

Accession Number: ML102100236). This draft NUREG–1482, Revision 2, incorporates all the public comments received for draft NUREG–1946, because based on public comments, NUREG–1482, Revision 1, is revised and updated instead of issuing the new NUREG–1946. The NRC staff evaluation and resolution of public comments for draft NUREG–1946, including Inservice Testing Owner Group comments, are documented in ADAMS Accession Number: ML112092872. Most of the draft NUREG–1946 included in the main text of draft NUREG–1482, Revision 2, Appendix A, to this NUREG–1482, Revision 2, contains guidance provided in Revision 1 to NUREG–1482 for pumps and valves that has been updated for the development of inservice testing programs at nuclear power plants. Appendix B to this NUREG contains guidance related to inservice examination and testing of dynamic restraints (snubbers), which is included for the first time in the draft NUREG–1482, Revision 2.

The guidelines and recommendations provided in this NUREG and its Appendices A and B do not supersede the regulatory requirements specified in 10 CFR 50.55a. Further, this NUREG does not authorize the use of alternatives to, or grant relief from, the ASME Code requirements for inservice testing of pumps and valves, or inservice examination and testing of dynamic restraints (snubbers), incorporated by reference in 10 CFR 50.55a. In addition, the NUREG discusses other inservice test program topics such as the NRC process for review of the OM Code, conditions on the use of the OM Code, and interpretations of the OM Code.

Dated at Rockville, Maryland, this 11th day of August 2011.

For the Nuclear Regulatory Commission.

**Anthony C. McMurtray,**

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[FR Doc. 2011–21357 Filed 8–19–11; 8:45 am]

**BILLING CODE 7590–01–P**

## **NUCLEAR REGULATORY COMMISSION**

**[NRC–2011–0188; Docket No. 50–315]**

### **Indiana Michigan Power Company, Donald C. Cook Nuclear Plant, Unit 1; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering issuance of an exemption

and an amendment to Renewed Facility Operating License No. NPF–58 issued to Indiana Michigan Power Company (the licensee), for operation of Donald C. Cook Nuclear Plant, Unit 1 (DCCNP–1), located in Berrien County, Michigan, in accordance with Title 10 of the Code of Federal Regulations (10 CFR) part 50, § 50.90. In accordance with 10 CFR 51.21, the NRC performed an environmental assessment documenting its findings. The NRC concluded that the proposed actions would have no significant environmental impact.

#### **Environmental Assessment**

##### *Identification of the Proposed Actions*

The proposed actions would issue an exemption from 10 CFR 50.46 regarding fuel cladding material, and revise the Technical Specifications document, which is part of the Renewed Facility Operating Licenses, to permit use of Optimized ZIRLO™ fuel to a peak rod average burnup limit of 62 gigawatt-days per metric ton uranium (GWD/MTU).

The proposed actions are in accordance with the licensee's application dated December 16, 2010.

##### *The Need for the Proposed Actions*

The proposed actions to issue an exemption to the fuel cladding requirement of 10 CFR 50.46, and to amend the Technical Specifications to permit use of Optimized ZIRLO™ fuel to a peak rod average burnup limit of 62 GWD/MTU would allow for more effective fuel management. If the exemption and amendment are not approved, the licensee will not be provided the opportunity to use Optimized ZIRLO™ fuel design with a peak rod average burnup as high as 62 GWD/MTU; the licensee would thus lose fuel management flexibility.

##### *Environmental Impacts of the Proposed Actions*

In this environmental assessment regarding the impacts of the use of Optimized ZIRLO™ fuel with the possible burnup up to 62 GWD/MTU, the Commission is relying on the results of the updated study conducted for the NRC by the Pacific Northwest National Laboratory (PNNL), entitled “Environmental Effects of Extending Fuel Burnup Above 60 GWD/MTU” (NUREG/CR–6703, PNNL–13257, January 2001). Environmental impacts of high burnup fuel up to 75 GWD/MTU were evaluated in the study, but some aspects of the review were limited to evaluating the impacts of the extended burnup up to 62 GWD/MTU, because of the need for additional data on the effect

of extended burnup on gap release fractions. All the aspects of the fuel-cycle were considered during the study, from mining, milling, conversion, enrichment and fabrication through normal reactor operation, transportation, waste management, and storage of spent fuel.

The amendment and exemption would allow DCCNP–1 to use Optimized ZIRLO™ fuel up to a burnup limit of 62 GWD/MTU. The NRC staff has completed its evaluation of the proposed actions and concludes that such changes would not adversely affect plant safety, and would have no adverse effect on the probability of any accident. For the accidents that involve damage or melting of the fuel in the reactor core, fuel rod integrity has been shown to be unaffected by extended burnup under consideration; therefore, the probability of an accident will not be affected by fuel burnup to 62 GWD/MTU. For the accidents in which the reactor core remains intact, the increased burnup may slightly change the mix of fission products that could be released in the event of a serious accident, but because the radionuclides contributing most to the dose are short-lived, increased burnup would not have an effect on the consequences of a serious accident beyond the consequences of previously evaluated accident scenarios. Thus, there will be no significant increase in projected dose consequences of postulated accidents associated with fuel burnup up to 62 GWD/MTU, and doses will remain well below regulatory limits.

Regulatory limits on radiological effluent releases are independent of burnup. The requirements of 10 CFR part 20, 10 CFR 50.36a, and Appendix I to 10 CFR part 50 ensure that routine releases of gaseous, liquid or solid radiological effluents to unrestricted areas is kept “As Low As is Reasonably Achievable.” Therefore, the NRC staff concludes that during routine operations, there would be no significant increase in the amount of gaseous radiological effluents released into the environment as a result of the proposed actions, nor will there be a significant increase in the amount of liquid radiological effluents or solid radiological effluents released into the environment.

The proposed actions will not change normal plant operating conditions (*i.e.*, no changes are expected in the fuel handling, operational, or storing processes). The fuel storage and handling, radioactive waste, and other systems which may contain radioactivity are designed to assure adequate safety under normal

conditions. There will be no significant changes in radiation levels during these evolutions, and no significant increase in the allowable individual or cumulative occupational radiation exposure is expected to occur.

The use of Optimized ZIRLO™ fuel with a burnup limit of 62 GWD/MTU will not change the potential environmental impacts of incident-free transportation of spent nuclear fuel or the accident risks associated with spent fuel transportation if the fuel is cooled for 5 years after being discharged from the reactor. A PNNL report for the NRC (NUREG/CR-6703, January 2001) concluded that doses associated with incident-free transportation of spent fuel with burnup to 75 GWD/MTU are bound by the doses given in 10 CFR 51.52, Table S-4 for all regions of the country, based on the dose rates from the shipping casks being maintained within regulatory limits. Increased fuel burnup will decrease the annual discharge of fuel to the spent fuel pool which will postpone the need to remove spent fuel from the pool.

NUREG/CR-6703 determined that no increase in environmental effects of spent fuel transportation accidents is expected as a result of increasing fuel burnup to 75 GWD/MTU.

Based on the nature of the amendment, the proposed actions do not result in changes to land use or water use, or result in changes to the quality or quantity of non-radiological effluents. No changes to the National Pollution Discharge Elimination System permit are needed. No effects on the aquatic or terrestrial habitat in the vicinity of the plant, or to threatened, endangered, or protected species under the Endangered Species Act, or impacts to essential fish habitat covered by the Magnuson-Stevens Act are expected. There are no impacts to the air or ambient air quality. There are no impacts to historic and cultural resources. There would be no noticeable effect on socioeconomic conditions in the region. Therefore, no changes or different types of non-radiological environmental impacts are expected as a result of the proposed actions. Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed actions.

For more detailed information regarding the environmental impacts of extended fuel burnup, please refer to the study conducted by PNNL for the NRC, entitled "Environmental Effects of Extending Fuel Burnup Above 60 GWD/MTU" (NUREG/CR-6073, PNL-13257, January 2001, Agencywide Documents Access and Management System

(ADAMS) Accession No. ML010310298). The details of the NRC staff's Safety Evaluation will be issued concurrently with the amendment.

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

As an alternative to the proposed action, the NRC staff considered denial of the proposed actions (*i.e.*, the "no-action" alternative). Denial of the application would result in no change in current environmental impacts. Thus, the environmental impacts of the proposed actions and the alternative action are similar.

#### *Alternative Use of Resources*

The action does not involve the use of any different resources than those previously considered in the Final Environmental Statement for Donald C. Cook Nuclear Plant, Unit 1, or the Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Regarding Donald C. Cook Nuclear Plant, Unit Nos. 1 and 2—Final Report (NUREG-1437, Supplement 20), dated May 2005.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on July 14, 2011, the NRC staff consulted with the Michigan State official regarding the environmental impact of the proposed action. The State officials had no comments.

#### **Finding of No Significant Impact**

On the basis of the environmental assessment, the NRC staff concludes that the proposed actions will not have a significant effect on the quality of the human environment. Accordingly, the NRC staff determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed actions, see the licensee's letter dated October 29, 2009 (ADAMS Accession No. ML093140092). Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the ADAMS Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>.

Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209 or 301-415-4737, or send an e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this 11th day of August, 2011.

For the Nuclear Regulatory Commission.

**Peter S. Tam,**

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[FR Doc. 2011-21340 Filed 8-19-11; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[Docket No. 50-278; NRC-2011-0178]**

### **Exelon Generation Company, LLC; PSEG Nuclear, LLC; Peach Bottom Atomic Power Station, Unit 3; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing and Order Imposing Procedures for Document Access to Sensitive Unclassified Non-Safeguards Information**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of license amendment request, opportunity to comment, opportunity to request a hearing, and Commission order.

**DATES:** Submit comments by September 21, 2011. A request for a hearing must be filed by October 21, 2011. Any potential party as defined in Title 10 of the Code of Federal Regulations (10 CFR) 2.4 who believes access to Sensitive Unclassified Non-Safeguards Information is necessary to respond to this notice must request document access by September 1, 2011.

**ADDRESSES:** Please include Docket ID NRC-2011-0178 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