

[fuel-storage/cis/waste-control-specialist.html](#).

### B. Submitting Comments

Please include Docket ID NRC–2016–0231 in your comment submission. Comments received during this scoping period will be considered by the NRC, along with all comments received during the previous period, in determining the scope of the EIS. Scoping comments submitted during the previous period need not be resubmitted during this scoping period.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <https://www.regulations.gov/> as well as enter the comment submissions into ADAMS. The NRC does not routinely 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 that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

## II. Discussion

On April 28, 2016, WCS submitted a license application to the NRC for a proposed consolidated interim storage facility for spent nuclear fuel (ADAMS Accession No. ML16132A533). The NRC accepted the WCS application for detailed review on January 26, 2017 (ADAMS Accession No. ML17018A168). On November 14, 2016, the NRC opened the public scoping period for its EIS on WCS' license application for a proposed consolidated interim storage facility for spent nuclear fuel (81 FR 79531). On April 18, 2017, WCS requested that the NRC temporarily suspend its review (ADAMS Accession No. ML17110A206). The EIS public scoping comment period closed on April 28, 2017 (82 FR 14039).

On June 8, 2018, ISP (a joint venture between WCS and Orano CIS LLC) requested that NRC resume its detailed review and submitted a revised license application (ADAMS Accession No. ML18166A003). On July 19, 2018, ISP provided an update to its application (ADAMS Accession No. ML18206A482). The NRC has decided to reopen the EIS public scoping comment period on this application until 45 days from October

19, 2018, to allow more time for members of the public to submit their comments.

Dated at Rockville, Maryland, this 28th day of August 2018.

For the Nuclear Regulatory Commission.

**Craig G. Erlanger,**

*Director, Division of Fuel Cycle Safety, Safeguards, and Environmental Review, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 2018–19058 Filed 8–31–18; 8:45 am]

**BILLING CODE 7590–01–P**

## NUCLEAR REGULATORY COMMISSION

**[Docket Nos. 50–334 and 50–412; NRC–2018–0193]**

### **FirstEnergy Nuclear Operating Company; FirstEnergy Nuclear Generation, LLC; Beaver Valley Power Station, Units 1 and 2**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Environmental assessment and finding of no significant impact; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is making a finding of no significant impact (FONSI) for a proposed issuance of an exemption to FirstEnergy Nuclear Operating Company (FENOC, the licensee), for Beaver Valley Power Station (BVPS), Units 1 and 2, located in Beaver County, Pennsylvania. The proposed action would grant the licensee a partial exemption from the “Physical barrier” requirements in the NRC’s regulations, to allow FENOC to continue using vertical, rather than angled, barbed wire fence topplings in certain limited protected area sections on-site. The NRC is considering an Exemption to Renewed Facility Operating License No. DPR–66, and Renewed Facility Operating License No. NPF–73, issued on November 5, 2009, and held by FENOC; and FirstEnergy Nuclear Generation, LLC for the operation of BVPS, Units 1 and 2.

**DATES:** The environmental assessment referenced in this document is available on September 4, 2018.

**ADDRESSES:** Please refer to Docket ID NRC–2018–0193 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:

- *Federal Rulemaking website:* Go to <http://www.regulations.gov> and search for Docket ID NRC–2018–0193. Address questions about NRC dockets to Jennifer

Borges; telephone: 301–287–9127; email: [Jennifer.Borges@nrc.gov](mailto:Jennifer.Borges@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC’s Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, 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](mailto:pdr.resource@nrc.gov). For the convenience of the reader, the ADAMS accession numbers are provided in a table in the “Availability of Documents” section of this document.

- *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.

### **FOR FURTHER INFORMATION CONTACT:**

Bhalchandra K. Vaidya, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–3308; email: [Bhalchandra.Vaidya@nrc.gov](mailto:Bhalchandra.Vaidya@nrc.gov).

### **SUPPLEMENTARY INFORMATION:**

#### **I. Introduction**

The NRC is considering issuance of a partial exemption, pursuant to section 73.5 of title 10 of the *Code of Federal Regulations* (10 CFR), “Specific exemptions,” from the “Physical barrier” requirement of 10 CFR 73.2, specifically with respect to the design criteria specified in 10 CFR 73.2(1) “fences,” as it applies to the angular specification for brackets used to support the required barbed wire (or similar material) topper, to FENOC and FirstEnergy Nuclear Generation, LLC (collectively, the licensee), for BVPS, Units 1 and 2, located in Beaver County, Pennsylvania.

In accordance with 10 CFR 51.21, the NRC has prepared an environmental assessment (EA) that analyzes the environmental effects of the proposed action. Based on the results of the EA, and in accordance with 10 CFR 51.31(a), the NRC has prepared a finding of no significant impact (FONSI) for the proposed exemption.

#### **II. Environmental Assessment**

##### *Description of the Proposed Action*

The proposed action would grant the licensee a partial exemption from the

“physical barrier” requirements of 10 CFR 73.2, specifically with respect to the design criteria specified in 10 CFR 73.2 (1) “fences,” as it applies to the angular specification for brackets used to support the required barbed wire (or similar material) topper. As stated in 10 CFR 73.2, fences must be constructed of No. 11 American wire gauge, or heavier wire fabric, topped by three strands or more of barbed wire or similar material on brackets angled inward or outward between 30 and 45 degrees from the vertical, with an overall height of not less than eight feet, including the barbed topping. If approved, the partial exemption would allow the licensee to continue to use, without modification, the current configuration of vertical barbed wire fence toppings in limited protected area sections on-site, as specified on the maps submitted by the licensee in its letter dated March 16, 2018, to meet the regulatory requirements of 10 CFR part 73, “Physical protection of plants and materials.” Specifically, barbed wire on top of physical barrier fencing on gates, near gates, near interfaces with buildings, and on corners is oriented vertically.

The proposed action is in accordance with the licensee’s application dated July 19, 2017, as supplemented by letters dated March 16, 2018; and May 2, 2018.

#### *Need for the Proposed Action*

Physical protection consists of a variety of measures to protect nuclear facilities and material against sabotage, theft, diversion, and other malicious acts. The NRC and its licensees use a graded approach for physical protection, consistent with the significance of the facilities or material to be protected. In so doing, the NRC establishes the regulatory requirements and assesses compliance, and licensees are responsible for providing the protection.

The proposed action is needed to allow the licensee to continue to use, without modification, the current configuration of vertical barbed wire fence toppings in certain limited protected area sections on-site, as shown on the maps submitted by the licensee in its March 16, 2018, letter. Currently, some of the barbed wire bracketing on top of the protected area physical barrier fencing do not meet certain design criteria specified in 10 CFR 73.2. Specifically, barbed wire on top of physical barrier fencing on gates, near gates, near interfaces with buildings, and on corners is oriented vertically.

Separate from this EA, the NRC staff is evaluating the licensee’s proposed

action, which will be documented in a safety evaluation report. The staff’s review will determine whether there is reasonable assurance that the site maintains adequate protection from the current physical barriers in accordance with the requirements in 10 CFR part 73.

#### *Environmental Impacts of the Proposed Action*

The NRC has completed its environmental evaluation of the proposed action. The proposed action would grant the licensee a partial exemption from the “physical barrier” requirements of 10 CFR 73.2, specifically with respect to the design criteria specified in 10 CFR 73.2(1) “fences,” as it applies to the angular specification for brackets used to support the required barbed wire (or similar material) topper. This will allow the licensee to continue using vertical, rather than angled, barbed wire fence toppings in certain limited protected area sections on site.

The proposed action would have no direct impacts on land use or water resources, including terrestrial and aquatic biota as the proposed action involves no new construction or modification of plant operational systems. There would be no changes to the quality or quantity of non-radiological effluents. No changes to the plant’s National Pollutant Discharge Elimination System permit are needed. In addition, there would be no noticeable effect on air pollutant emissions, socio-economic conditions in the region, no environment justice impacts, and no impacts to historic and cultural resources. Therefore, there would be no significant non-radiological impacts associated with the proposed action.

The NRC has concluded that the proposed action would not significantly affect plant safety and would not have a significant adverse effect on the probability of an accident occurring. There would be no change to radioactive effluents that affect radiation exposures to plant workers and members of the public. No changes would be made to plant buildings or the site property. Therefore, implementing the proposed action would not result in a change to the radiation exposures to the public or radiation exposure to plant workers.

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

As an alternative to the proposed action, the NRC considered denial of the proposed action (*i.e.*, the “no-action” alternative). Denial of the exemption

request would result in the licensee having to replace the vertical barbed wire fence toppings with angled barbed wire that meets the definition of “Physical barrier” in 10 CFR 73.2. This could result in temporary, minor changes in vehicular traffic and associated air pollutant emissions due to any construction-related impacts of performing the necessary modifications, but no significant changes in ambient air quality would be expected.

#### *Alternative Use of Resources*

There are no unresolved conflicts concerning alternative uses of available resources under the proposed action.

#### *Agencies and Persons Consulted*

The NRC staff did not enter into consultation with any other Federal agency or with the State of Pennsylvania regarding the environmental impact of the proposed action.

### **III. Finding of No Significant Impact**

The licensee has requested an exemption from the “physical barrier” requirements of 10 CFR 73.2, specifically with respect to the design criteria specified in 10 CFR 73.21, “fences,” to allow the licensee to continue using vertical, rather than angled, barbed wire fence toppings in limited protected area sections on site. The NRC is considering issuing the requested exemption. The proposed action would not significantly affect plant safety, would not have a significant adverse effect on the probability of an accident occurring, and would not have any significant radiological and non-radiological impacts. This FONSI incorporates by reference the EA in Section II of this notice. Therefore, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

The related environmental document is NUREG-1437, “Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Regarding Beaver Valley Power Station, Units 1 and 2, Final Report,” which provides the latest environmental review of current operations and a description of environmental conditions at BVPS, Units 1 and 2.

### **IV. Availability of Documents**

The documents identified in the following table are available to interested persons through one or more of the following methods, as indicated.

Document	ADAMS accession No.
FirstEnergy Nuclear Operating Company; Exemption Request for a Physical Barrier Requirement; Dated July 19, 2017.	ML17200D139.
FirstEnergy Nuclear Operating Company; Response to Request For Additional Information Regarding Exemption Request for a Physical Barrier Requirement; Dated March 16, 2018.	ML18078A033.
FirstEnergy Nuclear Operating Company; Response to Request For Additional Information Regarding Exemption Request for a Physical Barrier Requirement; Dated May 2, 2018.	ML18122A133.
NUREG-1437, Supplement 36; Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Regarding Beaver Valley Power Station, Units 1 and 2, Final Report; Dated May 2009.	ML091260011.

Dated at Rockville, Maryland, this 29th day of August 2018.

For the Nuclear Regulatory Commission.  
**Bhalchandra K. Vaidya,**  
*Project Manager, Plant Licensing Branch III,  
 Division of Operating Reactor Licensing,  
 Office of Nuclear Reactor Regulation.*

[FR Doc. 2018-19120 Filed 8-31-18; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[NRC-2018-0190]

### Protective Order Templates for Hearings on Conformance With the Acceptance Criteria in Combined Licenses

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Draft protective order templates; request for comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is seeking public comment on draft protective order templates to be used in hearings associated with closure of inspections, tests, analyses, and acceptance criteria (ITAAC). The templates have the purpose of facilitating quick development of case-specific protective orders to support the accelerated ITAAC hearing schedule. Participants in ITAAC hearings may, but are not required to, use the templates as the basis for proposed protective orders.

**DATES:** Submit comments by October 19, 2018. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received before this date.

**ADDRESSES:** You may submit comments by any of the following methods:

- *Federal Rulemaking website:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2018-0190. Address questions about NRC dockets to Jennifer Borges; telephone: 301-287-9127; email: [Jennifer.Borges@nrc.gov](mailto:Jennifer.Borges@nrc.gov). For other questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

For additional direction on obtaining information and submitting comments, see “Obtaining Information and Submitting Comments” in the **SUPPLEMENTARY INFORMATION** section of this document.

#### FOR FURTHER INFORMATION CONTACT:

Michael A. Spencer, Office of the General Counsel, U.S. Nuclear Regulatory Commission; telephone: 301-287-9115, email: [Michael.Spencer@nrc.gov](mailto:Michael.Spencer@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

### I. Obtaining Information and Submitting Comments

#### A. Obtaining Information

Please refer to Docket ID NRC-2018-0190 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking website:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2018-0190.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, 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](mailto:pdr.resource@nrc.gov). For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the “Availability of Documents” section.

- *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-2018-0190 in your comment submission. If you cannot submit your comments on the Federal Rulemaking website, <http://www.regulations.gov>, please contact the individual listed in the **FOR FURTHER**

**INFORMATION CONTACT** section of this document.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <http://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely 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 that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

### II. Background

On July 1, 2016 (81 FR 43266), the NRC published final procedures for hearings on conformance with the acceptance criteria in combined licenses (COLs) issued under part 52 of title 10 of the *Code of Federal Regulations* (10 CFR) (ITAAC Hearing Procedures). The acceptance criteria are part of the ITAAC included in the COL. In accordance with 10 CFR 52.103(g), the NRC must find that the acceptance criteria are met before facility operation may begin. Section 189a.(1)(B) of the Atomic Energy Act of 1954, as amended (AEA), provides members of the public an opportunity to request a hearing on the facility's compliance with the acceptance criteria. The ITAAC Hearing Procedures describe the requirements for such hearing requests and the procedures to be used throughout the hearing process. The procedures for a particular ITAAC proceeding will be imposed by case-specific orders, and the ITAAC Hearing Procedures reference templates to be used for such orders.

Some NRC proceedings involve sensitive information. For ITAAC proceedings in particular, the NRC