

methods and training to protect the trailing cable(s) against damage caused by overheating cable(s) due to excessive cable stored on the cable reel(s) and adjusting stored cable behind the cable anchor(s) as tramping distances change; and (d) proper procedures for examining the trailing cable(s) to ensure that the cable(s) are in safe operating condition by a visual inspection of the entirety of the cable(s), observing the insulation, the integrity of the splices, and observing for nicks and abrasions. (23) Within 60 days after this proposed decision and order becomes final, proposed revisions for the approved Part 48 training plan will be submitted to the District Manager. The petitioner asserts that the proposed alternative method will at all times provide no less than the same measure of protection afforded by the existing standard.

*Docket Number:* M-2011-015-C.

*Petitioner:* TK Mining Services, LLC, 12250 Hwy 12, Weston, Colorado 81091.

*Mine:* New Elk Mine, MSHA Mine I.D No. 05-00296, located in Las Animas County, Colorado.

*Regulation Affected:* 30 CFR 75.503 (Permissible electric face equipment; maintenance)

*Modification Request:* The petitioner requests a modification of the existing standard to permit the use of non-permissible survey, diagnostic, photographic and programming equipment throughout the entire mine. The petitioner proposes to use the non-permissible equipment to help with development, exploration of entries, and maintenance of mining equipment. The petitioner states that: (1) The equipment is very vital in keeping the entries going in the proper direction and maintaining equipment for the safety of the miners; (2) the equipment will be examined by a qualified person for defects prior to usage underground; (3) a qualified person will thoroughly examine for methane and other hazardous conditions prior to use and every 20 minutes or sooner if needed; and (4) all equipment and activity will stop immediately if the surrounding mine's atmosphere contains 1.0 percent or greater of methane, or if hazardous concentrations of coal dust or other hazards are observed. The petitioner asserts that every precaution will be taken to guarantee the safety of every miner working at the New Elk Mine. If the situation is not safe this equipment will not be used until the area is safe or made safe, and at no time will a miner be in danger.

Dated: June 22, 2011.

**Patricia W. Silvey,**  
*Certifying Officer.*

[FR Doc. 2011-16084 Filed 6-27-11; 8:45 am]

**BILLING CODE 4510-43-P**

## NATIONAL TRANSPORTATION SAFETY BOARD

### Sunshine Act Meeting

**TIME AND DATE:** 9:30 a.m., Tuesday, July 12, 2011.

**PLACE:** NTSB Conference Center, 429 L'Enfant Plaza, SW., Washington, DC 20594.

**STATUS:** The two items are open to the public.

#### MATTERS TO BE CONSIDERED:

8193A Marine Accident Report—Collision Between U.S. Coast Guard Vessel CG 33118 and Sea Ray Recreational Vessel CF 2607 PZ, San Diego Harbor, California, December 20, 2009.

8102A Aircraft Accident Report—Loss of Control While Maneuvering, Pilatus PC-12, N128CM, Butte, Montana, March 22, 2009.

*News Media Contact:* Telephone: (202) 314-6100.

The press and public may enter the NTSB Conference Center one hour prior to the meeting for set up and seating.

Individuals requesting specific accommodations should contact Rochelle Hall at (202) 314-6305 by Friday, July 8, 2011.

The public may view the meeting via a live or archived webcast by accessing a link under "News & Events" on the NTSB home page at <http://www.nts.gov>.

**FOR MORE INFORMATION CONTACT:** Candi Bing, (202) 314-6403 or by e-mail at [bingc@ntsb.gov](mailto:bingc@ntsb.gov).

Dated: June 24, 2010.

**Candi R. Bing,**

*Federal Register Liaison Officer.*

[FR Doc. 2011-16297 Filed 6-24-11; 4:15 pm]

**BILLING CODE 7533-01-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2011-0141; Docket No. 50-171]

### Environmental Assessment and Finding of No Significant Impact Related to Exemption for the Peach Bottom Atomic Power Station, Unit 1 License DPR-012, York and Lancaster Counties, PA

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Environmental assessment and finding of no significant Impact.

**FOR FURTHER INFORMATION CONTACT:** John Hickman, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Mail Stop T8F5, Washington, DC 20555-00001. Telephone: 301-415-3017; e-mail: [john.hickman@nrc.gov](mailto:john.hickman@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) staff is considering a request dated November 18, 2010, by Exelon Nuclear (Exelon, the licensee) requesting exemptions from the security requirements in 10 CFR part 73 and 10 CFR 50.54(p) for the Peach Bottom Atomic Power Station (PBAPS) Unit 1.

This Environmental Assessment (EA) has been developed in accordance with the requirements of 10 CFR 51.21.

##### II. Environmental Assessment

###### Identification of Proposed Action

The proposed action would eliminate the security plan requirements from the 10 CFR part 50 licensed site because the PBAPS Unit 1 spent nuclear fuel has been removed from the site and the spent fuel pool is drained and decontaminated. There is no longer any special nuclear material (SNM) located within PBAPS Unit 1 other than that contained in plant systems as residual contamination.

Part of this proposed action meets the categorical exclusion provision in 10 CFR 51.22(c)(25), as part of this action is an exemption from the requirements of the Commission's regulations and (i) there is no significant hazards consideration; (ii) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite; (iii) there is no significant increase in individual or cumulative public or occupational radiation exposure; (iv) there is no significant construction impact; (v) there is no significant increase in the potential for or consequences from radiological accidents; and (vi) the requirements from which an exemption is sought involve safeguard plans. Therefore, this part of the action does not require either an environmental assessment or an environmental impact statement. This environmental assessment was prepared for the part of the proposed action not involving safeguards plans.

### *Need for Proposed Action*

Sections 50.54 and 73.55 of Title 10 of the Code of Federal Regulations require that licensees establish and maintain physical protection and security for activities involving SNM within the 10 CFR part 50 licensed area of a facility. The proposed action is needed because there is no longer any nuclear fuel in the 10 CFR part 50 licensed facility that requires protection against radiological sabotage or diversion. The proposed action will allow the licensee to conserve resources for decommissioning activities.

### *Environmental Impacts of the Proposed Action*

The NRC has completed its evaluation of the proposed action and concludes that exempting the facility from physical protection security requirements will not have any adverse environmental impacts. There will be minor savings of energy and vehicular use associated with the security force no longer performing patrols, checks, and normal security functions.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released off site, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential non-radiological impacts, the proposed action does not involve any historic sites. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

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

The alternative is the no-action alternative, under which the staff would deny the exemption request. This denial of the request would result in no change in current environmental impacts. The environmental impacts of the proposed action and the no-action alternative are similar, therefore the no-action alternative is not further considered.

### *Conclusion*

The NRC staff has concluded that the proposed action will not significantly impact the quality of the human

environment, and that the proposed action is the preferred alternative.

### *Agencies and Persons Consulted*

In accordance with its stated policy, on May 12, 2011, the staff consulted the Pennsylvania State Department of Environmental Protection, regarding the environmental impact of the proposed action. The State official had no comments.

The NRC staff has determined that the proposed action is of a procedural nature, and will not affect listed species or critical habitat. Therefore, no further consultation is required under Section 7 of the Endangered Species Act. The NRC staff has also determined that the proposed action is not the type of activity that has the potential to cause effects on historic properties. Therefore, no further consultation is required under Section 106 of the National Historic Preservation Act.

### **III. Finding of No Significant Impact**

The NRC staff has prepared this EA as part of its review of the proposed action. On the basis of this EA, the NRC finds that there are no significant environmental impacts from the proposed action, and that preparation of an environmental impact statement is not warranted. Accordingly, the NRC has determined that a Finding of No Significant Impact is appropriate.

### **IV. Further Information**

For further details with respect to the proposed action, see the licensee's letter dated November 18, 2010, [ADAMS Accession Number ML103230031]. Documents related to this action, including the application and supporting documentation, are available electronically at the NRC's Library at <http://www.nrc.gov/reading-rm/adams.html>. From this site, you can access the NRC's Agencywide Document Access and Management System (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 Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). These documents may also be viewed electronically on the public computers located at the NRC's PDR, O 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Rockville, Maryland this 20th day of June, 2011.

For the Nuclear Regulatory Commission.

**Keith I. McConnell,**

*Deputy Director, Decommissioning and Uranium Recovery Licensing Directorate, Division of Waste Management, and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs.*

[FR Doc. 2011-16150 Filed 6-27-11; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[NRC-2010-0059; Docket Nos. 50-275 and 50-323]**

### **Pacific Gas and Electric Company, Diablo Canyon Power Plant, Unit 1 and 2; Exemption**

#### **1.0 Background**

Pacific Gas and Electric Company (PG&E, the licensee) is the holder of Facility Operating License Nos. DPR-80 and DPR-82, which authorize operation of the Diablo Canyon Power Plant, Unit 1 and 2 (DCPP). The licenses provide, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC, the Commission) now or hereafter in effect.

The facility consists of two pressurized-water reactors located in San Luis Obispo County, California.

#### **2.0 Request/Action**

Title 10 of the Code of Federal Regulations (10 CFR) part 73, "Physical protection of plants and materials," Section 73.55, "Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage," published March 27, 2009, effective May 26, 2009, with a full implementation date of March 31, 2010, requires licensees to protect, with high assurance, against radiological sabotage by designing and implementing comprehensive site security programs. The amendments to 10 CFR 73.55 published in the **Federal Register** on March 27, 2009 (74 FR 13926), establish and update generically applicable security requirements similar to those previously imposed by Commission orders issued after the terrorist attacks on September 11, 2001, and implemented by the licensees. In addition, the amendments to 10 CFR 73.55 include additional requirements to further enhance site security based upon insights gained from implementation of the post September 11, 2001, security orders. It is from one of these additional requirements that PG&E now seeks an exemption from the implementation date. All other physical