

proposed exemption. The staff has concluded that the proposed action to extend the implementation deadline would not significantly affect plant safety and would not have a significant adverse effect on the probability or consequences of an accident.

The proposed action would not result in an increased radiological hazard beyond those previously analyzed in the environmental assessment and finding of no significant impact made by the Commission in promulgating its revisions to 10 CFR part 73 as discussed in a **Federal Register** notice dated March 27, 2009 (74 FR 13967). There will be no change to radioactive effluents that affect radiation exposures to plant workers and members of the public. Therefore, no changes or different types of radiological impacts are expected as a result of the proposed exemption.

The proposed action does not result in changes to land use or water use, or result in changes to the quality or quantity of non-radiological effluents. No changes to the National Pollution Discharge Elimination System permit are needed. No effects on the aquatic or terrestrial habitat in the vicinity of the plant, or to threatened, endangered, or protected species under the Endangered Species Act, or impacts to essential fish habitat covered by the Magnuson-Stevens Act are expected. There are no impacts to the air or ambient air quality.

There are no impacts to historical and cultural resources. There would be no impact to socioeconomic resources. Therefore, no changes to or different types of non-radiological environmental impacts are expected as a result of the proposed exemption.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action. In addition, in promulgating its revisions to 10 CFR part 73, the Commission prepared an environmental assessment and published a finding of no significant impact (March 27, 2009, 74 FR 13967).

The NRC staff's safety evaluation will be provided as part of a letter to the licensee approving the exemption to the regulation, if granted.

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

As an alternative to the proposed action, the NRC staff considered denial of the proposed action (*i.e.*, the "no action" alternative). Denial of the exemption request would result in no change in current environmental impacts. If the proposed action were denied, the licensee would have to comply with the March 31, 2010,

implementation deadline. The environmental impacts of the proposed exemption and the "no action" alternative are similar.

#### *Alternative Use of Resources*

The action does not involve the use of any different resources than those considered in the Final Environmental Statement for the HBRSEP, dated April 1975, as supplemented through the "Generic Environmental Impact Statement for License Renewal of Nuclear Plants: H.B. Robinson Steam Electric Plant, Unit 2—Final Report (NUREG—1437, Supplement 13)."

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on January 22, 2010, the staff consulted with the South Carolina State official, Mike Gandy of the South Carolina Bureau of Land and Waste Management, regarding the environmental impact of the proposed action. The State official had no comments.

#### **Finding of No Significant Impact**

On the basis of the environmental assessment, 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.

For further details with respect to the proposed action, see the licensee's letter dated November 30, 2009. Portions of the November 30, 2009, submittal contain proprietary and security-related information, and accordingly, are not available to the public. Other parts of these documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>.

Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209 or 301-415-4737, or send an e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this 16th day of February 2010.

For the Nuclear Regulatory Commission.

**Tracy J. Orf,**

*Project Manager, Plant Licensing Branch II-2, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

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## **NUCLEAR REGULATORY COMMISSION**

[NRC-2009-0189]

### **Office of New Reactors: Interim Staff Guidance on Assessing the Consequences of an Accidental Release of Radioactive Materials From Liquid Waste Tanks; Reopening of Comment Period**

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

**ACTION:** Reopening of comment period.

**SUMMARY:** The NRC published a request for public comment in the **Federal Register** on May 4, 2009, on proposed Interim Staff Guidance (ISG) DC/COL-ISG-013, "Assessing the Consequences of an Accidental Release of Radioactive Materials from Liquid Waste Tanks" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML090830488). The NRC has completed a related ISG, DC/COL-ISG-014, "Assessing Ground Water Flow and Transport of Accidental Radionuclide Releases," and is making it available for public comment by separate document published today in the **Federal Register**. The NRC believes that the public will be better served by being able to review and comment on both documents at this time. This action is necessary to reopen the comment period for ISG DC/COL-ISG-013.

**ADDRESSES:** Please include Docket ID NRC-2009-0189 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 [Regulations.gov](http://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-2009-0189. Comments may be submitted electronically through this Web site. Address questions about NRC dockets to Carol Gallagher at 301-492-3668; e-mail at [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

**Mail comments to:** Michael T. Lesar, Chief, Rulemaking and Directives Branch (RDB), Division of Administrative Services, Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by fax to RDB 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, Public File Area O1 F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland.

**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>. 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 by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

**Federal Rulemaking Web site:** Public comments and supporting materials related to this notice can be found at <http://www.regulations.gov> by searching on Docket ID: NRC-2009-0189.

**FOR FURTHER INFORMATION CONTACT:** Mr. Edward H. Roach, Acting Chief, Health Physics Branch, Division of Construction Inspection and Operational Programs, Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC, 20555-0001; telephone at 301-415-1973 or e-mail at [edward.roach@nrc.gov](mailto:edward.roach@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The NRC requested public comment on May 4, 2009 (74 FR 20510), on its Proposed Interim Staff Guidance (ISG) DC/COL-ISG-013 (ADAMS Accession No. ML090830488). The purpose of this ISG is to modify and provide Combined License (COL) and Design Certification (DC) applicants additional clarity and guidance for the application of Standard

Review Plan (SRP) Sections 11.2 and 2.4.13 on the characterization of hydro geological properties of a site associated with the effects of accidental releases of radioactive liquid on existing or likely future uses of ground and surface water resources in meeting the requirements of Title 10 of the Code of Federal Regulations, Part 100 (10 CFR 100.10 or 100.20) and Appendix B to 10 CFR part 20 on effluent concentration limits. This ISG would revise the staff guidance previously issued in March 2007 in the SRP NUREG-0080, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants," Sections 11.2 and 2.4.13. These two SRP sections are not internally consistent in identifying acceptable criteria for assessing the consequences of accidental releases of radioactive materials, or in providing guidance to the staff and applicants to establish conditions for such releases and define acceptable assumptions to describe exposure scenarios and pathways to members of the public. The NRC staff issues DC/COL-ISGs to facilitate timely implementation of current staff guidance and to facilitate activities associated with review of applications for DCs and COLs by the Office of New Reactors. The NRC staff will also incorporate the approved DC/COL-ISG-013 into the next revision of the SRP and related guidance documents.

The NRC staff is issuing this notice to reopen the public comment period for proposed DC/COL-ISG-013. After the NRC staff considers all public comments, it will make a determination regarding proposed DC/COL-ISG-013. The agency posts its issued staff guidance on the agency's Web site at <http://www.nrc.gov/reading-rm/doc-collections/isg/>.

Dated at Rockville, Maryland, this 16th day of February 2010.

For the Nuclear Regulatory Commission,  
**William F. Burton,**  
*Chief, Rulemaking and Guidance  
Development Branch, Division of New Reactor  
Licensing, Office of New Reactors.*

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## NUCLEAR REGULATORY COMMISSION

[NRC-2010-0047]

### Office of New Reactors: Interim Staff Guidance on Assessing Ground Water Flow and Transport of Accidental Radionuclide Releases; Solicitation of Public Comment

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

**ACTION:** Solicitation of public comment.

**SUMMARY:** The NRC is soliciting public comment on its Proposed Interim Staff Guidance (ISG) DC/COL-ISG-014 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML091320560). The purpose of this ISG is to provide Combined License (COL) and Design Certification (DC) applicants additional clarity and guidance for the application of Sections 2.4.12 and 2.4.13 of the Standard Review Plan (SRP), NUREG 0800 "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants." Specifically, this ISG would revise the staff guidance in SRP Sections 2.4.12 and 2.4.13 regarding the assessment of ground water flow and transport of accidental radionuclide releases necessary to demonstrate compliance with the requirements of Title 10 of the *Code of Federal Regulations*, Part 100 (10 CFR 100) and Appendix B to 10 CFR part 20 on effluent concentration limits. The NRC staff issues DC/COL-ISGs to facilitate timely implementation of current staff guidance and to facilitate activities associated with review of applications for DCs and COLs by the Office of New Reactors. The NRC staff will also incorporate the approved DC/COL-ISG-014 into the next revision of the SRP and related guidance documents.

**DATES:** Comments must be filed no later than 60 days from the date of publication of this notice in the **Federal Register**. 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 on or before this date.

**ADDRESSES:** Please include Docket ID NRC-2010-0047 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 [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