

regular filing fee), but such a service is available only in cases where a compelling need for the service exists due to pending or prospective litigation, customs matters, or contract or publishing deadlines that necessitate the expedited issuance of a certificate of registration. See 37 CFR 201.15. In Special Handling cases, "every attempt is made to process the claim or recordation within five working days," see Circular 10, "Special Handling," <http://www.copyright.gov/circs/circ10.pdf>, although Special Handling applications are often processed in a shorter period of time.

Some applicants appear to be willing to pay a higher fee in order to receive expedited processing in cases that do not qualify for Special Handling. Assuming that those requests could be accommodated without impact on the processing of ordinary applications for registration, the Office seeks comments as to whether offering such a service would be desirable. Presumably, the fee would be higher than the fee for Special Handling, since the policy justifications for Special Handling would be absent and the service would be offered as a premium service for those who are willing to pay more for expedited service. It should be noted that expedited services would not be available until all elements of the claim were fully received (application, deposit, fees); there could not be any unusual or complex issues with the claim, or issues requiring correspondence with the applicant, and paper claims would most likely take longer to process than those filed electronically, even under expedited circumstances.

The Office also welcomes proposals for other special services that should be offered on a fee-for-service basis. The Office will consider all suggestions as it develops and seeks comments on its proposed fee schedule in the months to come.

Dated: January 13, 2012.

**Maria A. Pallante,**

*Register of Copyrights.*

[FR Doc. 2012-1340 Filed 1-23-12; 8:45 am]

**BILLING CODE 1410-30-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2012-0011]

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

#### 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 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 December 29, 2011, to January 11, 2012. The last biweekly notice was published on January 10, 2012 (77 FR 1514).

**ADDRESSES:** Please include Docket ID NRC-2012-0011 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-2012-0011. Address questions about NRC dockets to Carol Gallagher (301) 492-3668; email [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, or by fax 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, Room 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 accessible electronically through ADAMS 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 email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). From this page, the public can gain entry into ADAMS, which provides text and image files of NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's PDR reference staff at 1-(800) 397-4209, (301) 415-4737, or by email 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-2012-0011.

### 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) 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; (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 NRC's PDR, located at One White Flint North, Room O1-F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20874. 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, then 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 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at [hearing.docket@nrc.gov](mailto:hearing.docket@nrc.gov), or by telephone at (301) 415-1677, to request (1) a digital identification (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 the 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](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 the Electronic Information Exchange System, 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 the NRC guidance available on the NRC's 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 email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's 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 email at

[MSHD.Resource@nrc.gov](mailto:MSHD.Resource@nrc.gov), or by a toll-free call at 1-(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 the 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 NRC's PDR, located at One White Flint North, Room O1-F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20874. Publicly available documents created or received at the NRC are accessible electronically through ADAMS in the NRC Library at <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's PDR Reference staff at 1-(800) 397-4209, (301) 415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

*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:*  
November 22, 2011.

*Description of amendment request:*  
The proposed changes would remove duplicate Technical Specification (TS) requirements and unit-specific references that are no longer needed. In addition, the proposed administrative changes would correct typographical errors and provide clarification to ensure understanding of the required actions of some of the TSs. The changes would include corrective actions from the Unit 2 event described in Licensee Event Report (LER) 50-529/2011-001. The proposed changes are administrative or editorial in nature, and would not result in any change to operating requirements. These administrative changes are proposed for TS 3.3.1, "Reactor Protective System (RPS) Instrumentation—Operating"; TS 3.3.2, "Reactor Protective System (RPS) Instrumentation—Shutdown"; TS 3.3.5, "Engineered Safety Features Actuation System (ESFAS) Instrumentation"; TS 3.5.5, "Refueling Water Tank (RWT)"; TS 3.3.9, "Control Room Essential Filtration Actuation Signal (CREFAS)"; TS 3.7.11, "Control Room Essential Filtration System (CREFS)"; TS 5.4, "Procedures"; and TS 5.5.16, "Containment Leakage Rate Testing Program."

*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 administrative and editorial changes. The proposed amendment does not impact any accident initiators, analyzed events, or assumed mitigation of accident or transient events. The proposed changes do not involve the addition or removal of any equipment or any design changes to the facility. The proposed changes do not affect any plant operations, design function, or analysis that verifies the capability of structures, systems, and components (SSCs) to perform a design function. The proposed changes do not change any of the accidents previously evaluated in the UFSAR [Updated Final Safety Analysis Report]. The proposed changes do not affect SSCs, operating procedures, and administrative controls that have the function of preventing or mitigating any of these accidents.

Therefore, the proposed changes do not represent 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 involves administrative and editorial changes. No actual plant equipment or accident analyses will be affected by the proposed changes. The proposed changes will not change the design function or operation of any SSCs. The proposed changes will not result in any new failure mechanisms, malfunctions, or accident initiators not considered in the design and licensing basis. The proposed amendment does not impact any accident initiators, analyzed events, or assumed mitigation of accident or transient events.

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

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

Response: No.

The proposed amendment involves administrative and editorial changes. The proposed changes do not involve any physical changes to the plant or alter the manner in which plant systems are operated, maintained, modified, tested, or inspected. The proposed changes do not alter the manner in which safety limits, limiting safety system settings or limiting conditions for operation are determined. The safety analysis acceptance criteria are not affected by the changes. The proposed changes will not result in plant operation in a configuration outside the design basis. The proposed changes do not adversely affect systems that respond to safely shut down the plant and to maintain the plant in a safe shutdown condition.

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.

*Entergy Operations, Inc., System Energy Resources, Inc., South Mississippi Electric Power Association, and Entergy Mississippi, Inc., Docket No. 50-416, Grand Gulf Nuclear Station, Unit 1 (GGNS), Claiborne County, Mississippi*

*Date of amendment request:* September 9, 2011, as supplemented by letter dated November 21, 2011.

*Description of amendment request:* The amendment would (1) Revise the criticality requirements of Technical Specification (TS) 4.3.1, "Criticality," (2) revise the criticality safety analysis (CSA) for the spent fuel and new fuel storage racks, and (3) delete the spent fuel pool (SFP) loading criteria operating license (OL) condition in paragraph 2.C.(46) of Facility Operating License No. NPF-29. Specifically, the proposed changes to TS 3.4.1 add the following requirements for two parameters for both the spent fuel storage racks specified in TS 4.3.1.1 and the new fuel storage racks specified in TS 4.3.1.2:

- Fuel assembly maximum k-infinity (1.26) in the normal reactor core configuration at cold conditions, and
- Maximum nominal U-235 enrichment (4.9 weight percent).

*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 involves a revision to the GGNS CSA. The revised CSA does not involve a physical change to any plant systems nor does it involve a change to any of the accident mitigation features previously evaluated. The proposed CSA demonstrates adequate margin to criticality for spent fuel storage rack cells.

The proposed changes to the requirements specified in TS 4.3.1.1 for spent fuel storage racks and TS 4.3.1.2 for new fuel storage

racks are consistent with the revised CSA and impose additional requirements currently not included in the Technical Specifications.

There is no dose consequence associated with an abnormal condition since the CSA acceptance criteria preclude criticality and do not involve a radiological release.

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 change involves: (1) a revision to the CSA; (2) the addition of new requirements in the TSs, which are consistent with the CSA; and (3) the deletion of an OL condition, that is superseded upon approval of the proposed CSA. Neither the SFP CSA nor the proposed changes to the TS affect the method of spent or new fuel movement or storage. No physical changes are required to any plant systems in support of the revised CSA or the proposed TS changes.

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.]

10 CFR 50.68, Criticality Accident Requirements, requires the spent and fresh fuel storage racks to maintain the effective neutron multiplication factor, Keff, less than or equal to 0.95 when fully flooded with unborated water, which includes an allowance for uncertainties. Therefore, for criticality, the required safety margin is 5%, including a conservative margin to account for engineering and manufacturing uncertainties. The revised CSA and proposed TS changes continue to satisfy this requirement.

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:* Joseph A. Aluise, Associate General Counsel—Nuclear, Entergy Services, Inc., 639 Loyola Avenue, New Orleans, Louisiana 70113.

*NRC Branch Chief:* Michael T. Markley.

*Luminant Generation Company LLC, Docket Nos. 50-445 and 50-446, Comanche Peak Nuclear Power Plant, Units 1 and 2, Somervell County, Texas*

*Date of amendment request:* December 13, 2011.

*Brief description of amendment:* The amendment would revise Technical Specification (TS) 3.7.2, "Main Steam Isolation Valves (MSIVs)," and TS 3.7.3, "Feedwater Isolation Valves (FIWs) and

Feedwater Control Valves (FCVs) and Associated Bypass Valves," by removing the specific isolation time for the main steam and main feedwater isolation valves from the associated TS Surveillance Requirements (SRs) 3.7.2.1 and 3.7.3.1. These requirements will be relocated to a licensee-controlled document. The changes are consistent with the Nuclear Regulatory Commission (NRC)-approved Industry/Technical Specification Task Force (TSTF) Change Traveler TSTF-491, Revision 2, "Removal of Main Steam and Main Feedwater Valve Isolation Times from Technical Specifications." The availability of this TS improvement was published in the **Federal Register** on December 29, 2006 (71 FR 78472), 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 incorporated by reference the no significant hazards consideration (NSHC) analysis endorsed by the NRC staff in the notice of availability of the TS improvement (71 FR 78472; December 29, 2006) and which was published in the **Federal Register** on October 5, 2006 (71 FR 58884). The October 5, 2006, NSHC analysis is reproduced below:

**Criterion 1—The Proposed Change Does Not Involve a Significant Increase in the Probability or Consequences of an Accident Previously Evaluated**

The proposed change allows relocating main steam and main feedwater valve isolation times to the Licensee Controlled Document that is referenced in the Bases. The proposed change is described in Technical Specification Task Force (TSTF) Standard TS Change Traveler TSTF-491 related to relocating the main steam and main feedwater valves isolation times to the Licensee Controlled Document that is referenced in the Bases and replacing the isolation time with the phrase, "within limits."

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed). The proposed changes relocate the main steam and main feedwater isolation valve times to the Licensee Controlled Document that is referenced in the Bases. The requirements to perform the testing of these isolation valves are retained in the TS. Future changes to the Bases or licensee-controlled document will be evaluated pursuant to the requirements of 10 CFR 50.59, "Changes, test and experiments," to ensure that such changes do not result in more than minimal increase in the probability or consequences of an accident previously evaluated.

The proposed changes do not adversely affect accident initiators or precursors nor alter the design assumptions, conditions, and configuration of the facility or the manner in which the plant is operated and maintained. The proposed changes do not adversely affect the ability of structures, systems and components (SSCs) to perform their intended safety function to mitigate the consequences of an initiating event within the assumed acceptance limits. The proposed changes do not affect the source term, containment isolation, or radiological consequences of any

accident previously evaluated. Further, the proposed changes do not increase the types and the amounts of radioactive effluent that may be released, nor significantly increase individual or cumulative occupation/public radiation exposures.

Therefore, the changes do not involve a significant increase in the probability or consequences of any accident previously evaluated.

**Criterion 2—The Proposed Change Does Not Create the Possibility of a New or Different Kind of Accident From Any Previously Evaluated**

The proposed changes relocate the main steam and main feedwater valve isolation times to the Licensee Controlled Document that is referenced in the Bases. In addition, the valve isolation times are replaced in the TS with the phrase "within limits." The changes do not involve a physical altering of the plant (i.e., no new or different type of equipment will be installed) or a change in methods governing normal plant operation. The requirements in the TS continue to require testing of the main steam and main feedwater isolation valves to ensure the proper functioning of these isolation valves.

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

**Criterion 3—The Proposed Change Does Not Involve a Significant Reduction in the Margin of Safety**

The proposed changes relocate the main steam and main feedwater valve isolation times to the Licensee Controlled Document that is referenced in the Bases. In addition, the valve isolation times are replaced in the TS with the phrase "within limits." Instituting the proposed changes will continue to ensure the testing of main steam and main feedwater isolation valves. Changes to the Bases or licensee controlled document are performed in accordance with 10 CFR 50.59. This approach provides an effective level of regulatory control and ensures that main steam and feedwater isolation valve testing is conducted such that there is no significant reduction in the margin of safety.

The margin of safety provided by the isolation valves is unaffected by the proposed changes since there continue to be TS requirements to ensure the testing of main steam and main feedwater isolation valves. The proposed changes maintain sufficient controls to preserve the current margins of safety.

The NRC staff has reviewed the above 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:* Timothy P. Matthews, Esq., Morgan, Lewis and Bockius, 1800 M Street NW., Washington, DC 20036.

*NRC Branch Chief:* Michael T. Markley.

#### **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 NRC's Public Document Room (PDR), located at One White Flint North, Room O1-F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20874. 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 NRC's PDR Reference staff at 1-(800) 397-4209, (301) 415-4737 or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

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

*Date of application for amendments:* August 31, 2011.

*Brief description of amendments:* The amendments revise Technical Specification (TS) 3.4.1, "RCS [reactor coolant system] Pressure, Temperature, and Flow Department from Nuclate Boiling (DNB) Limits," the bases for TS 3.4.1 and TS 5.6.5, "Core Operating Limits Report," by replacing the DNB numeric limits with references to the CORL. The changes are consistent with TS Task Force change traveler TSTF-487-A, Revision 1, "Relocate DNB Parameters to the COLR." The amendments also remove outdated notes in TS 3.4.1 that were associated with the Unit 2 steam generator replacement in 2003.

*Date of issuance:* January 11, 2012.

*Effective date:* As of the date of issuance to be implemented within 60 days.

*Amendment Nos.:* 301 and 278.

*Renewed Facility Operating License Nos. DPR-53 and DPR-69:* Amendments revised the License and Technical Specifications.

*Date of initial notice in Federal Register:* October 14, 2011 (76 FR 64390).

The Commission's related evaluation of these amendments is contained in a Safety Evaluation dated January 11, 2012.

*No significant hazards consideration comments received:* No.

*Carolina Power and Light Company, Docket No. 50-261, H. B. Robinson Steam Electric Plant, Unit 2, Darlington County, South Carolina*

*Date of application for amendment:* October 20, 2010.

*Brief description of amendment:* The amendment revises the H. B. Robinson, Unit 2, Technical Specification (TS) 4.2.1, "Fuel Assemblies," to permit the use of AREVA's M5 advanced alloy for fuel rod cladding and fuel assembly structural components in future operating cycles. Currently, as stated in TS 4.2.1, the H. B. Robinson fuel cladding is zircaloy-4. Therefore, an amendment request is needed in order to use M5 fuel cladding. The proposed amendment also revises the H. B. Robinson Unit 2 TS 5.6.5.b, "Core Operating Limits Report (COLR)," to permit referencing of analytical methodologies for M5 material and the deletion of existing analytical methodologies that are no longer planned to be used by the licensee.

*Date of issuance:* December 29, 2011.

*Effective date:* 60 days from date of issuance.

*Amendment No.:* 227.

*Renewed Facility Operating License No. DPR-23.* Amendment revises the Technical Specifications.

*Date of initial notice in Federal Register:* April 19, 2011 (76 FR 21921).

The Commission's related evaluation of the amendment is contained in a safety evaluation dated December 29, 2011.

*No significant hazards consideration comments received:* No.

*Southern Nuclear Operating Company, Inc., Georgia Power Company, Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, City of Dalton, Georgia, Docket Nos. 50-321 and 50-366, Edwin I. Hatch Nuclear Plant, Units 1 and 2, Appling County, Georgia*

*Date of application for amendments:* October 29, 2010, as supplemented by letters dated February 21, May 27, and October 13, 2011.

*Brief description of amendments:* The amendments revised the Technical Specifications by relocating the specific surveillance frequencies to a licensee-controlled program using risk-informed justification (Technical Specification Task Force—425).

*Date of issuance:* January 3, 2012.

*Effective date:* As of the date of issuance and shall be implemented within 120 days from the date of issuance.

*Amendment Nos.:* Unit 1-266 and Unit 2-210.

*Renewed Facility Operating License Nos. DPR-57 and NPF-5:* Amendments revised the licenses and the technical specifications.

*Date of initial notice in Federal Register:* December 14, 2010 (75 FR 77916).

The supplements dated February 21, May 27, and October 13, 2011, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated January 3, 2012.

*No significant hazards consideration comments received:* No.

*Tennessee Valley Authority, Docket No. 50-390, Watts Bar Nuclear Plant (WBN), Unit 1, Rhea County, Tennessee*

*Date of application for amendment:* October 5, 2011.

*Brief description of amendment:* The amendment revised the facility operating license to remove License Condition 2.G. This license condition described reporting requirements of other requirements in Section 2.C of the facility operating license. The change is consistent with the Nuclear Regulatory Commission approved change notice published in the **Federal Register** on November 4, 2005 (70 FR 67202), announcing the availability of this improvement through the consolidated line item improvement process.

*Date of issuance:* January 6, 2012.

*Effective date:* As of the date of issuance and shall be implemented no later than 32 days from date of issuance.

*Amendment No.:* 90.

*Facility Operating License No. NPF-90:* Amendment revised the License.

*Date of initial notice in Federal Register:* November 1, 2011 (76 FR 67490).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 6, 2012.

*No significant hazards consideration comments received:* No.

*Union Electric Company, Docket No. 50-483, Callaway Plant, Unit 1, Callaway County, Missouri*

*Date of application for amendment:* December 10, 2010, as supplemented by letters dated June 16, October 27, and December 13, 2011.

*Brief description of amendment:* The amendment added new Surveillance Requirement (SR) 3.3.8.6 to Technical Specification (TS) 3.3.8, "Emergency Exhaust System (EES) Actuation Instrumentation." The new SR requires the performance of response time testing on the portion of the EES required to isolate the normal fuel building ventilation exhaust flow path and initiate the fuel building ventilation isolation signal mode of operation. The amendment also revised TS Table 3.3.8-1, "EES Actuation Instrumentation," to indicate that new SR 3.3.8.6 applies to automatic actuation Function 2, Automatic Actuation Logic and Actuation Relays (BOP ESFAS), and Function 3, Fuel Building Exhaust

Radiation—Gaseous. In addition, the specified frequency of new SR 3.3.8.6 was relocated and controlled in accordance with the licensee's Surveillance Frequency Control Program.

*Date of issuance:* December 30, 2011.

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

*Amendment No.:* 204.

*Facility Operating License No. NPF-30:* The amendment revised the Operating License and Technical Specifications.

*Date of initial notice in Federal Register:* March 8, 2011 (76 FR 12766); revised and republished on November 29, 2011 (76 FR 73733). The supplemental letter dated June 16, 2011, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration (NSHC) determination.

The supplemental letter dated October 27, 2011, added a new request for approval to relocate the surveillance frequency of new SR 3.3.8.6 to the licensee's Surveillance Frequency Control Program. The proposed NSHC determination for this additional change was not evaluated in the initial notice (76 FR 12766; March 8, 2011); therefore, on November 29, 2011, the NRC staff revised and republished the notice of proposed NSHC incorporating the new change (76 FR 73733). The republished notice also provided an opportunity to request a hearing by January 30, 2012, but indicated that if the Commission makes a final NSHC determination, any such hearing would take place after issuance of the amendment.

The supplemental letter dated December 13, 2011, provided additional information that clarified the application, as supplemented, did not expand the scope of the application, as supplemented, and did not change the staff's revised proposed NSHC determination, as published in the **Federal Register** on November 29, 2011 (76 FR 73733).

The Commission's related evaluation of the amendment and final NSHC determination are contained in a Safety Evaluation dated December 30, 2011.

*No significant hazards consideration comments received:* No.

Dated at Rockville, Maryland, this 12th day of January 2012.

For the Nuclear Regulatory Commission.

**Michele G. Evans,**

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

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## **NUCLEAR REGULATORY COMMISSION**

**[NRC-2012-0002]**

### **Sunshine Federal Register Notice**

**AGENCY HOLDING THE MEETINGS:** Nuclear Regulatory Commission.