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Wolf Creek Nuclear Operating Corporation, Docket No. 50-482, Wolf Creek Generating Station, Coffey County, Kansas

*Date of amendment request:* March 3, 2010, as supplemented by letter dated March 4, 2010.

*Brief description of amendment:* The amendment revised Technical Specification (TS) 3.3.2, "Engineered Safety Feature Actuation System (ESFAS) Instrumentation," Condition J, Required Action J.1, and associated Note for the start of the motor-driven auxiliary feedwater pumps on the trip of all main feedwater (MFW) pumps. Wolf Creek Nuclear Operating Corporation has determined that the design and normal operation of the MFW pumps at Wolf Creek Generating Station could result in a condition that does not conform to TS Table 3.3.2-1, Function 6.g and the proposed TS changes are needed to address this condition.

*Date of issuance:* March 5, 2010.

*Effective date:* The license amendment is effective as of its date of issuance and shall be implemented within 10 days of the date of issuance.

*Amendment No.:* 187.

*Renewed Facility Operating License No. NPF-42.* The amendment revised the Operating License and Technical Specifications.

*Public comments requested as to proposed no significant hazards consideration (NSHC):* No.

The Commission's related evaluation of the amendment, finding of emergency circumstances, state consultation, and final NSHC determination are contained in a safety evaluation dated March 5, 2010.

*Attorney for licensee:* Jay Silberg, Esq., Pillsbury Winthrop Shaw Pittman LLP, 2300 N Street, NW., Washington, DC 20037.

*NRC Branch Chief:* Michael T. Markley.

Dated at Rockville, Maryland this 12th day of March 2010.

For the Nuclear Regulatory Commission.

**Joseph G. Gütter,**

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

[FR Doc. 2010-6052 Filed 3-22-10; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[NRC-2010-0110; 50-382]**

### **Entergy Operations, Inc.; Waterford Steam Electric Station, Unit 3 Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption, pursuant to Title 10 of the Code of Federal Regulations (10 CFR) Section 73.5, "Specific exemptions," from the implementation date for certain new requirements of 10 CFR part 73, "Physical protection of plants and materials," for Facility Operating License No. NPF-38, issued to Entergy Operations, Inc. (Entergy, the licensee), for operation of the Waterford Steam Electric Station, Unit 3 (Waterford 3), located in St. Charles Parish, Louisiana. Therefore, as required by 10 CFR 51.21, the NRC prepared an environmental assessment. Based on the results of the environmental assessment, the NRC is issuing a finding of no significant impact.

#### **Environmental Assessment**

##### *Identification of the Proposed Action*

The proposed action would exempt Entergy from the required implementation date of March 31, 2010, for one new requirement of 10 CFR PART 73 for Waterford 3. Specifically, Entergy would be granted an exemption from being in full compliance with certain new requirements contained in 10 CFR 73.55 by the March 31, 2010, deadline. Entergy has proposed an alternate compliance date to November 15, 2010, for one of the provisions, approximately 7½ months beyond the date required by 10 CFR part 73. The proposed action, an extension of the schedule for completion of certain actions required by the revised 10 CFR part 73, does not involve any physical changes to the reactor, fuel, plant structures, support structures, water, or land at the Waterford 3 site.

The proposed action is in accordance with the licensee's application dated January 19, 2010, as supplemented by letter dated February 17, 2010. Portions of the letters dated January 19 and

February 17, 2010, contain security-related information and, accordingly, are withheld from public disclosure. Redacted versions of the letters dated January 19 and February 17, 2010, are available to the public in the Agencywide Documents Access and Management System (ADAMS) in ADAMS Accession Nos. ML100210193 and ML100500999, respectively.

##### *The Need for the Proposed Action*

The proposed action is needed to provide the licensee with additional time based on the delayed delivery of critical security equipment caused by limited vendor resources and subsequent installation and testing time requirements.

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

The NRC has completed its environmental assessment of the 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 of an accident occurring.

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 13926). 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-Steven's 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 [part 73, Power Reactor Security Requirements, 74 FR 13926 (March 27, 2009)].

The NRC staff's safety evaluation will be provided in the exemption that will be issued as part of the 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 actions, 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 was 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 Waterford 3, dated September 1981.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on February 18, 2010, the NRC staff consulted with the Louisiana State official, Ms. Cheryl Chubb of the Radiological Emergency Preparedness & Response offices of the Louisiana Department of Environmental Quality, 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 January 19, 2010, as supplemented by letter dated February 17, 2010. Portions of the letters dated January 14, 2010, and February 17, 2010, contain 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 O-1F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. 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 12th day of March 2010.

For the Nuclear Regulatory Commission.  
**Balwant K. Singal,**

*Senior Project Manager, Plant Licensing Branch LPL4, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. 2010-6323 Filed 3-22-10; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

### **Advisory Committee on Reactor Safeguards**

In accordance with the purposes of Sections 29 and 182b of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards (ACRS) will hold a meeting on April 8-10, 2010, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Monday, October 14, 2009, (74 FR 52829-52830).

#### **Thursday, April 8, 2010, Conference Room T2-B1, Two White Flint North, Rockville, Maryland**

*8:30 a.m.-8:35 a.m.: Opening Remarks by the ACRS Chairman* (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

*8:35 a.m.-10 a.m.: Draft Final Interim Staff Guidance (ISG) DC/COL-ISG-016, "Compliance with 10 CFR 50.54(hh)(2) and 10 CFR 52.80(d)"* (Open/Closed)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding Draft Final DC/COL-ISG-016, "Compliance with 10 CFR 50.54(hh)(2) and 10 CFR 52.80(d)," and the NRC staff's resolution of public comments. [Note: A portion of this session may be

closed to protect unclassified safeguards information pursuant to 5 U.S.C. 552b(c)(3).]

*10:15 a.m.-12 p.m.: Selected Chapters of the Safety Evaluation Report (SER) with Open Items Associated with the Review of the U.S. Evolutionary Power Reactor (USEPR) Design Certification Application* (Open/Closed)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and AREVA NP regarding Chapters 2, 4, 5, 8, 10, 12, and 17 of the SER with Open Items associated with the review of the USEPR Design Certification Application.

[Note: A portion of this session may be closed to protect information that is proprietary to AREVA NP and its contractors pursuant to 5 U.S.C. 552b(c)(4).]

*1 p.m.-4 p.m.: Supplement 3 to General Electric (GE) Topical Report NEDC-33173PA, "Applicability of GE Methods to Expanded Operating Domains"* (Open/Closed)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and GE regarding Supplement 3 to GE Topical Report NEDC-33173PA, "Applicability of GE Methods to Expanded Operating Domains." [Note: A portion of this session may be closed to protect information that is proprietary to GE and its contractors pursuant to 5 U.S.C. 552b(c)(4).]

*4:15 p.m.-7 p.m.: Preparation of ACRS Reports* (Open/Closed)—The Committee will discuss proposed ACRS reports on matters discussed during this meeting. [Note: A portion of this session may be closed to protect unclassified safeguards information pursuant to 5 U.S.C. 552b(c)(3).]

#### **Friday, April 9, 2010, Conference Room T2-B1, Two White Flint North, Rockville, Maryland**

*8:30 a.m.-8:35 a.m.: Opening Remarks by the ACRS Chairman* (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

*8:35 a.m.-9:30 a.m.: Final ISG ESP/DC/COL-ISG-015, "Post-Combined License Commitments"* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding Final ESP/DC/COL-ISG-015, "Post-Combined License Commitments" and the NRC staff's resolution of public comments.

*9:45 a.m.-11:15 a.m.: Future ACRS Activities/Report of the Planning and Procedures Subcommittee* (Open/Closed)—The Committee will discuss