

65696). The April 28 and December 17, 2008 supplements provided additional information that clarified the application, but did not expand the scope of the application as originally noticed, and did not change the staff's original proposed significant hazards consideration published in the **Federal Register** on August 14, 2007.

The September 4, 2008 supplement provided additional information which expanded the scope of the application as originally noticed. The NRC staff identified that the specified DG voltage of 3,740 volts at 10 seconds after the DG start was non-conservative and inconsistent with the 3,910 volt minimum steady-state voltage provided in other parts of TS Section 3.8.1. The licensee proposed additional changes to TS Section 3.8.1 in its September 4, 2008 letter. The NRC staff determined that the proposed expanded scope of the amendment involved a proposed no significant hazards consideration as published in the **Federal Register** on November 4, 2008 (73 FR 65696).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated April 30, 2009.

*No significant hazards consideration comments received:* No.

*Pacific Gas and Electric Company, Docket Nos. 50-275 and 50-323, Diablo Canyon Nuclear Power Plant, Unit Nos. 1 and 2, San Luis Obispo County, California*

*Date of application for amendments:* February 24, 2009.

*Brief description of amendments:* The amendments deleted the requirement for the power range neutron flux rate-high negative rate trip (Function 3.b) in Technical Specification (TS) Table 3.3.1-1, "Reactor Trip System Instrumentation." The changes are consistent with the NRC-approved methodology presented in Westinghouse Topical Report, WCAP-11394-P-A, "Methodology for the Analysis of the Dropped Rod Event," dated January 1990. The amendments also incorporated editorial changes to reflect the deletion of Function 3.b in TS Table 3.3.1-1.

*Date of issuance:* April 29, 2009.

*Effective date:* As of its date of issuance and shall be implemented within 60 days from the date of issuance.

*Amendment Nos.:* Unit 1—205; Unit 2—206.

*Facility Operating License Nos. DPR-80 and DPR-82:* The amendments revised the Facility Operating Licenses and Technical Specifications.

*Date of initial notice in Federal Register:* March 24, 2009 (74 FR 12394).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated April 29, 2009.

*No significant hazards consideration comments received:* No.

*Tennessee Valley Authority, Docket No. 50-390, Watts Bar Nuclear Plant (WBN), Unit 1, Rhea County, Tennessee*

*Date of application for amendment:* December 31, 2008 superseded the application dated August 1, 2008, as supplemented by letters dated November 25 and December 31, 2008.

*Brief description of amendment:* The amendment revised WBN Unit 1 Technical Specification (TS) 4.2.1, "Fuel Assemblies," and TS surveillance requirements (SRs) 3.5.1.4, "Accumulators," and 3.5.4.3, "RWST [Refueling Water Storage Tank]," to increase the maximum number of tritium producing burnable absorber rods from 400 to 704.

*Date of issuance:* April 30, 2009.

*Effective date:* As of the date of issuance and shall be implemented within 180 days of issuance.

*Amendment No.:* 77.

*Facility Operating License No. NPF-90:* Amendment revises the TS 4.2.1 and TS SRs 3.5.1.4 and 3.5.4.3.

*Date of initial notice in Federal Register:* Originally November 12, 2008 (73 FR 66946) was superseded by a notice on January 27, 2009 (74 FR 4776).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated April 30, 2009.

*No significant hazards consideration comments received:* No.

Dated at Rockville, Maryland, this 7th day of May 2009.

For the Nuclear Regulatory Commission.

**Joseph G. Gütter,**

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

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## **NUCLEAR REGULATORY COMMISSION**

[Docket No. 70-1113; NRC-2009-0209]

### **Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Renewal for Global Nuclear Fuel—Americas, LLC, Wilmington, NC**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability.

#### **FOR FURTHER INFORMATION CONTACT:**

Mary Adams, Senior Project Manager, Fuel Manufacturing Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Rockville, Maryland 20852. *Telephone:* (301) 492-3113; *Fax:* (301) 492-3363; *e-mail:* [Mary.Adams@nrc.gov](mailto:Mary.Adams@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Introduction**

The Nuclear Regulatory Commission (NRC) is considering the renewal of Special Nuclear Material License SNM-1097 for the continued operation of the Global Nuclear Fuel—Americas, LLC (GNF-A) Fuel Fabrication Facility located in Wilmington, North Carolina. This renewal authorizes the licensee to receive and possess nuclear materials at the Wilmington facility to fabricate and assemble nuclear fuel components under the provisions of 10 CFR Part 70, Domestic Licensing of Special Nuclear Material. If NRC approves the renewal of the license, the term would cover 40 years. NRC has prepared an environmental assessment (EA) in support of this action in accordance with the requirements of 10 CFR Part 51. Based on the EA, the NRC has concluded that a finding of no significant impact is appropriate. If approved, NRC will issue the renewed license following the publication of this Notice.

##### **II. EA Summary**

The licensee requests approval to renew SNM-1097 for an additional 40 years at the Wilmington, North Carolina facility. Specifically, this would allow GNF-A to continue manufacturing and assembling nuclear fuel components for use in commercial light-water-cooled nuclear power reactors. GNF-A's request for the renewal was previously noticed in the **Federal Register** on June 18, 2007 (72 FR 33539), with an opportunity to request a hearing. No hearing requests were received.

The staff has prepared the EA in support of the proposed license renewal. Staff considered direct, indirect, and cumulative environmental impacts to 12 resource areas in their evaluation, including: land use; transportation; socioeconomic; air quality; water quality; geology and soils; ecology; noise; historic and cultural; scenic and visual; public and occupational health; and waste management. All of the environmental impacts were small-to-moderate. The license renewal request does not require altering the site footprint nor does it

change the operating processes of the existing facility. The proposed action will not adversely affect Federal or State-listed threatened or endangered species nor flora and fauna in the site vicinity.

Airborne effluents released through stacks and liquid effluents released in the North Cape Fear River are below and are anticipated to remain below regulatory limits in 10 CFR Part 20 for non-radiological and radiological contaminants. Public and occupational exposures are below the limit established in 10 CFR Part 20. GNF-A maintains acceptable waste management practices and procedures. The staff concluded that the proposed 40 year renewal of license SNM-1097 will not result in a significant impact to the environment.

NRC staff consulted with other agencies regarding the proposed action, including the National Oceanic and Atmospheric Administration (NOAA)

Fisheries, the North Carolina State Historic Preservation Office, The Waccamaw Siouan Tribe, the North Carolina Cape Fear Regional Council of Governments, the North Carolina Department of Environment and Natural Resources, the North Carolina Department of Agriculture, the North Carolina Department of Cultural Resources, the North Carolina Department of Transportation, the North Carolina Crime Control & Public Safety, Division of Emergency Management, Floodplain Management Program, New Hanover County Planning, and New Hanover County Environmental. The consultations ensured that the requirements of Section 7 of the Endangered Species Act and Section 106 of the National Historic Preservation Act were met and provided the designated State liaison agency the opportunity to comment on the proposed action.

### III. Finding of No Significant Impact

On the basis of the EA, NRC has concluded that there are no significant environmental impacts from the proposed license renewal and has determined not to prepare an Environmental Impact Statement.

### IV. Further Information

Documents related to this action, including the application for license renewal 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 Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The ADAMS accession numbers for the documents related to this notice are:

Document	ADAMS accession Nos.
License Renewal—Letter and Application .....	ML071000128
Environmental Report Supplement/Appendix .....	ML071000137/ML071000144
Letters to GNF-A—Request for Additional Information (RAI) .....	ML080860543/ML083110367
GNF-A Letters to NRC—Response to RAI .....	ML081350536/ML083540569
NRC Letter to New Hanover County Environmental .....	ML073620213
NRC Letter to National Oceanic and Atmospheric Administration (NOAA) Fisheries .....	ML073620398
NOAA Fisheries Letter to NRC .....	ML080290570
NRC Letter to North Carolina State Clearinghouse .....	ML073620443/ML090641049
North Carolina Wildlife Resources Letter to NRC .....	ML080650578
North Carolina Coastal Management Letter to NRC .....	ML080650577
North Carolina State E-mail to NRC .....	ML091170068/ML091170107
NRC Letter to New Hanover County Planning .....	ML073620172
New Hanover County Planning E-mail to NRC .....	ML081290389
Environmental Assessment .....	ML091180239

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 Rockville, Maryland, this 13th day of May 2009.

For the U.S. Nuclear Regulatory Commission.

**Andrea Kock,**

*Chief, Environmental Review Branch,  
Environmental Protection and Performance  
Assessment Directorate, Division of Waste  
Management and Environmental Protection,  
Office of Federal and State Materials and  
Environmental Management Programs.*

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## NUCLEAR REGULATORY COMMISSION

### Sunshine Federal Register Notice

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

**DATES:** Weeks of May 18, 25, June 1, 8, 15, 22, 2009.

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

**STATUS:** Public and Closed.

**Week of May 18, 2009**

*Monday, May 18, 2009*

10 a.m. Affirmation Session (Public Meeting) (Tentative).

- a. Progress Energy Carolinas, Inc. (Shearon Harris Nuclear Power Plant, Units 2 and 3), Docket Nos. 52-022-COL and 52-023-COL, Progress Energy and NRC Staff Appeals from LBP-08-21; NC WARN's Motion to Hold the Proceeding in Abeyance (Tentative).
- b. Crow Butte Resources, Inc. (License Renewal), LBP-08-24 and LBP-08-27 (Staff and Applicant Appeals of Order Granting Hearing) (Tentative).

**Week of May 25, 2009—Tentative**

*Wednesday, May 27, 2009*

9:30 a.m.