

a. Determine how the new information on the revised site layout impacts the scope of the EIS and identify the significant issues regarding the revised site layout to be analyzed in depth;

b. Identify and eliminate from detailed study those issues that are peripheral or that are not significant as they pertain to the revised site layout;

c. Identify any environmental assessments and other EISs that are being or will be prepared that are related to the new information on the revised site layout;

d. Identify other environmental review and consultation requirements related to the revised site layout;

e. Identify parties consulting with the NRC under the National Historic Preservation Act of 1966, as amended, as set forth in 36 CFR 800.8(c)(1)(i);

f. Identify any additional cooperating agencies and, as appropriate, allocate assignments for preparation and schedules for completing the EIS to the NRC, USACE, and any other cooperating agencies; and

g. Identify how the EIS preparation will include the revised site layout, including any other contractor assistance to be used.

The NRC invites the following entities to participate in the supplemental scoping process:

a. The applicant, PPL;

b. Any Federal agency that has jurisdiction by law or special expertise with respect to any environmental impact involved or that is authorized to develop and enforce relevant environmental standards;

c. Affected State and local government agencies including those authorized to develop and enforce relevant environmental standards;

d. Any affected Indian tribe;

e. Any person who requests or has requested an opportunity to participate in the scoping process; and

f. Any person who intends to petition for late leave to intervene in the proceeding, or who has submitted such a petition, or who is admitted as a party.

At the conclusion of the supplemental scoping process, the NRC staff will prepare a concise summary of the determination and conclusions reached on the scope of the environmental review for the revised site layout and will send this summary to each participant in the scoping process for whom the staff has an address. The summary will also be available for inspection through ADAMS at <http://www.nrc.gov/reading-rm/adams.html> and the NRC's public Web site for the COL review at <http://www.nrc.gov/reactors/new-reactors/col/bell->

[bell.html](#). The NRC and USACE will then prepare and issue for comment the draft EIS, which will be the subject of a separate **Federal Register** notice and a public meeting. After receipt and consideration of comments on the draft EIS, the NRC and USACE will prepare a final EIS, which will also be the subject of a separate **Federal Register** notice and will be available to the public.

Dated at Rockville, Maryland, this 11th day of June 2012.

For the Nuclear Regulatory Commission.

David B. Matthews,

Director, Division of New Reactor Licensing,
Office of New Reactors.

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NUCLEAR REGULATORY COMMISSION

[NRC-2012-0134]

Initial Test Program of Emergency Core Cooling Systems for Boiling-Water Reactors

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft regulatory guide; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC or the Commission) is issuing for public comment draft regulatory guide (DG), DG-1277, "Initial Test Program of Emergency Core Cooling Systems for Boiling-Water Reactors." This guide describes methods that the NRC staff considers acceptable to implement with regard to initial testing features of emergency core cooling systems (ECCSs) for boiling-water reactors (BWRs).

DATES: Submit comments by August 15, 2012. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date. Although a time limit is given, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

ADDRESSES: You may access information and comment submissions related to this document, which the NRC possesses and is publicly available, by searching on <http://www.regulations.gov> under Docket ID NRC-2012-0134. You may submit comments by the following methods:

- *Federal rulemaking Web site:* Go to <http://www.regulations.gov> and search

for Docket ID NRC-2012-0134. Address questions about NRC dockets to Carol Gallagher; telephone: 301-492-3668; email: 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.

For additional direction on accessing information and submitting comments, see "Accessing Information and Submitting Comments" in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT:

Mekonen Bayssie, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-251-7489 or email: Mekonen.Bayssie@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Accessing Information and Submitting Comments

A. Accessing Information

Please refer to Docket ID NRC-2012-0134 when contacting the NRC about the availability of information regarding this document. You may access information related to this document, which the NRC possesses and is publicly available, by the following methods:

- *Federal Rulemaking Web Site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2012-0134.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may access publicly available documents online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to pdr.resource@nrc.gov. The draft regulatory guide is available electronically under ADAMS Accession Number ML113550182. The regulatory analysis may be found in ADAMS under Accession No. ML113550199.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

B. Submitting Comments

Please include Docket ID NRC–2012–0134 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed. The NRC posts all comment submissions at <http://www.regulations.gov> as well as enters the comment submissions into ADAMS. The NRC does not edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information in their comment submissions that they do not want to be publicly disclosed. Your request should state that the NRC will not edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

II. Further Information

The NRC is issuing for public comment a draft guide in the NRC's "Regulatory Guide" series. This series was developed to describe and make available to the public such information as methods that are acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

The draft regulatory guide, entitled, "Initial Test Program of Emergency Core Cooling Systems for Boiling-Water Reactors," is temporarily identified by its task number, DG–1277. DG–1277 is proposed new Regulatory Guide 1.79.1. This guide describes methods that the NRC staff considers acceptable to implement Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities," Appendix A, "General Design Criteria for Nuclear Power Plants," with regard to initial testing features of ECCSs for boiling-water reactors BWRs.

III. Backfitting and Issue Finality

Because this regulatory guide reflects current regulatory practice, it does not require a backfit analysis as described in 10 CFR 50.109(c).

Dated at Rockville, Maryland, this 4th day of June, 2012.

For the Nuclear Regulatory Commission.

Thomas H. Boyce,
*Chief, Regulatory Guide Development Branch,
Division of Engineering, Office of Nuclear
Regulatory Research.*

[FR Doc. 2012–14684 Filed 6–14–12; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

**[Docket Nos. 50–247–LR and 50–286–LR;
ASLBP No. 07–858–03–LR–BD01]**

Atomic Safety and Licensing Board; Entergy Nuclear Operations, Inc. (Indian Point Nuclear Generating Units 2 and 3); Notice of Hearing (Application for License Renewal)

June 8, 2012.

Before Administrative Judges:
Lawrence G. McDade, Chairman, Dr.
Michael F. Kennedy, Dr. Richard E.
Wardwell.

This proceeding arises out of the April 23, 2007, application of Entergy Nuclear Operations, Inc. (Entergy) to renew its operating licenses for Indian Point Nuclear Generating Units 2 and 3 (Operating License Nos. DPR–26 and DPR–64) at its Indian Point Energy Center in Buchanan, New York. Entergy seeks to extend these licenses for an additional twenty years beyond the current expiration dates of September 9, 2013 (Indian Point Unit 2) and December 12, 2015 (Indian Point Unit 3). On August 1, 2007, the Commission published a notice of opportunity to request a hearing on Entergy's license renewal application.¹ Requests for hearings and petitions to intervene were filed by sixteen entities: The State of New York (New York); the State of Connecticut (Connecticut); Westchester County, New York (Westchester); the Town of Cortlandt, New York (Cortlandt); the Village of Buchanan, New York (Buchanan); the City of New York (New York City); the New York

¹ Entergy Nuclear Operations, Inc., Indian Point Nuclear Generating Unit Nos. 2 and 3; Notice of Acceptance for Docketing of the Application and Notice of Opportunity for Hearing Regarding Renewal of Facility Operating License Nos. DPR–26 and DPR–64 for an Additional 20-Year Period, 72 FR 42,134 (Aug. 1, 2007). In a subsequent notice, the Commission extended the time for which petitions to intervene in this license renewal proceeding could be timely filed. *See* Entergy Nuclear Operations, Inc., Indian Point Nuclear Generating Unit Nos. 2 and 3; Notice of Opportunity for Hearing Regarding Renewal of Facility Operating License Nos. DPR–26 and DPR–64 for an Additional 20-Year Period: Extension of Time for Filing of Requests for Hearing or Petitions for Leave to Intervene in the License Renewal Proceeding, 72 FR 55,834 (Oct. 1, 2007).

Affordable Reliable Electricity Alliance; Friends United for Sustainable Energy; Hudson River Sloop Clearwater (Clearwater); Connecticut Residents Opposed to Relicensing Indian Point; Westchester Citizen Awareness Network; Rockland County Conservation Association; Sierra Club—Atlantic Chapter; Assemblyman Richard Brodsky; Public Health and Sustainable Energy; and Riverkeeper, Inc. (Riverkeeper). On October 18, 2007, this Atomic Safety and Licensing Board was established to conduct this adjudication.²

On July 31, 2008, this Board issued a memorandum and order in which it (a) granted the hearing requests of three entities: New York, Riverkeeper, and Clearwater; (b) admitted thirteen contentions; and (c) granted interested governmental entity status to Connecticut, Westchester, and the Town of Cortlandt.³ On December 18, 2008, we granted interested governmental entity status to New York City and Buchanan.⁴ Since our original order granting hearing requests, we have admitted several new and/or amended

² Establishment of Atomic Safety and Licensing Board, 72 FR 60,394 (Oct. 24, 2007). On April 9, 2012, the Board was reconstituted, substituting Judge Michael F. Kennedy for Judge Kaye D. Lathrop. *See* Entergy Nuclear Operations, Inc., (Indian Point Nuclear Generating Units 2 and 3); Notice of Atomic Safety and Licensing Board Reconstitution, 77 FR 22,361 (Apr. 13, 2012).

³ LBP–08–13, 68 NRC 43, 217–220 (2008). These thirteen contentions, which challenge the sufficiency of Entergy's license renewal application, were: NYS–5 (concerning buried pipes, tanks, and transfer canals), NYS–6/7 (concerning non-environmentally qualified inaccessible medium-voltage and low-voltage cables and wiring), NYS–8 (concerning electrical transformers), NYS–9 (concerning energy conservation in the "no-action" alternative analysis), NYS–12 (concerning decontamination and cleanup costs associated with severe accidents), NYS–16 (concerning underestimation of cleanup costs in light of underestimated population projections in severe accidents), NYS–17 (concerning land values in the no-action alternative to relicensing), NYS–24 (concerning containment structure integrity), NYS–25 (concerning embrittlement of reactor pressure vessels and associated internals), NYS–26A/RK–TC–1A (concerning metal fatigue on key reactor components), RK–TC–2 (concerning flow-accelerated corrosion on reactor components), RK–EC–3/CW–EC–1 (concerning leaks from spent fuel pools), and CW–EC–3 (concerning disproportionate environmental justice impacts on minority, low-income, and disabled populations near Indian Point).

⁴ *See* Licensing Board Memorandum and Order (Authorizing Interested Governmental Entities to Participate in this Proceeding) (Granting in Part Riverkeeper's Motion for Clarification and Reconsideration of the Board's Ruling in LBP–08–13 Related to the Admissibility of Riverkeeper Contention EC–2) (Denying Riverkeeper's Request to Admit Amended Contention EC–2 and New Contentions EC–4 and EC–5) (Denying Entergy's Motion for Reconsideration of the Board's Decision to Admit Riverkeeper Contention EC–3 and Clearwater Contention EC–1) (Dec. 18, 2008) at 2 (unpublished).