RA
dioactivity) to carry out the three steps
described above using the resident farmer
scenario. RESRAD is commonly used to make
regulatory decisions about residual
radioactivity levels at nuclear sites. This code
was used by the licensee, and reviewed by
the staff, to assess radiation exposures of a
human receptor located on top of soils
contaminated with DU. RESRAD allows users
to specify the features of their site and to
predict the dose received by an individual at
any time over the next 100,000 years.
RESRAD is particularly important because it
has been accepted for use by the NRC in
making regulatory decisions and is freely
available to the public.
Comment 4:
The petitioner states that the use of
NUREG—1301 is improper because it does not
address stream sediment sampling.
Response 4:
As stated in the director's decision, while
NUREG—1301 is not specific to DU in the
form of spent rounds present in the
environment, it is conservative for reviewing
the licensee's proposed sampling methods
and frequency because the expected risks
from the presence of DU at the PTA are
significantly less than those associated with
radioactivity from a nuclear power plant. Also, the fact that this
guidance addresses sediment from the
shoreline of surface water instead of stream
dilution does not affect the conservatism of
applying the NUREG to environmental
sampling at PTA.
Comment 5:
The petitioner challenges the staff's
c conclusions that the analytical methods in
the PTA ERMP are appropriate and that the
laboratory preparation methods are
adequately described in the PTA ERMP. The
petitioner states that the analytical method
selected, an alpha spectrometer, presumably
cannot detect 235U unless very long counting
times are used. The petitioner states "an
overwhelming number of procedural
descriptions are provided with the phrase,"'BTD
(to be determined)''" in Annex 17 and 19.
Response 5:
As stated in the director's decision under
Concern 3, the staff disagrees with the
petitioner that the analytical methods are not
commonly used methods. Alpha
spectrometry (US DOE HASL method 300)
and inductively coupled-plasma mass
spectrometry (ICP-MS) are commonly used
methods for sample analysis to determine
uranium isotopic activity or mass and have
sufficient detection capability to accomplish
the stated objectives of the monitoring
activity.
Furthermore, the petitioner expressed
concern with the completeness of the
analytical methods by raising the issue of the
long counting times for U—235. However, as
described in Concern 3, the licensee has not
proposed to count U—235, but instead plans
to use the U—238 to U—234 ratio, as a
surrogate, as required by License Condition
17.
With regard to the analytical procedures
being adequately described including the use
of the phrase "TBD", as described in the
director's decision under Concern 3, the
licensee is not required to submit
information on laboratory preparation
methods beyond the information presented
in the Quality Assurance Plan (Annex 19 to the
Programmatic ERMP) (ADAMS Accession
No. ML16265A233). Also, the licensee is not
required to submit environmental sampling
procedures beyond the information presented
in Annex 19 to the Programmatic ERMP. The
licensee has made a commitment in its
application for License Amendment No. 1
(ADAMS Accession No. ML16004A369) that:
"Each installation-specific ERMP will
describe sampling in terms of sampling
objectives, sampling protocols, analytical
methods, and data quality assurance
protocols. These descriptions will conform to
commonly accepted practices and reliable
sources as described in the Multi-Agency
Radiation Survey and Site Investigation
Manual (MARSSIM) (NRC, DOE, EPA, DOD
2000). Acceptable analytical methods include
those commonly accepted from reliable
references, as presented in MARSSIM, Table
7.2."
The staff found this approach acceptable. In
the SER for License Amendment No. 1
(ADAMS Accession No. ML16099A230), the
staff found that, "In accordance with 10
CFR 40.32(c) . . . that the Army’s proposed
equipment and procedures in the
programmatic RSP [Radiation Safety Plan]
are adequate to protect health and safety and
minimize danger to life or property."
Review of specific procedures are covered in the NRC
inspection process, not licensing. The staff
may ask to review documentation regarding
the analysis of sediment samples, such as
laboratory procedures and methods and
sampling procedures, during NRC
inspections.
Comment 6:
The petitioner asserts that an Oak Ridge
report (ADAMS Accession No.
ML13101A090) demonstrates that the
analytical methods used by the licensee are
improper and that the proposed director's
decision improperly ignores this report.
Response 6:
As explained in the director's decision under
Concern 5, as part of the staff's review of
the petitioner's concern regarding
composite sample dilution, the staff
requested information (ADAMS Accession
No. ML17297B403) from the licensee,
regarding how it intends to meet the 3-to-1
ratio of U—238 to U—234 in License Condition
17 when compositing sediment samples. The
staff referred to the Oak Ridge Report
(ADAMS Accession No. ML13101A090) in its
request letter (ADAMS Accession No.
ML17297B403), stating that "this guidance
indicates that a statistically-informed
sampling regime should be followed if
composite sampling is used over an area (i.e.,
not just at one sample location). The detailed
guidance referenced above recommends (1)
retaining sub-samples in case further analysis
is needed, (2) establishing an adjusted limit
that would trigger analysis of individual
subsamples, and (3) using sub-samples of the
same volume." In its response to the request
(ADAMS Accession No. ML18009A456), the
licensee clarified that the "composite"
samples were all taken in essentially one
location and a provision for taking 10 sub-
samples was included to ensure sufficient
sample volume was collected. Based on the
licensee's clarification, the staff determined
that dilution is not a concern as the subsamples are more representative of a single
sample than a "composite" sample.
Comment 7:
The petitioner states that there are
significant barriers to flow from the RCAs at
the PTA to the proposed sample collection
site, and that the staff should have used
objective programs to trace out surface flows.
The petitioner states that the staff should
mandate that the sampling location be
adjacent to the RCA, "not miles away with
an intermittent lava berm."
Response 7:
The petitioner's comments are directed at
a concern that was not accepted for review
under the 10 CFR 2.206 process and is not
the subject of this director's decision. The
basis for the rejection of this concern under
the 10 CFR 2.206 process is described on
pages 3 and 4 of Enclosure 1 (ADAMS
Accession No. ML17279A082) to the NRC's
letter to the petitioner dated November 9,
2017 (ADAMS Accession No. ML17279A300
(Pkg.)), under the concern identified as
"Inappropriate Sampling Location." As
described in the staff's Response 1, above, the
licensee submitted a license amendment
application to the NRC to correct figure
sizing/scaling errors in the ERMP annex for
the PTA and two other sites. Because the
petitioner's concern regarding the sediment
sampling location at the PTA is now under
staff's consideration as part of its review of
this license amendment request, the 2.206
process is not appropriate for addressing that
concern. The staff will inform the petitioner
of the outcome of this licensing review.

NUCLEAR REGULATORY COMMISSION
[Docket Nos. 50–247 and 50–286; NRC–
2008–0672]

Entergy Nuclear Operations, Inc.;
Indian Point Nuclear Generating Unit
Nos. 2 and 3

AGENCY: Nuclear Regulatory Commission.

ACTION: Final Supplemental
Environmental Impact Statement:
issuance.

SUMMARY: The U.S. Nuclear Regulatory
Commission (NRC) is issuing Volume 5
of the plant-specific Final Supplemental
Environmental Impact Statement
(FSEIS), Supplement 38 to NUREG–
1437, "Generic Environmental Impact
Statement for License Renewal of Nuclear Plants” (GEIS), regarding the renewal of the Entergy Nuclear Operations, Inc., operating licenses DPR–26 and DPR–64 (Docket Nos. 50–247 and 50–286) for extended plant operation for Indian Point Nuclear Generating Unit Nos. 2 and 3 (IP2 and IP3).

This volume of the FSEIS was issued as part of the NRC staff's review of Entergy Nuclear Operations, Inc.'s request for extended plant operation beyond the initial period of 40 years. This volume incorporates new information that the NRC staff has obtained since the publication of Volume 4 of the FSEIS in June 2013.

DATES: Volume 5 of the Final Supplemental Environmental Impact Statement referenced in this document became effective on April 20, 2018.

FORMAT FOR FURTHER INFORMATION CONTACT: Please refer to Docket ID NRC–2008–0672 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:
- NRC's Agencywide Documents Access and Management System (ADAMS): You may obtain publically-available documents online in the ADAMS Public Documents collection 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.
- Supplement 38 to the GEIS and its supplements available under ADAMS Accession Nos. ML103350405, ML103350438, ML103360209, ML103360212, ML103350442, ML13162A616, and ML18107A759, respectively.
- 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.
- Local Libraries: The following local libraries have agreed to make the final supplement available for public inspection:
  - White Plains Public Library, 100 Martine Ave. White Plains, NY 10601
  - Field Library, 4 Nelson Ave. Peekskill, NY 10566
  - Hendrick Hudson Free Library, 185 Kings Ferry Rd, Montrose, NY 10548


SUPPLEMENTARY INFORMATION:

I. Discussion

The NRC received an application, dated April 23, 2007, from Entergy Nuclear Operations, Inc., (Entergy), filed pursuant to Section 103 of the Atomic Energy Act of 1954, as amended, and part 54 of title 10 of the Code of Federal Regulations, (10 CFR part 54), to renew, the operating licenses for IP2 and IP3. The IP2 and IP3 site is located along the Hudson River, approximately 24 miles north of New York, NY. Renewal of the licenses would authorize the applicant to operate the facilities beyond the initial 40-year period specified in the current operating licenses. Possible alternative actions to the proposed action (license renewal) include no action and reasonable alternative energy sources.

The NRC issued a plant-specific Final Supplemental Environmental Impact Statement (FSEIS) as a supplement to the Generic Environmental Impact Statement for License Renewal of Nuclear Plants (GEIS), NUREG–1437, regarding the renewal of Facility Operating License Nos. DPR–26 and DPR–64 for Indian Point Nuclear Generating Unit Nos. 2 and 3 (IP2 and IP3).

As discussed in Section 8.2 of the FSEIS, the NRC staff determined that the adverse environmental impacts of license renewal for IP2 and IP3 are not so great that preserving the option of license renewal for energy-planning decisionmakers would be unreasonable. This recommendation is based on: (1) the analysis and findings in the GEIS; (2) information provided in the environmental report and other documents submitted by Entergy Nuclear Operations, Inc.; (3) consultation with Federal, State, local, and tribal agencies; (4) the NRC staff’s independent review; and (5) NRC staff’s consideration of public comments received during the supplemental process and on the draft Supplemental Environmental Impact Statement.

II. Matters Addressed in Supplement 2 to the FSEIS

This supplement includes the NRC staff’s evaluation of revised engineering project cost information for severe accident mitigation alternatives (SAMAs), a summary of the results of additional sensitivity analyses to address uncertainties in the SAMA cost-benefit conclusions as directed by the Commission, newly available aquatic impact information, and the additional environmental issues associated with license renewal resulting from the June 2013, revision to Table B–1 in Appendix B to Subpart A of 10 CFR part 51 and NUREG–1437. This supplement also incorporates the impact determinations of NUREG–2157, “Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel,” in accordance with the requirements in 10 CFR 51.23(b).

Additionally, this supplement describes the initiation of consultation under Section 7 of the Endangered Species Act of 1973, as amended (ESA), regarding the northern long-eared bat, the initiation of a conference under Section 7 of the ESA for proposed critical habitat of the Atlantic sturgeon, the staffs November 2017, request for the National Marine Fisheries Service to amend the 2013 biological opinion’s Incidental Take Statement, and to provide its concurrence with staff’s determination with respect to the final designated Atlantic Sturgeon critical habitat. The supplement also provides an update on the status of the operating licenses for IP2 and IP3. In addition, this supplement reflects the closure agreement signed in January 2017, by the parties to legal proceedings related to the renewal of the operating licenses for IP2 and IP3. The closure agreement, among other things, resolves all litigation concerning license renewal and calls for an early shut down of IP2 and IP3.

Dated at Rockville, Maryland, this 16th day of May, 2018.

For the Nuclear Regulatory Commission.

Eric R. Oesterle,
Chief, License Renewal Project Branch,
Division of Materials and License Renewal,
Office of Nuclear Reactor Regulation.

[FR Doc. 2018–10831 Filed 5–21–18; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION
[Docket No. CP2018–220]

New Postal Product

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission’s consideration concerning