

Environmental Impact Statement (EIS) prior to any permit action. The Corps may ultimately make a determination to permit or deny the proposed project or a modified version of the proposed project. The primary Federal concerns are dredging, dredged material disposal, addition of permanent structures in and over navigable waters of the U.S., and transport of dredged material for the purpose of ocean disposal.

Pursuant to the California Environmental Quality Act (CEQA) the LAHD will serve as Lead Agency in preparing an Environmental Impact Report (EIR) for its consideration of development approvals within its jurisdiction. The Corps and LAHD have agreed to jointly prepare a Draft EIS/EIR to optimize efficiency and avoid duplication. The Draft EIS/EIR is intended to be sufficient in scope to address the Federal, state and local requirements and environmental issues concerning the proposed activities and permit approvals.

1. *Project Site and Background Information.* The project site is located on Terminal Island within in an industrial area of the East Basin region of the Port of Los Angeles. The site is within the Port of Los Angeles Community Plan area in the City of Los Angeles, adjacent to the communities of San Pedro and Wilmington, and approximately 20 miles south of downtown Los Angeles. The purpose of the project is to improve marine shipping and maritime commerce by optimizing the container-handling efficiency and capacity at Berths 212–224, accommodate berthing and loading/unloading the largest container ships, and increase on-dock rail facilities to accommodate projected peak increases in container movement into and out of the terminal at Berths 212–224 resulting from the handling of larger ships.

2. *Proposed Action:* The LAHD has proposed to redevelop the existing container terminal at Berths 212–224. Yusen Terminals Inc. [YTI] operates the existing 185-acre container terminal under a lease agreement (LAHD Permit No. 692). The proposed project would result in dredging of approximately 25,000 cubic yards of sediment from Berths 212–224 to increase depth at existing berths; disposal of dredged material at either an offshore site (LA-2), confined disposal facility (CDF), or other approved location; wharf improvements including installation of new subsurface sheet pile and king piles to stabilize the existing wharf prior to dredging, installation of four new 100-gauge and modification (i.e., heightening, additional boom length) of

six existing gantry cranes for a total of 14 operational cranes at full build-out; and backland improvements such as additional on-dock rail, paving, cold-planing, etc., on approximately 160 acres of the site.

3. *Issues:* Potentially significant issues associated with the project include: Aesthetics/visual impacts, air quality emissions, biological resource impacts, environmental justice, geologic impacts related to seismicity, hazards and hazardous materials, hydrology and water quality, noise, traffic and transportation, and cumulative impacts from past, present and reasonably foreseeable future projects.

4. *Alternatives.* The Draft EIS/EIR will include a co-equal analysis of several alternatives. Project alternatives will be further developed during this scoping process. Additional alternatives that may be developed during scoping will also be considered in the Draft EIS/EIR.

5. *Scoping Process.* The Corps and LAHD will jointly conduct a public scoping meeting for the proposed project to receive public comment regarding the appropriate scope and preparation of the Draft EIS/EIR. Participation by Federal, state, and local agencies and other interested organization and persons is encouraged. This meeting will be conducted in English and Spanish.

6. *Electronic Access and Filing Addresses:* Comments may be submitted by electronic mail (email) to: theresa.stevens@usace.army.mil. Electronic mail comments should include the commenter's physical or electronic mailing address, the project title and the Corps file number.

7. The Draft EIS/EIR is expected to be available for public review and comment in the fall 2013, and a public meeting will be held after its publication.

Dated: March 19, 2013.

David J. Castanon,
Chief, Regulatory Division.

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DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Extension of Hearing Record Closure Date

AGENCY: Defense Nuclear Facilities Safety Board.

ACTION: Extension of hearing record closure date.

SUMMARY: The Defense Nuclear Facilities Safety Board (Board)

published a document in the **Federal Register** on January 22, 2013, (78 FR 4393), as amended, February 19, 2013, (78 FR 11632). The publication concerned notice of a hearing and meeting on March 14, 2013, regarding safety culture, emergency preparedness, and safety issues at the Pantex Plant. The Board stated in the January 22, 2013, hearing notice that the hearing record would remain open until April 15, 2013, for the receipt of additional materials.

Extension of Time: The Board now extends the period of time for which the hearing record will remain open to June 15, 2013, to further accommodate, among other things, submission of answers to questions taken for the record during the course of the public hearing.

Contact Person for Further Information: Marcelyn Atwood, General Manager, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue NW., Suite 700, Washington, DC 20004-2901, (800) 788-4016. This is a toll-free number.

Dated: April 2, 2013.

Peter S. Winokur,
Chairman.

[FR Doc. 2013-07969 Filed 4-4-13; 8:45 am]

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DEPARTMENT OF ENERGY

Spent Nuclear Fuel Management at the Savannah River Site

AGENCY: U.S. Department of Energy.

ACTION: Amended Record of Decision.

SUMMARY: The U.S. Department of Energy (DOE) is amending its August 7, 2000, Record of Decision (ROD) pursuant to the *Savannah River Site Spent Nuclear Fuel Management Final Environmental Impact Statement, Aiken, SC* (DOE/EIS-0279, 2000; SRS SNF EIS). In the 2000 ROD, DOE decided to develop and demonstrate the “melt and dilute” technology to manage approximately 28.6 metric tons of heavy metal (MTHM) of aluminum-clad SNF, consistent with its preferred alternative identified in the SRS SNF EIS.

DOE now amends that decision and will manage approximately 3.3 MTHM from the currently projected inventory of 22 MTHM at SRS using conventional processing¹ at the H-Canyon facility at SRS, as described and evaluated under the Conventional Processing Alternative

¹ Conventional processing is a chemical separations process that involves dissolving spent fuel in nitric acid and separating fission products from uranium using solvent extraction.

in the SRS SNF EIS. The quantity of 3.3 MTHM is the minimum amount of SNF necessary to avoid the need for costly modifications to the L-Basin that would allow DOE to accommodate expected receipts of SNF for the foreseeable future. This includes up to 200 High Flux Isotope Reactor (HFIR) cores generated at the Oak Ridge National Laboratory and approximately 1,000 bundles of aluminum-clad SNF currently stored at SRS, as well as target residue materials² containing enriched uranium (including target materials from Canada that contain liquid Highly Enriched Uranium (HEU) of U.S. origin). DOE anticipates that processing this SNF and target residue material would begin as early as 2014 and continue approximately four years. As a result of this amended decision, HEU in the SNF and target materials will be down-blended to low-enriched uranium (LEU). This end product will not be useable in nuclear weapons, but will be available for use in commercial power reactors such as those operated by the Tennessee Valley Authority (TVA) to generate electricity. DOE will continue to safely store the aluminum-clad SNF not addressed in this Amended ROD in L-Basin at SRS, pending future analysis and DOE decisions.

In accordance with DOE regulations for implementing the National Environmental Policy Act (NEPA), DOE has prepared a Supplemental Analysis (SA) to examine previous NEPA analyses of the management of SNF at SRS, particularly the SRS SNF EIS and the *Proposed Nuclear Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel Environmental Impact Statement* (DOE/EIS-0218, 1996, FRR EIS) tiered from the *Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs Final Environmental Impact Statement* (DOE/EIS-0203, 1995), to determine whether DOE's amended decision would make substantial changes in its proposed actions or whether there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its potential impacts. Based on the SA, DOE has determined that a supplemental or new EIS is not required.

² Target materials are residual materials left after the desired isotopes have been removed from the targets. For example, target materials could be residual materials from the production in a research reactor of molybdenum-99, which decays to technetium-99, a medical isotope. Targets may be shaped as plates, pins, or cylinders. Target materials are not high-level radioactive waste.

The actions to be taken pursuant to this Amended ROD strongly support U.S. non-proliferation policy and goals by permanently dispositioning HEU. In particular, this amended decision implements the U.S. and Canadian agreement reached at the Nuclear Security Summit in March 2012 to expand efforts to return U.S.-origin HEU currently stored in Canada to the U.S. The commitment supports international efforts to consolidate and dispose of HEU and to combat nuclear terrorism. The actions addressed in this amended decision will free existing storage space in L-Basin, avoiding the need and cost required to provide additional new space in the Basin. This in turn will allow for continued receipt of Foreign Research Reactor SNF (FRR SNF), adequate storage for HFIR cores, continued operation of HFIR in support of DOE's research and development mission, dispositioning of HEU out of South Carolina, and cost-effective use of DOE's H-Canyon processing facility at SRS.

ADDRESSES: This Amended ROD, the SA for SRS SNF Management, and related NEPA documents are available on the DOE NEPA Web site at www.nepa.energy.gov and the SRS Web site at www.srs.gov/general/pubs/envbul/nepa/htm. To request copies of these documents, please contact:

Mr. Andrew R. Grainger, NEPA Compliance Officer, Savannah River Operations Office, U.S. Department of Energy, P.O. Box B, Aiken, South Carolina 29802, Telephone: (803) 952-8001, Email: drew.grainger@srs.gov.

FOR FURTHER INFORMATION CONTACT: For further information on the management of SNF at SRS, please contact Mr. Grainger as listed above.

For information on DOE's NEPA process, please contact:

Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance, GC-54, U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585, Telephone: (202) 586-4600, or leave a message at (800) 472-2756, Email: askNEPA@hq.doe.gov.

SUPPLEMENTARY INFORMATION:

Background

DOE's purpose and need for action, as described in the SRS SNF EIS, is to develop and implement a safe and efficient SNF management strategy that includes preparing aluminum-clad SNF and target material stored at SRS, or expected to be shipped to SRS, for ultimate disposition offsite.

In the SRS SNF EIS, DOE grouped the SNF to be managed based on characteristics such as fuel size, physical and chemical properties, and radionuclide inventory. The fuel groups and the seven technologies that could be used to prepare the SNF for disposition are described in the SRS SNF EIS. The potential environmental impacts associated with the use of these technologies, including conventional processing, were analyzed in the SRS SNF EIS. In the ROD for the SRS SNF EIS (65 FR 48224; August 7, 2000), DOE identified the Minimum Impact Alternative as the environmentally preferable alternative, but selected the Preferred Alternative.³

To implement the Preferred Alternative described in the SRS SNF EIS, DOE decided to use a combination of technologies, including melt and dilute, to manage the SNF. The melt and dilute technology was to be used to treat all Group B fuel (about 20 MTHM of Material Test Reactor fuel from foreign and domestic reactors), all Group C fuel (about 8 MTHM of oxide and silicide foreign and domestic reactor fuel) except failed fuel (which DOE would treat by conventional processing), and most Group D materials (about 0.6 MTHM of foreign research reactor targets). DOE estimated that these fuels and target materials would total approximately 28.6 MTHM, based on quantities then stored at SRS and estimated quantities located at domestic and foreign reactor locations scheduled or eligible to ship fuel to SRS.⁴ These shipments began in 1996 and are continuing. DOE now estimates that there are approximately 22 MTHM of SNF and target material at or eligible to be sent to SRS. This is less than the 28.6 MTHM evaluated in the SRS SNF EIS because DOE now expects to receive less FRR SNF than originally estimated.

The FRR EIS evaluated alternatives for return to the United States of SNF and target materials containing HEU enriched in the United States and supplied to foreign countries. Return of HEU for safe storage and disposition

³ DOE developed five alternatives that could be used to manage SNF: No Action; Minimum Impact; Direct Disposal; Maximum Impact; and the Preferred Alternative; these alternatives and the fuel groups are described in the SRS SNF EIS and summarized in the 2000 ROD.

⁴ On June 1, 1995, DOE announced that, among other actions, aluminum-clad SNF would be consolidated at SRS for management and non-aluminum-clad SNF would be consolidated at the Idaho National Laboratory (INL) (60 FR 28680; June 1, 1995). In keeping with this decision, when DOE announced its decision to implement a new foreign research reactor spent fuel acceptance policy, DOE stated that aluminum-clad fuel would be shipped to SRS and non-aluminum-clad fuel would be shipped to the INL (61 FR 25092; May 17, 1996).

advances the United States nuclear material nonproliferation goals. Appendix B1.5 of the FRR EIS discusses the two methods for preparing the target residue materials for transport: calcining and oxidizing. In the FRR EIS, DOE assumed that target residue material would be transported in solid form, and DOE evaluated the impacts of transportation accordingly. In Appendix B.2.1.2 of the FRR EIS, DOE explained that foreign research reactor shipments would be carried out in accordance with regulations set by the Department of Transportation (49 CFR parts 171 through 178) and the Nuclear Regulatory Commission (NRC) (10 CFR part 71); those regulations remain in place. In the FRR ROD, DOE decided, consistent with the programmatic decision to consolidate storage by fuel type, to transport to and store aluminum-clad SNF and target material at the SRS.

Supplement Analysis

In accordance with DOE NEPA regulations at 10 CFR 1021.314, DOE prepared an SA for the SRS SNF EIS and the FRR EIS (DOE/EIS-0279-SA-01 and DOE/EIS-0218-SA-06, March 2013) to consider a proposal to process the minimum quantity of SNF necessary to avoid the need for costly modifications to the L-Basin that would allow DOE to accommodate expected receipts of SNF for the foreseeable future. To do this, DOE estimated that processing approximately 1000 bundles of SNF and up to 200 HFIR cores currently stored at SRS would provide the minimum necessary amount of storage space. This could be accomplished over approximately a four-year period and equates to approximately 3.3 MTHM of the currently projected 22 MTHM total inventory. DOE would continue to safely store the remaining SNF in L-Basin at SRS, pending future analysis and DOE decisions. DOE also evaluated plans to receive FRR target residue material from Canada in accordance with U.S. acceptance policy and consistent with U.S. nonproliferation objectives. The target material, containing U.S.-origin HEU in liquid form, would be shipped in Type B casks certified by NRC.

The SA compared the proposal to the relevant NEPA reviews to determine whether the proposal would make substantial changes in the proposed actions identified in the SRS SNF EIS or FRR EIS, or whether there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts, consistent with the

Council on Environmental Quality NEPA implementing regulations at 40 CFR Parts 1502.9. DOE analyzed the use of conventional processing for SNF in lieu of the melt and dilute technology, which was never developed due to technical issues involving the off-gas system and funding limitations. The conventional processing approach is consistent with U.S. nuclear nonproliferation goals in that HEU would be eliminated and plutonium present in the SNF would not be separated from the fission products. Processing of the approximately 3.3 MTHM of SNF and target residue materials in H-Canyon will result in plutonium-bearing high-level waste (HLW) that will be vitrified in the Defense Waste Processing Facility (DWPF) at SRS, creating up to approximately 24 canisters of vitrified, proliferation-resistant HLW. This increase is not significant in the context of the approximately 7,000 canisters DOE estimates will be otherwise produced by the DWPF, and is within the DWPF production and SRS planned storage capabilities.

In the SA, DOE evaluated the addition of a third dissolver in H-Canyon to return the dissolving capacity for SNF to the level supported by H-Canyon's off-gas system and processing capability,⁵ which are the capacities evaluated in the SRS SNF EIS. Installation and operation of a third dissolver in H-Canyon will take place entirely within H-Canyon and will not result in any land disturbance. Construction waste generated will be managed using existing SRS facilities and procedures. Operation of a third dissolver is within H-Canyon's dissolving capacity for SNF and is supported by existing systems, e.g., off-gas system. DOE would continue to use one existing dissolver to process plutonium material; plutonium dissolution does not require use of the off-gas treatment system or H-Canyon's solvent extraction capacity and raffinate systems. The air and liquid releases and other impacts of operating two dissolvers and the associated systems to process SNF would not significantly differ from those reported in the SRS SNF EIS, because the evaluation of the potential environmental impacts associated with conventional processing assumed the use of two dissolvers.

In the SA, DOE also evaluated the transportation, receipt, and processing

of target residue materials in liquid form (from Canada) rather than solid form and found that the potential environmental impacts would not significantly differ from results presented in the FRR EIS and the SRS SNF EIS. For this analysis, DOE assumed that the NRC would certify use of an existing Type-B cask for the target residue materials. NRC consideration of the certification request is ongoing. Based on conclusions reached in the SA, DOE determined that the preparation of a supplemental or new EIS is not required.

Amended Decision

DOE has decided to manage up to 200 HFIR cores, approximately 1,000 bundles of SNF, and target residue materials containing HEU (including target residue materials containing liquid HEU from Canada) using conventional processing in H-Canyon at SRS. This SNF and these target residue materials, totaling approximately 3.3 MTHM, include material from Groups B, C, and D identified in the SRS SNF EIS. HEU recovered during conventional processing will be down-blended to create LEU feedstock for fuel fabrication for commercial nuclear reactors. The shipments of target residue materials in liquid form from Canada will comply with all applicable transportation regulations in both countries to ensure environmental protection and the safety of the involved workers and the general public. No target material or waste from processing target material will be returned to Canada. DOE will implement minor modifications to H-Canyon to receive liquid HEU as described in the SA.

DOE anticipates processing these materials beginning as early as 2014 and continuing approximately four years, consistent with program and policy priorities. DOE will install a third dissolver in H-Canyon in addition to two existing dissolvers, in order to cost-effectively utilize H-Canyon, and expeditiously complete the mission.

The aluminum-clad SNF not addressed in this amended ROD will remain safely in wet storage in L-Basin at SRS, pending future analysis and DOE decisions. The water chemistry will continue to be rigorously controlled to prevent any corrosion reactions between the storage tubes, fuel, and the basin water.

No environmental impacts resulting from operations under this amended decision would require specific mitigation measures. DOE will continue its current practices and policies to use all practicable means to avoid or minimize environmental harm and

⁵ One H-Canyon dissolver currently supports dissolution of plutonium metal, preparatory to oxidizing it in the HB-Line to prepare plutonium oxide feed material for the Mixed Oxide Fuel Fabrication Facility (see Interim Action Determination, Use of H-Canyon/HB-Line to Prepare Feed for Mixed Oxide Fuel Fabrication Facility at the Savannah River Site, June 2012).

impacts to workers when implementing the actions described herein. For example, DOE will continue to evaluate and implement, as appropriate, physical modifications to the H-Canyon facility and process chemistry changes that would reduce personnel exposure, facility effluents, and waste generation.

Basis for Decision

This amended decision reduces the overall cost of managing the currently stored fuel by eliminating the need for additional SNF storage racks in the L-Basin SNF storage facility and allows for future receipt of foreign and domestic SNF, including continued receipt of HFIR cores from the Oak Ridge National Laboratory in support of DOE's research and development mission. In addition, this amended decision will maximize near-term utilization of H-Canyon and expeditiously complete the mission.

This amended decision supports DOE's ongoing approach for reducing the proliferation risks inherent in stocks of HEU by down-blending surplus HEU to LEU. The LEU would be available for use in commercial reactors such as those operated by TVA. In addition, operation of H-Canyon to process the SNF is consistent with section 3137 of the Floyd D. Spence Defense Authorization Act for fiscal year (FY) 2001 (Pub. L. 106–398), as amended by section 3115 of the National Defense Authorization Act for FY 2004 (Pub. L. 108–136), regarding the continued operation and maintenance of a high state of readiness of the H-Canyon facility at SRS.

Given the expense involved in designing and constructing a new melt and dilute capability, and because an alternative processing technology (conventional processing) is readily available, DOE determined that melt and dilute is an unnecessarily costly duplication of treatment capability for aluminum-clad SNF. Conventional processing and down-blending the HEU to LEU, with vitrification rather than the recovery of plutonium, furthers the Nation's non-proliferation goals.

Although the Secretary of Energy has determined that Yucca Mountain is not a workable option for a geologic repository, DOE remains committed to meeting its obligations to safely dispose of SNF and HLW.⁶ While this Amended ROD will increase the number of

canisters of vitrified HLW, this is not expected to significantly affect the quantity of vitrified HLW requiring management.

Separately, the receipt of target residue materials from Canada in liquid form under the U.S. Foreign Research Reactor Acceptance Policy does not present significant new health or environmental concerns or impacts as described in the SA. The repatriation of U.S.-origin HEU from Canada will help ensure national and international safety and security by downblending this material to LEU that would be available for beneficial use in power reactors. This action is consistent with U.S. agreements regarding receipt of FRR materials in which involved countries with the economic ability to do so contribute to the costs of transportation and U.S. receipt, processing and disposition of the materials.

In summary, the proposed use of conventional processing for a limited quantity of SNF as described in this amendment to DOE's 2000 SNF ROD takes advantage of existing processes in existing facilities. It will allow near-term progress in processing a portion of the inventory analyzed in the SRS SNF EIS currently stored on the site, thus freeing storage space for expected material receipts and avoiding the cost of creating additional space. The activities encompassed by this amended decision will not incur potential health or environmental impacts significantly different from those analyzed in existing NEPA reviews. These activities will strongly contribute to DOE's commitment to the United States' nuclear non-proliferation goals and are consistent with the U.S. and Canadian agreement reached at the Nuclear Security Summit in March 2012 to expand efforts to return U.S.-origin HEU currently stored in Canada to the U.S. Further, the actions resulting from this Amended ROD will contribute to the production of material that can be put to beneficial energy production for public use, thereby dispositioning some HEU out of South Carolina; and will contribute to an overall safe, secure, and cost-effective strategy for ongoing management of SNF and target residue materials at SRS.

Issued in Washington, DC on March 29, 2013.

David Huizenga,

Senior Advisor for Environmental Management.

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DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

Wireless Metering Challenge

AGENCY: Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy.

ACTION: Notice of availability; request for comments.

SUMMARY: The U.S. Department of Energy (DOE) Office of Energy Efficiency and Renewable Energy (EERE) requests comments on the draft version of the *Wireless Power Meter Challenge Specification*. This draft is a set of performance specifications applicable to energy efficiency metering devices for use at the electrical panel level within commercial buildings. The specifications are intended to spur the development of new technologies in the wireless electric metering space.

DATES: Comments on the *Wireless Meter Challenge Specification* must be received by 5 p.m. Eastern Standard Time April 26, 2013.

DOE will be holding a webinar on April 30, 2013. Information regarding the webinar is provided in the **SUPPLEMENTARY INFORMATION** section.

ADDRESSES: Comments may be submitted by electronic mail to wireless.meter@ee.doe.gov.

For further information on how to submit comments, please see the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: For questions regarding the submission of comments, technical questions, and questions regarding the Challenge, contact Jason Koman, Building Technologies Office, Mailstop EE-2J, Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585. Phone number: (202) 287-1578. Email: Jason.Koman@ee.doe.gov.

For legal questions contact Christopher Calamita, U.S. Department of Energy, Office of the General Counsel, Forrestal Building, GC-71, 1000 Independence Avenue SW., Washington, DC 20585. Phone number: (202) 586-1777. Email: christopher.calamita@hq.doe.gov.

SUPPLEMENTARY INFORMATION: EERE is developing a challenge specification to spur the development of new, low cost wireless electric metering devices. In order to take action to reduce energy usage, owners and operators need to know how energy is being used in their buildings. Metering data provides

⁶ The Secretary's *Strategy for the Management and Disposal of Used Nuclear Fuel and High-Level Radioactive Waste*, January 2013, endorses the key principles of the 2012 Blue Ribbon Commission on America's Nuclear Future report and represents an initial basis for discussions among the Administration, the Congress, and other stakeholders toward a sustainable path forward for disposition of nuclear waste.