

evaluated by the “Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC–Licensed Nuclear Facilities” (NUREG–1496) Volumes 1–3 (ML042310492, ML042320379, and ML042330385). Because the GEIS found that there were no significant impacts for the facility that bounds the Facility, the staff finds there were no significant environmental impacts from the use of radioactive material at the Facility. The NRC staff reviewed the docket file records and the final status survey report to identify any non-radiological hazards that may have impacted the environment surrounding the Facility. No such hazards or impacts to the environment were identified. The NRC has identified no other radiological or non-radiological activities in the area that could result in cumulative environmental impacts.

The NRC staff finds that the proposed release of the Facility for unrestricted use and the termination of the NRC materials license is in compliance with 10 CFR 20.1402. Based on its review, the staff considered the impact of the residual radioactivity at the Facility and concluded that the proposed action will not have a significant effect on the quality of the human environment.

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

Due to the largely administrative nature of the proposed action, its environmental impacts are small. Therefore, the only alternative the staff considered is the no-action alternative, under which the staff would leave things as they are by simply denying the amendment request. This no-action alternative is not feasible because it conflicts with 10 CFR 40.42, requiring that decommissioning of source material facilities be completed and approved by the NRC after licensed activities cease. The NRC’s analysis of the Licensee’s final status survey data confirmed that the Facility meets the requirements of 10 CFR 20.1402 for unrestricted release and the NRC has no reason not to approve release of the Facility. Additionally, denying the amendment request would result in no change in current environmental impacts. The environmental impacts of the proposed action and the no-action alternative are therefore similar, and the no-action alternative is accordingly not further considered.

#### *Conclusion*

The NRC staff has concluded that the proposed action is consistent with the NRC’s unrestricted release criteria

specified in 10 CFR 20.1402 and that the proposed action will not significantly impact the quality of the human environment.

#### *Agencies and Persons Consulted*

NRC provided a draft of this Environmental Assessment to the Indiana State Department of Health for review on January 7, 2011. On January 12, 2011, Indiana State Department of Health, Radiological Health Program responded by electronic mail. The State agreed with the conclusions of the EA and otherwise had no comments.

The NRC staff has determined that the proposed action is of a procedural nature, and will not affect listed species or critical habitat. Therefore, no further consultation is required under Section 7 of the Endangered Species Act. The NRC staff has also determined that the proposed action is not the type of activity that has the potential to cause effects on historic properties. Therefore, no further consultation is required under Section 106 of the National Historic Preservation Act.

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

The NRC staff has prepared this EA in support of the proposed action. On the basis of this EA, the NRC finds that there are no significant environmental impacts from the proposed action, and that preparation of an environmental impact statement is not warranted. Accordingly, the NRC has determined that a Finding of No Significant Impact is appropriate.

#### **IV. Further Information**

Documents related to this action, including the application for license amendment and supporting documentation, are available electronically at the NRC’s Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, you can access the NRC’s Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC’s public documents. The documents related to this action are listed below, along with their ADAMS accession numbers.

1. NUREG–1757, “Consolidated NMSS Decommissioning Guidance;”
2. Title 10 Code of Federal Regulations, Part 20, Subpart E, “Radiological Criteria for License Termination;”
3. Title 10, Code of Federal Regulations, Part 51, “Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions;” and
4. NUREG–1496, “Generic Environmental Impact Statement in

Support of Rulemaking on Radiological Criteria for License Termination of NRC–Licensed Nuclear Facilities.”

5. Defense Logistics Agency request letter dated February 24, 2009 [ML090630138]

6. Defense Logistics Agency deficiency response letter dated May 19, 2009 [ML091410397]

7. Defense Logistics Agency deficiency response letter dated July 27, 2009 [ML092110028]

8. Oak Ridge Institute for Science and Education Report dated February 2010 [ML092800227]

9. Defense Logistics Agency deficiency response letter dated April 8, 2010 [ML101030841]

10. Defense Logistics Agency additional information letter dated October 21, 2010 [ML102950429]

11. Defense Logistics Agency additional information letter dated November 10, 2010 [ML103200071]

12. Oak Ridge Institute for Science and Education letter dated August 20, 2010 [ML102430288]

If you do not have access to ADAMS, or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (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). These documents may also be viewed electronically on the public computers located at the NRC’s PDR, O1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Region 1, 475 Allendale Road, King of Prussia this 2nd day of February 2011.

For the Nuclear Regulatory Commission.

**James P. Dwyer,**

*Chief, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region 1.*

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## **NUCLEAR REGULATORY COMMISSION**

**[NRC–2011–0031]**

### **Office of New Reactors; Interim Staff Guidance on Impacts of Construction of New Nuclear Power Plants on Operating Units at Multi-Unit Sites**

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

**ACTION:** Solicitation of public comment.

**SUMMARY:** The NRC staff is soliciting public comment on its proposed Interim Staff Guidance (ISG) COL–ISG–022 entitled “Impacts of Construction of

New Nuclear Power Plants on Operating Units at Multi-Unit Sites” (Agencywide Documents Access and Management System (ADAMS) Accession No. ML093440252). Through this ISG, the NRC staff provides guidance for assessing combined license (COL) applicant compliance with the requirements of Title 10 of the *Code of Federal Regulations*, Section 52.79(a)(31) (10 CFR 52.79(a)(31)). This regulation requires applicants for a COL intending to construct and operate new nuclear power plants (NPPs) on multi-unit sites to provide an evaluation of the potential hazards to structures, systems, and components (SSCs) important to safety for the operating units resulting from construction activities. The NRC staff issues COL-ISGs to facilitate timely implementation of current staff guidance and to facilitate activities associated with review of applications for COLs by the Office of New Reactors (NRO). This ISG supplements the guidance contained in Regulatory Guide (RG) 1.206, Revision 0, “Combined License Applications for Nuclear Power Plants (LWR Edition).” In addition, this ISG supplements the guidance provided for NRC staff review of COL applications contained in NUREG-0800, “Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants (SRP),” Chapter 1.0, dated November 2007. The NRC staff intends to incorporate the final approved COL-ISG-022 into the next revision of RG 1.206 and NUREG-0800 SRP Chapter 1.0.

**DATES:** Comments must be filed no later than 30 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:** You may submit comments by any one of the following methods. Please include Docket ID: NRC-2011-0031 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 at <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.

*Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for documents filed under Docket ID: NRC-2011-0031. 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:* Cindy Bladey, Chief, Rules, Announcements and Directives Branch (RADB), Division of Administrative Services, Office of Administration, *Mail Stop:* TWB-05-01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by fax to RADB at 301-492-3446.

The NRC ADAMS provides text and image files of NRC’s public documents. These documents may be accessed through the NRC’s Public Electronic Reading Room on the Internet at <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 Public Document Room reference staff by telephone at 1-800-397-4209, 301-415-4737, or by e-mail at [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Mr. William F. Burton, Chief, Rulemaking and Guidance Development Branch, Division of New Reactor Licensing, Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone at 301-415-6332 or e-mail at [William.Burton@nrc.gov](mailto:William.Burton@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The agency posts its issued staff guidance in the agency external web page (<http://www.nrc.gov/reading-rm/doc-collections/isg/>).

The NRC staff is issuing this notice to solicit public comments on the proposed COL-ISG-022. After the NRC staff considers any public comments, it will make a determination regarding the proposed COL-ISG-022.

Dated at Rockville, Maryland, this 26th day of January 2011.

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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## RAILROAD RETIREMENT BOARD

### Proposed Collection; Comment Request

**SUMMARY:** In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

*Comments are invited on:* (a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB’s estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

1. *Title and Purpose of information collection:* Financial Disclosure Statement: OMB 3220-0127. Under Section 10 of the Railroad Retirement Act and Section 2(d) of the Railroad Unemployment Insurance Act, the RRB may recover overpayments of annuities, pensions, death benefits, unemployment benefits, and sickness benefits that were made erroneously. An overpayment may be waived if the beneficiary was not at fault in causing the overpayment and recovery would cause financial hardship. The regulations for the recovery and waiver of erroneous payments are contained in 20 CFR part 255 and CFR part 340.

The RRB utilizes Form DR-423, Financial Disclosure Statement, to obtain information about the overpaid beneficiary’s income, debts, and expenses if that person indicates that (s)he cannot make restitution for the overpayment. The information is used to determine if the overpayment should be waived as wholly or partially uncollectible. If waiver is denied, the information is used to determine the size and frequency of installment payments. The beneficiary is made aware of the overpayment by letter and is offered a variety of methods for recovery. One response is requested of each respondent. Completion is voluntary. However, failure to provide the requested information may result in a denial of the waiver request.

The RRB is proposing revisions to Form DR-423 for clarification purposes that include the addition of items related to employment, income,