by requiring that a reduced fuel oil inventory of less than seven days, but more than six days, is restored to the seven day level within 48 hours. Based on the above, the proposed LAR meets the same intent as the currently approved specifications.

The proposed CR-3 ITS and SR, revising the values for DFT-4 fuel storage, will ensure that the EFW System will be able to perform all design functions assumed in the accident analyses. Administrative limits are in place to ensure these parameters remain within analyzed limits.

As such, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* David T. Conley, Associate General Counsel II—Legal Department, Progress Energy Service Company, LLC, Post Office Box 1551, Raleigh, NC 27602.

*NRC Branch Chief:* Douglas A. Broadus.

*Indiana Michigan Power Company (the licensee), Docket Nos. 50-315 and 50-316, Donald C. Cook Nuclear Plant, Units 1 and 2, Berrien County, Michigan*

*Date of amendment request:* May 3, 2011.

*Description of amendment request:* The proposed amendment would revise the Technical Specifications (TS) to define a new time limit for restoring inoperable Reactor Coolant System (RCS) leakage detection instrumentation to operable status; and establish alternate methods of monitoring RCS leakage when one or more required monitors are inoperable. These changes are consistent with NRC-approved Revision 3 to Technical Specification Task Force (TSTF) Improved Standard Technical Specification Change Traveler TSTF-513, "Revise PWR [pressurized water reactor] Operability Requirements and Actions for RCS Leakage Instrumentation." The availability of this TS improvement was announced in the **Federal Register** on January 3, 2011 (76 FR 189), as part of the consolidated line item improvement process (CLIIP).

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee provided an analysis of no significant hazards consideration (NSHC), which is reproduced below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

*Response:* No.

The proposed change clarifies the operability requirements for the RCS leakage detection instrumentation and reduces the time allowed for the plant to operate when the only TS-required operable RCS leakage detection instrumentation monitor is the containment atmosphere gaseous radiation monitor. The monitoring of RCS leakage is not a precursor to any accident previously evaluated. The monitoring of RCS leakage is not used to mitigate the consequences of any accident previously evaluated.

Therefore, it is concluded that the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

*Response:* No.

The proposed change clarifies the operability requirements for the RCS leakage detection instrumentation and reduces the time allowed for the plant to operate when the only TS-required operable RCS leakage detection instrumentation monitor is the containment atmosphere gaseous radiation monitor. The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods

governing normal plant operation. The proposed change maintains sufficient continuity and diversity of leak detection capability that the probability of piping evaluated and approved for [leak-before-break] progressing to pipe rupture remains extremely low.

Therefore, it is concluded that the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

*Response:* No.

The proposed change clarifies the operability requirements for the RCS leakage detection instrumentation and reduces the time allowed for the plant to operate when the only TS-required operable RCS leakage detection instrumentation monitor is the containment atmosphere gaseous radiation monitor. Reducing the amount of time the plant is allowed to operate with only the containment atmosphere gaseous radiation monitor operable increases the margin of safety by increasing the likelihood that an increase in RCS leakage will be detected before it potentially results in gross failure.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves NSHC.

*Attorney for licensee:* James M. Petro, Jr., Senior Nuclear Counsel, Indiana Michigan Power Company, One Cook Place, Bridgman, MI 49106.

*NRC Branch Chief:* Robert J. Pascarelli.

*Southern Nuclear Operating Company, Inc., Docket Nos. 50-424 and 50-425, Vogtle Electric Generating Plant, Units 1 and 2, Burke County, Georgia and Docket Nos. 50-348 and 50-364, Joseph M. Farley Nuclear Plant, Units 1 and 2, Houston County, Alabama*

*Date of amendment request:* April 29, 2011.

*Description of amendment request:* The proposed amendments would revise the Technical Specification (TS) section 3.4.15 RCS [Reactor Coolant System] Leakage Detection Instrumentation, in accordance with the Technical Specification Task Force Traveler TSTF-513-A, Revision 3, titled "Revise PWR [Pressurized-Water Reactor] Operability Requirements and Actions for RCS Leakage [detection] Instrumentation." Specifically, the proposed amendment would revise the TS to define a new time limit for restoring inoperable RCS leakage detection instrumentation to operable status and establish alternate methods of monitoring RCS leakage when one or more required monitors are inoperable. The notice of availability for this TS

improvement initiative was published in the **Federal Register** on January 3, 2011 (76 FR 189), as part of the consolidated line item improvement process.

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

*Response:* No.

The proposed change clarifies the operability requirements for the RCS leakage detection instrumentation and reduces the time allowed for the plant to operate when the only TS-required operable RCS leakage detection instrumentation monitor is the containment atmosphere gaseous radiation monitor. The monitoring of RCS leakage is not a precursor to any accident previously evaluated. The monitoring of RCS leakage is not used to mitigate the consequences of any accident previously evaluated.

Therefore, it is concluded that the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

*Response:* No.

The proposed change clarifies the operability requirements for the RCS leakage detection instrumentation and reduces the time allowed for the plant to operate when the only TS-required operable RCS leakage detection instrumentation monitor is the containment atmosphere gaseous radiation monitor. The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. The proposed change maintains sufficient continuity and diversity of leak detection capability that the probability of piping evaluated and approved for Leak-Before-Break progressing to pipe rupture remains extremely low.

Therefore, it is concluded that the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

*Response:* No.

The proposed change clarifies the operability requirements for the RCS leakage detection instrumentation and reduces the time allowed for the plant to operate when the only TS-required operable RCS leakage detection instrumentation monitor is the containment atmosphere gaseous radiation monitor. Reducing the amount of time the plant is allowed to operate with only the containment atmosphere gaseous radiation

monitor operable increases the margin of safety by increasing the likelihood that an increase in RCS leakage will be detected before it potentially results in gross failure.

Therefore, it is concluded that the proposed change does not involve a significant reduction in a margin of safety.

Based upon the above analysis, SNC concludes that the requested change does not involve a significant hazards consideration, as set forth in 10 CFR 50.92(c), "Issuance of Amendment."

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* Mr. Arthur H. Dombay, Troutman Sanders, NationsBank Plaza, Suite 5200, 600 Peachtree Street, NE., Atlanta, Georgia 30308-2216.

*NRC Branch Chief:* Gloria Kulesa.

#### Notice of Issuance of Amendments to Facility Operating Licenses

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for A Hearing in connection with these actions was published in the **Federal Register** as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendment, (2) the amendment, and (3) the Commission's related letter, Safety

Evaluation and/or Environmental Assessment as indicated. All of these items are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area 01 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available documents created or received at the NRC are accessible electronically through the Agencywide Documents Access and Management System (ADAMS) in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the 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).

*Exelon Generation Company, LLC, Docket No. 50-461, Clinton Power Station, Unit No. 1, DeWitt County, Illinois*

*Date of application for amendment:* June 4, 2010.

*Brief description of amendment:* The amendment removes an expired time-related item and several typographical errors for the Clinton Power Station Technical Specifications.

*Date of issuance:* May 26, 2011.

*Effective date:* As of the date of issuance and shall be implemented within 30 days.

*Amendment No.:* 193.

*Facility Operating License No. NPF-62:* The amendment revised the Technical Specifications and License.

*Date of initial notice in Federal Register:* September 7, 2010 (75 FR 54395).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 26, 2011.

*No significant hazards consideration comments received:* No.

*Exelon Generation Company, LLC, and PSEG Nuclear, LLC, Docket Nos. 50-277 and 50-278, Peach Bottom Atomic Power Station (PBAPS), Units 2 and 3, York and Lancaster Counties, Pennsylvania*

*Date of application for amendments:* January 6, 2010, as supplemented on August 20, 2010, October 14, 2010, December 6, 2010, and February 7, 2011.

*Brief description of amendments:* The amendment enables PBAPS, Units 2 and 3, to possess byproduct and special nuclear material from Limerick Generating Station (LGS), Units 1 and 2. Specifically, the revised license paragraph would permit storage of low-level radioactive waste (LLRW) from LGS in the PBAPS LLRW Storage

Facility. The PBAPS LLRW Storage Facility currently provides storage for LLRW generated at PBAPS.

*Date of issuance:* May 31, 2011.

*Effective date:* As of the date of issuance and shall be implemented within 30 days from the date of issuance.

*Amendment Nos.:* Unit 2-280, Unit 3-282.

*Renewed Facility Operating License Nos. DPR-44 and DPR-56:* Amendments revised the Facility Operating License.

*Date of initial notice in Federal*

**Register:** November 30, 2010 (75 FR 74094). The supplements dated August 20, 2010, October 14, 2010, December 6, 2010, and February 7, 2011, clarified the application, did not expand the scope of the application as originally noticed, and did not change the initial proposed no significant hazards consideration determination.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated May 31, 2011.

*No significant hazards consideration comments received:* No.

*FirstEnergy Nuclear Operating Company, et al., Docket No. 50-440, Perry Nuclear Power Plant, Unit No. 1, Lake County, Ohio*

*Date of application for amendment:* December 15, 2010.

*Brief description of amendment:* This license amendment modifies the required testing frequency of Surveillance Requirement 3.1.4.2 from "120 days cumulative operation in MODE 1" to "200 days cumulative operation in MODE 1," by incorporating U.S. Nuclear Regulatory Commission-approved Technical Specification Task Force (TSTF) change traveler TSTF-460, Revision 0.

*Date of issuance:* May 19, 2011.

*Effective date:* As of the date of issuance and shall be implemented within 90 days.

*Amendment No.:* 156.

*Facility Operating License No. NPF-58:* This amendment revised the technical specifications and license.

*Date of initial notice in Federal Register:* February 22, 2011 (76 FR 9825).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 19, 2011.

*No significant hazards consideration comments received:* No.

*FirstEnergy Nuclear Operating Company, et al., Docket No. 50-440, Perry Nuclear Power Plant, Unit No. 1, Lake County, Ohio*

*Date of application for amendment:* December 15, 2010.

*Brief description of amendment:* This license amendment modifies the requirements for testing control rod scram times following fuel movement within the reactor pressure vessel by incorporating Nuclear Regulatory Commission approved Technical Specification Task Force (TSTF) change traveler TSTF-222-A, Revision 1.

*Date of issuance:* May 19, 2011.

*Effective date:* As of the date of issuance and shall be implemented within 90 days.

*Amendment No.:* 157.

*Facility Operating License No. NPF-58:* This amendment revised the Technical Specifications and License.

*Date of initial notice in Federal Register:* February 22, 2011 (76 FR 9824).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 19, 2011.

*No significant hazards consideration comments received:* No.

*STP Nuclear Operating Company, Docket Nos. 50-498 and 50-499, South Texas Project, Units 1 and 2, Matagorda County, Texas*

*Date of amendment request:* May 18, 2010, as supplemented by letters dated March 1 and May 2, 2011.

*Brief description of amendments:* The amendments revised Technical Specification (TS) 6.8.3.I, "Containment Post-Tensioning System Surveillance Program," and the related TS Surveillance Requirement 4.6.1.6, "Containment Prestressing System," for consistency with the requirements of the containment inservice inspection program mandated by paragraph 50.55a(g)(4) of Title 10 of the *Code of Federal Regulations* (10 CFR), for components classified as Code Class CC. Specifically, the amendments deleted the reference to the specific American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code) edition in TS 6.8.3.I and replaced it with the requirement to use the applicable ASME Code, Section XI edition and addenda for successive 10-year inservice inspection intervals in accordance with 10 CFR 50.55a, "Codes and standards." The changes have no impact on the implementation of the Containment Post-Tensioning System Surveillance Program or the design basis of STP, Units 1 and 2.

*Date of issuance:* May 27, 2011.

*Effective date:* As of the date of issuance and shall be implemented within 30 days of issuance.

*Amendment Nos.:* Unit 1-196; Unit 2-184.

*Facility Operating License Nos. NPF-76 and NPF-80:* The amendments

revised the Facility Operating Licenses and Technical Specifications.

*Date of initial notice in Federal Register:* September 21, 2010 (75 FR 57529). The supplemental letter dated March 1, 2011, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, but did change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register** on September 21, 2010 (75 FR 57529). The revised proposed no significant hazards consideration determination was published in the **Federal Register** on March 22, 2011 (76 FR 16012).

The supplemental letter dated May 2, 2011, provided additional information that clarified the application, did not expand the scope of the application as noticed on March 22, 2011, and did not change the staff's revised proposed no significant hazards consideration determination as published in the **Federal Register** on March 22, 2011 (76 FR 16012).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated May 27, 2011.

*No significant hazards consideration comments received:* No.

*Virginia Electric and Power Company, et al., Docket No. 50-281, Surry Power Station, Unit 2, Surry County, Virginia*

*Date of application for amendments:* December 16, 2010.

*Brief Description of amendments:* These amendments revised the inspection scope and repair requirements of Technical Specification (TS) Section 6.4.Q, "Steam Generator Program," and to the reporting requirements of TS Section 6.6.A.3, "Steam Generator Tube Inspection Report." The proposed changes would be applicable to Surry Unit 2 during Refueling Outage 23 and the subsequent operating cycle.

*Date of issuance:* May 20, 2011.

*Effective date:* As of the date of issuance and shall be implemented within 30 days.

*Amendment Nos.:* 273.

*Renewed Facility Operating License No. DPR-37:* Amendment changes the licenses and the technical specifications.

*Date of initial notice in Federal Register:* April 19, 2011 (76 FR 21923).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated May 20, 2011.

*No significant hazards consideration comments received:* No.

*Virginia Electric and Power Company, et al., Docket Nos. 50-280 and 50-281, Surry Power Station, Units 1 and 2 (Surry 1 and 2), Surry County, Virginia*

*Date of application for amendments:* May 6, 2010.

*Brief Description of amendments:* These amendments revised the licenses and the Technical Specifications (TSs) to provide new limits that are valid to 48 effective full-power years for Surry 1 and 2.

*Date of issuance:* May 31, 2011.

*Effective date:* As of the date of issuance and shall be implemented within 30 days.

*Amendment Nos.:* Unit 1-274 and Unit 2-274.

*Renewed Facility Operating License Nos. DPR-32 and DPR-37:* Amendments change the licenses and the TSs.

*Date of initial notice in Federal Register:* September 7, 2010 (75 FR 54396).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated May 31, 2011.

*No significant hazards consideration comments received:* No.

Dated at Rockville, Maryland, this 2nd day of June 2011.

For the Nuclear Regulatory Commission.

**Joseph G. Giitter,**

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

[FR Doc. 2011-14680 Filed 6-13-11; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Rensselaer Polytechnic Institute

[Docket No. 50-225; NRC-2008-0277]

### Rensselaer Polytechnic Institute Critical Experiments Facility; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC, the Commission) is considering issuance of a renewed Facility Operating License No. CX-22, to be held by the Rensselaer Polytechnic Institute (RPI, the licensee), which would authorize continued operation of the Rensselaer Polytechnic Institute Critical Experiments Facility (RCF), located in Schenectady, Schenectady County, New York. Therefore, as required by Title 10 of the *Code of Federal Regulations* (10 CFR) Section 51.21, the NRC is issuing this Environmental Assessment (EA) and Finding of No Significant Impact.