

For The Nuclear Regulatory Commission.  
Dated this 17th day of November 2010 at  
Rockville, Maryland.

**Stephen Dembek,**

*Acting Deputy Director, Office of  
International Programs.*

[FR Doc. 2010-30113 Filed 11-29-10; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 52-008; NRC-2008-0476]

### **Dominion Virginia Power and Old Dominion Electric Cooperative; Notice of Consideration of Issuance of Amendment to Early Site Permit, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing**

**AGENCY:** U.S. Nuclear Regulatory  
Commission (NRC).

**ACTION:** Notice of license amendment  
request, opportunity to comment, and  
opportunity to request a hearing.

**DATES:** Submit comments by December  
30, 2010. Requests for a hearing or leave  
to intervene must be filed by January 31,  
2011.

**FOR FURTHER INFORMATION CONTACT:**  
Chandu Patel, Project Manager, US-  
APWR Projects Branch, Division of New  
Reactor Licensing, Office of New  
Reactors, U.S. Nuclear Regulatory  
Commission, Washington, DC 20555-  
001. Telephone: (301) 415-3025; fax  
number: (301) 415-6350; e-mail:  
*Chandu.Patel@nrc.gov*.

**ADDRESSES:** You may submit comments  
by any one of the following methods.  
Please include Docket ID NRC-2008-  
0476 in the subject line of your  
comments. Comments submitted in  
writing or in electronic form will be  
posted on the NRC Web site and on the  
Federal rulemaking Web site [http://  
www.regulations.gov](http://www.regulations.gov). Because your  
comments will not be edited to remove  
any identifying or contact information,  
the NRC cautions you against including  
any information in your submission that  
you do not want to be publicly  
disclosed. The NRC requests that any  
party soliciting or aggregating comments  
received from other persons for  
submission to the NRC inform those  
persons that the NRC will not edit their  
comments to remove any identifying or  
contact information, and therefore, they  
should not include any information in  
their comments that they do not want  
publicly disclosed.

You may submit comments by any  
one of the following methods.

**Federal Rulemaking Web site:** Go to  
<http://www.regulations.gov> and search  
for documents filed under Docket ID  
NRC-2008-0476. Address questions  
about NRC dockets to Carol Gallagher at  
301-492-3668 or via e-mail at  
*Carol.Gallagher@nrc.gov*.

**Mail comments to:** Chief, Rules,  
Announcements and Directives Branch,  
Office of Administration, Mail Stop:  
TWB-05-B01M, U.S. Nuclear  
Regulatory Commission, Washington,  
DC 20555-0001, or via fax to RADB at  
(301) 492-3446.

You can access publicly available  
documents related to this notice using  
the following methods:

**NRC's Public Document Room (PDR):**  
The public may examine, and have  
copied for a fee, publicly available  
documents at the NRC's PDR, Room  
O-1 F21, One White Flint North, 11555  
Rockville Pike, Rockville, Maryland  
20852. These documents may also be  
viewed electronically on the Public  
computer located at the NRC's PDR at  
11555 Rockville Pike, Rockville, MD  
20852.

**NRC's Agencywide Documents Access  
and Management System (ADAMS):**  
Publicly available documents created or  
received at the NRC are available  
electronically at the NRC's Electronic  
Reading Room at [http://www.nrc.gov/  
reading-rm/adams.html](http://www.nrc.gov/<br/>reading-rm/adams.html). From this page,  
the public can gain entry into ADAMS,  
which provides text and image files of  
NRC's public documents. If you do not  
have access to ADAMS or if there are  
problems in accessing the documents  
located in ADAMS, contact the NRC's  
PDR reference staff at 1-800-397-4209,  
301-415-4737, or via e-mail to  
*pdr.resource@nrc.gov*. The application  
for amendment dated September 2,  
2010, is available electronically in  
ADAMS under accession number  
ML102500209.

**Federal Rulemaking Web site:** Public  
comments and supporting materials  
related to this notice can be found at  
<http://www.regulations.gov> by searching  
for Docket ID: NRC-2008-0476.

#### **SUPPLEMENTARY INFORMATION:**

#### **I. Introduction**

The NRC (the Commission) is  
considering issuance of an amendment  
to Early Site Permit (ESP) number ESP-  
003, issued to Virginia Electric and  
Power Company doing business as  
Dominion Virginia Power, and Old  
Dominion Electric Cooperative for the  
North Anna site located near Louisa,  
Virginia.

The proposed amendment would  
delete ESP permit condition 3.G, which  
prescribes the notification conditions  
associated with the implementation of

certain activities authorized by the  
permit. Specifically, permit condition  
3.G requires the permit holder to notify  
the NRC Regional Administrator for  
Region II and the operator of North  
Anna Power Station at least 120 days  
before the commencement of certain  
activities described in Appendix E of  
the permit, the Site Redress Plan.  
Condition 3.G also states that the permit  
holder will certify in the notification  
that it has obtained all other permits,  
licenses, and certifications required for  
those activities. The proposed  
amendment eliminates the notifications  
by deleting the condition in its entirety.

Before issuance of the proposed  
license amendment, the Commission  
will have made findings required by the  
Atomic Energy Act of 1954, as amended  
(the Act) and the Commission's  
regulations.

The Commission has made a  
proposed determination that the  
amendment request involves no  
significant hazards consideration. Under  
the Commission's regulations in Title 10  
of the Code of Federal Regulations,  
Section 50.92, this means that  
performance of site preparation and  
preliminary construction activities  
described in site redress plan at the  
North Anna ESP site in accordance with  
the proposed amendment would not  
(1) Involve a significant increase in the  
probability or consequences of an  
accident previously evaluated; (2) create  
the possibility of a new or different kind  
of accident from any accident  
previously evaluated; or (3) involve a  
significant reduction in a margin of  
safety.

As required by 10 CFR 50.91(a), the  
applicant has provided its analysis of  
the issue of no significant hazards  
consideration, which is presented  
below:

1. Does the proposed amendment involve  
a significant increase in the probability or  
consequences of an accident previously  
evaluated?

*Response:* No.

The proposed amendment deletes ESP  
condition 3.G, which prescribes the  
notification conditions associated with the  
implementation of activities authorized by  
the permit. This change is administrative in  
nature and does not affect the fabrication,  
construction, or operation of any plant  
structure, system, or component.

Therefore, the proposed ESP change does  
not involve a significant increase in the  
probability or consequences of an accident  
previously evaluated.

2. Does the proposed amendment create  
the possibility of a new or different kind of  
accident from any accident previously  
evaluated?

*Response:* No.

The proposed amendment deletes ESP  
condition 3.G, which prescribes the

notification conditions associated with the implementation of activities authorized by the permit. This change is administrative in nature and does not affect the fabrication, construction, or operation of any plant structure, system, or component.

Therefore, the proposed ESP change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

*Response:* No.

The proposed amendment deletes ESP condition 3.G, which prescribes the notification conditions associated with the implementation of activities authorized by the permit. This change is administrative in nature and does not affect the fabrication, construction, or operation of any plant structure, system, or component.

Therefore, the proposed ESP change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the applicant's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. You may submit comments using any of the methods discussed under the **ADDRESSES** section of this notice, which is above.

Before issuing the amendment, regardless of whether a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held, if one is requested. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

## II. Opportunity to Request a Hearing

Requirements for hearing requests and petitions for leave to intervene are found in 10 CFR 2.309, "Hearing requests, Petitions to Intervene, Requirements for Standing, and Contentions." Interested persons should consult 10 CFR 2.309, which is available

at the NRC's PDR, located at O-1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852 (or call the PDR at (800) 397-4209 or (301) 415-4737). NRC regulations are also accessible electronically from the NRC's Electronic Reading Room on the NRC Web site at <http://www.nrc.gov>.

## III. Petitions for Leave to Intervene

Within 60 days of this notice, any person whose interest may be affected by this amendment and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding and how that interest may be affected by the results of the proceeding. The petition must provide the name, address, and telephone number of the petitioner and specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order that may be entered in the proceeding on the petitioner's interest.

A petition for leave to intervene must also include a specification of the contentions that the petitioner seeks to have litigated in the hearing. For each contention, the petitioner must provide a specific statement of the issue of law or fact to be raised or controverted, as well as a brief explanation of the basis for the contention. Additionally, the petitioner must demonstrate that the issue raised by each contention is within the scope of the proceeding and is material to the findings the NRC must make to support the granting of a license amendment in response to the application. The petition must also include a concise statement of the alleged facts or expert opinions which support the position of the petitioner and on which the petitioner intends to rely at hearing, together with references to the specific sources and documents on which the petitioner intends to rely. Finally, the petition must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact, including references to specific portions of the application for amendment that the petitioner disputes and the supporting reasons for each dispute, or, if the petitioner believes that the application for amendment fails to contain information on a relevant matter as required by law, the

identification of each failure and the supporting reasons for the petitioner's belief.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing. The Licensing Board will set the time and place for any prehearing conferences and evidentiary hearings, and the appropriate notices will be provided.

Non-timely petitions for leave to intervene and contentions, amended petitions, and supplemental petitions will not be entertained absent a determination by the Commission, the Licensing Board or a Presiding Officer that the petition should be granted and/or the contentions should be admitted based upon a balancing of the factors specified in 10 CFR 2.309(c)(1)(i)-(viii).

A State, county, municipality, Federally-recognized Indian Tribe, or agencies thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(d)(2). The petition should be submitted to the Commission by January 31, 2011. The petition must be filed in accordance with the filing instructions in Section IV of this document, and should meet the requirements for petitions for leave to intervene set forth in this section, except that State and Federally-recognized Indian Tribes do not need to address the standing requirements in 10 CFR 2.309(d)(1) if the facility is located within its boundaries. The entities listed above could also seek to participate in a hearing as a nonparty pursuant to 10 CFR 2.315(c).

Any person who does not wish, or is not qualified, to become a party to this proceeding may request permission to make a limited appearance pursuant to the provisions of 10 CFR 2.315(a). A person making a limited appearance may make an oral or written statement of position on the issues, but may not otherwise participate in the proceeding. A limited appearance may be made at any session of the hearing or at any prehearing conference, subject to such limits and conditions as may be imposed by the Licensing Board.

## IV. Electronic Submissions (E-Filing)

All documents filed in the NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in

accordance with the NRC E-Filing rule (72 FR 49139, August 28, 2007). The E-Filing process requires participants to submit and serve all adjudicatory documents over the Internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least ten days prior to the filing deadline, the participant should contact the Office of the Secretary via e-mail at [hearing.docket@nrc.gov](mailto:hearing.docket@nrc.gov), or via telephone at (301) 415-1677, to request (1) a digital ID certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a request or petition for hearing (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals/apply-certificates.html>. System requirements for accessing the E-Submittal server are detailed in NRC's "Guidance for Electronic Submission," which is available on the agency's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>. Participants may attempt to use other software not listed on the Web site, but should note that the NRC's E-Filing system does not support unlisted software, and the NRC Meta System Help Desk will not be able to offer assistance in using unlisted software.

If a participant is electronically submitting a document to the NRC in accordance with the E-Filing rule, the participant must file the document using the NRC's online, Web-based submission form. In order to serve documents through Electronic Information Exchange, users will be required to install a Web browser plug-in from the NRC Web site. Further information on the Web-based submission form, including the installation of the Web browser plug-in, is available on the NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>.

Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format in accordance with the NRC guidance available on the NRC public Web site at <http://www.nrc.gov/site-help/e-submittals.html>. A filing is considered complete at the time the documents are submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. eastern time on the due date. Upon receipt of a transmission, the E-Filing system timestamps the document and sends the submitter an e-mail notice confirming receipt of the document. The E-Filing system also distributes an e-mail notice that provides access to the document to the NRC Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically using the agency's adjudicatory E-Filing system may seek assistance by contacting the NRC Meta System Help Desk through the "Contact Us" link located on the NRC Web site at <http://www.nrc.gov/site-help/e-submittals.html>, via e-mail at [MSHD.Resource@nrc.gov](mailto:MSHD.Resource@nrc.gov), or via toll-free call at (866) 672-7640. The NRC Meta System Help Desk is available between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff.

Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket which is available to the public at [http://ehd.nrc.gov/EHD\\_Proceeding/home.asp](http://ehd.nrc.gov/EHD_Proceeding/home.asp), unless excluded pursuant to an order of the Commission, or the presiding officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

Petitions for leave to intervene must be filed no later than 60 days from November 30, 2010. Non-timely filings will not be entertained absent a determination by the presiding officer that the petition or request should be granted or the contentions should be admitted, based on a balancing of the factors specified in 10 CFR 2.309(c)(1)(i)-(viii).

Dated at Rockville, Maryland this 23rd day of November, 2010.

For the Nuclear Regulatory Commission.

**Hossein G. Hamzehee,**

*Chief, US-APWR Projects Branch, Division of New Reactor Licensing, Office of New Reactors.*

[FR Doc. 2010-30115 Filed 11-29-10; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

### **Request for a License To Import Radioactive Waste**

Pursuant to 10 CFR 110.70(b) "Public Notice of Receipt of an Application," please take notice that the Nuclear Regulatory Commission (NRC) has received the following request for an