

### *No Undue Risk to Public Health and Safety*

The underlying purpose of the reporting requirements specified in 10 CFR 50.36a(a)(2) is to report to the Commission annually the quantity of each of the principal radionuclides released to unrestricted areas in liquid and in gaseous effluents during the previous 12 months, including any other information as may be required by the Commission to estimate maximum potential annual radiation doses to the public resulting from effluent releases. This exemption does not affect the information required to be submitted or the time period the report covers, only the date the report is submitted. Based on the above, no new accident precursors are created by extending the submittal date for the 2010 Radioactive Effluent Release Report from prior to March 1 to prior to May 1, 2011. Thus, the probability of postulated accidents is not increased. Also, based on the above, the consequences of postulated accidents are not increased. Therefore, there is no undue risk to public health and safety.

### *Consistent With Common Defense and Security*

The proposed exemption would allow the licensee to submit the 2010 Radioactive Effluent Release Report prior to May 1, 2011, which would exceed the report submittal requirement of no longer than 12 months specified in 10 CFR 50.36a(a)(2) by 2 months. This change has no relation to security issues. Therefore, the common defense and security is not impacted by this exemption.

### *Special Circumstances*

Special circumstances, in accordance with 10 CFR 50.12(a)(2)(v), are present whenever application of the regulation would provide only temporary relief from the applicable regulation and the licensee or applicant has made good faith efforts to comply with the regulation. The underlying purpose of the reporting requirement specified in 10 CFR 50.36a(a)(2) is to require each licensee to submit a report to the Commission annually that specifies the quantity of each of the principal radionuclides released to unrestricted areas in liquid and in gaseous effluents, including any other information as may be required by the Commission to estimate maximum potential annual radiation doses to the public resulting from effluent releases. The proposed exemption does not affect the information required to be submitted or the time period the report covers, only

the date the report is to be submitted. The requested exemption provides temporary relief from the regulation in that it affords a one-time extension for submitting the annual report. The proposed exemption is an appropriate means to ensure that future reports are submitted on an annual basis as required by 10 CFR 50.36a(a)(2). Therefore, since the underlying purpose of 10 CFR 50.36a(a)(2) is achieved, the special circumstances of 10 CFR 50.12(a)(2)(v) for the granting of an exemption from 10 CFR 50.36a(a)(2) exists.

### **4.0 Conclusion**

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Also, special circumstances are present. Therefore, the Commission hereby grants Entergy Operations, Inc., a one-time exemption from the requirements of 10 CFR 50.36a(a)(2), for ANO-1 and ANO-2.

The Commission has determined that granting this one-time exemption from the requirements of a regulation of 10 CFR 50.36(a)(2) involves (i) no significant hazards consideration, (ii) no significant change in the types or significant increase in the amounts of any effluents that may be released offsite, (iii) no significant increase in individual or cumulative public or occupational radiation exposure, (iv) no significant construction impact, and (v) no significant increase in the potential for or consequences from radiological accidents. In addition, the requirements from which this exemption is sought involve reporting requirements in 10 CFR 50.36a(a)(2). Accordingly, the exemption meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(25)(i)-(vi). Therefore, in accordance with 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the NRC's consideration of this exemption.

This exemption is effective upon issuance.

Dated at Rockville, Maryland this 28th day of September 2010.

For the Nuclear Regulatory Commission.

**Robert A. Nelson,**

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

[FR Doc. 2010-24806 Filed 10-1-10; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

### **Advisory Committee on Reactor Safeguards Meeting of the ACRS Subcommittee on Future Plant Designs; Revision to the September 24, 2010, ACRS Meeting Federal Register Notice**

The **Federal Register** Notice for the ACRS Subcommittee Meeting on Future Plant Designs scheduled to be held on October 21, 2010, is being revised to notify the following:

The meeting will be open to public attendance with exception of portions that may be closed to protect information that is proprietary to Westinghouse Electric Company, General Electric—Hitachi Nuclear Energy (GEH), and their contractors, pursuant to 5 U.S.C. 552b(c)(4).

The notice of this meeting was previously published in the **Federal Register** on Friday, September 24, 2010, [75 FR 58448]. All other items remain the same as previously published.

Further information regarding this meeting can be obtained by contacting Christina Antonescu, Designated Federal Official (*Telephone*: 301-415-6792, *E-mail*: [Christina.Antonescu@nrc.gov](mailto:Christina.Antonescu@nrc.gov)) between 7:30 a.m. and 5:15 p.m. (ET).

Dated: September 28, 2010.

**Antonio F. Dias,**

*Chief, Reactor Safety Branch B, Advisory Committee on Reactor Safeguards.*

[FR Doc. 2010-24791 Filed 10-1-10; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

[NRC-2010-0002]

### **Sunshine Act: Notice of Meeting**

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

**DATE:** Weeks of October 4, 11, 18, 25, November 1, 8, 2010.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

#### **Week of October 4, 2010**

There are no meetings scheduled for the week of October 4, 2010.

#### **Week of October 11, 2010—Tentative**

*Thursday, October 14, 2010*

9:30 a.m.—Briefing on Alternative Risk Metrics for New Light Water Reactors, (Public Meeting) (Contact: CJ Fong, 301 415-6249).