PMLeeCol PEmails

From: Jessie Muir
Sent: Tuesday, April 15, 2008 2:56 PM
To: lora_zimmerman@fws.gov
Subject: NRC's Site Audit and Public Scoping Meeting for the Proposed Lee Nuclear Station
Attachments: Lee Site Audit Schedule - brief.xls; Lee NOI FRN.pdf

Ms. Zimmerman,
As we discussed on the phone, I am sending you information regarding the NRC's site audit and public scoping meeting related to the Lee Nuclear Station in Cherokee County. A quick breakdown of the week's activities is provided below and a more detailed schedule is attached.

Tues, April 29th – Gaffney, South Carolina – on-site tours of the Lee site and agency interface meeting;
Wed, April 30th – Charlotte, North Carolina – documentation review at Duke offices; and
Thurs, May 1st – Gaffney, South Carolina – open house (5-7p) and public meeting (7-10p) at Gaffney High School.

The Environmental Report, submitted by Duke as part of their license application, can be found online at: http://www.nrc.gov/reactors/new-licensing/col/lee.html. Once there, click on "Applicant Documents" and then "Part 3: Environmental Report."

Also attached is the Federal Register Notice (FRN) published on March 21st for the Notice of Intent to Conduct Scoping. The FRN provides details about the public meeting and how to formally submit scoping comments.

Please let me know if you and/or any other FWS staff will be able to attend any of the week's activities and I can forward on more detailed information regarding locations and times. If you have any other questions, please give me a call at 301.415.0491.

Sincerely,
Jessie M. Muir
Envr. Project Support for Lee

Hearing Identifier: Lee_COL_Public_EX
Email Number: 80

Mail Envelope Properties (Jessie.Muir@nrc.gov20080415145500)

Subject: NRC's Site Audit and Public Scoping Meeting for the Proposed Lee Nuclear Station
Sent Date: 4/15/2008 2:55:58 PM
Received Date: 4/15/2008 2:55:00 PM
From: Jessie Muir

Created By: Jessie.Muir@nrc.gov

Recipients:
"lora_zimmerman@fws.gov" <lora_zimmerman@fws.gov>
Tracking Status: None

Post Office:

Files	**Size**	**Date & Time**
MESSAGE	1452	4/15/2008 2:55:00 PM
Lee Site Audit Schedule - brief.xls	48634	
Lee NOI FRN.pdf	58368	

Options
Priority: Standard
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:
Recipients Received:

WILLIAM STATES LEE III ALTERNATIVE SITE TOURS/SITE AUDIT/PUBLIC SCOPING MEETING SCHEDULE - MONDAY
APRIL 27 - MAY 2, 2008

Time	Monday TEAM		
	Geology Team	**Non-Alternative Sites & Geology Specialties**	**Notes**
7:30 AM			
8:00	Meet at Duke Offices Charlotte	Arrive in Charlotte**	*Teams arrive according to their schedules. No set arrival time.
	Drive to Lee Site		** Check into Dunhill Hotel 237 North Tryon Street, Charlotte, NC 28202 Phone: (704) 319-6192; When making a reservation ask for the Nuclear Regulatory Commission Room Block
9:00	Safety Brief		
9:30			
10:00	Geology tour		
11:30			
1:00	Geology tour		
2:00	Geology tour		
3:00	Geology tour		
4:00	Geology tour		
4:30			
5:00	Geology tour		
6:00	End of Day [5]		

WILLIAM STATES LEE III ALTERNATIVE SITE TOURS/SITE AUDIT/PUBLIC SCOPING MEETING SCHEDULE - TUESDAY
APRIL 27 - MAY 2, 2008

Time	Tuesday				
	TEAM		ECII-1305	ECII-948	
		Non-Alternative Sites NRC Audit Team Members			**Notes**
7:30 AM		Drive to Lee Site from Charlotte, NC			
8:00					
9:00					
10:00		Safety Brief at Lee Site (Duke Trailer) in Gaffney			
11:00		General Tour of Lee Site			
12:00		Lunch			
12:30					
1:30		Kick-Off Meeting @ Duke Trailer on Lee Site			
2:30		Discipline Specific Lee Site Tours [6]			[6] Hydrology, Aquatic and Terrestrial Ecology, Meteorology Meteorology will complete audit questions at the Lee Site Trailer Conference Room

WILLIAM STATES LEE III ALTERNATIVE SITE TOURS/SITE AUDIT/PUBLIC SCOPING MEETING SCHEDULE - TUESDAY
APRIL 27 - MAY 2, 2008

Time	Tuesday TEAM		ECII-1305	ECII-948	
		Non-Alternative Sites NRC Audit Team Members			**Notes**
2:30		Disciplines Not Requiring Lee Specific Site Tours Return to Duke Offices in Charlotte to meet with Duke Counterparts/Review Data [7]			[7] Decommissioning (last part of HP evaluation), Health Physics, Accidents, Cost Benefits, Land Use, Alternative Energy, Socioeconomics, Cultural Resources
		Cultural Resources Discipline Specific Tour; Socioeconomics discussion in Lee Trailer			[8] Gaffney is the Cherokee County Seat. Disciplines may return to Duke offices or organize interactions with local county resources.
					[9] Leave Lee Site for Interactions with Cherokee County Officials. Lee Principal Support to head group @ Lee Site while PM is interacting with county officials.
3:00		Agency Resource Meeting - Warehouse		Decommissioning	Design alternatives is within the purview of the hydrologist and should be scheduled later.
4:00		Agency Resource Meeting - Warehouse			
4:30		Agency Resource Meeting - Warehouse			
5:00					
6:00					

WILLIAM STATES LEE III ALTERNATIVE SITE TOURS/SITE AUDIT/PUBLIC SCOPING MEETING SCHEDULE - WEDNESDAY
APRIL 27 - MAY 2, 2008

Time	Wednesday	ECII-1305	ECII-1343	ECII-9105	ECII-948	ECI-1301	
	All NRC Audit Team Specialties	**NRC Home Room**					**Notes**
7:30 AM							
8:00	NRC Team Meet @ Duke Offices, have brief check-in meeting, then go to respective discussions	Coffee/Juice Presentation on Site Selection	Health Physics	Hydrology	Ecology	Noise/ Transmission Fields	Accident specialists are meteorologists and are likely to want to sit in on at least part of the meteorology session before starting the accident sessions.
9:00		Cultural Resources Socio Econ	Health Physics	Hydrology	Ecology	Noise/ Transmission Fields	Meteorologist also assigned noise and acute/chronic effects of transmission lines. The terrestrial ecologist will need to discuss the habitats along the path of the transmission line. Aquatic ecologist, socioeconomist, cultural resource specialist will also want to review any questions regarding transmission line corridors.
10:00		Cultural Resources Socio Econ	Health Physics Rad Waste	Hydrology	Ecology	Accidents	Ecology will need room for full day. Socioecon/EJ likely to need room early in day and then will go offsite.

WILLIAM STATES LEE III ALTERNATIVE SITE TOURS/SITE AUDIT/PUBLIC SCOPING MEETING SCHEDULE - WEDNESDAY
APRIL 27 - MAY 2, 2008

Time	Wednesday	ECII-1305	ECII-1343	ECII-9105	ECII-948	ECI-1301	
	All NRC Audit Team Specialties	**NRC Home Room**					**Notes**
11:00		Alternative Site Selection Process	Health Physics	Hydrology	Ecology	Accidents	Expect site selection process to take several hours; alternative sites also to be part of individual discipline discussions.
12:00	Lunch	Lunch					
1:00		Alternative Site Selection Process	Health Physics Fuel Cycle	Hydrology	Ecology	Accidents	Hydrology will take all day, include design alternatives with hydrology group.
2:00		Land Use	Health Physics	Design Alternatives NonRad Waste	Ecology	Accidents	Order of Land Use and Alternative Site Selection Process may be reversed if needed.
3:00:00 - 3:15 pm	Snack	Snack					

WILLIAM STATES LEE III ALTERNATIVE SITE TOURS/SITE AUDIT/PUBLIC SCOPING MEETING SCHEDULE - WEDNESDAY
APRIL 27 - MAY 2, 2008

Time	Wednesday	ECII-1305	ECII-1343	ECII-9105	ECII-948	ECI-1301	
	All NRC Audit Team Specialties	**NRC Home Room**					**Notes**
4:00		Land Use	Health Physics	Design Alternatives NonRad Waste	Ecology	Accidents	
5:00 PM	Wrap up meeting in main conference room @ Duke Offices	Daily Summary					
6:00							

WILLIAM STATES LEE III ALTERNATIVE SITE TOURS/SITE AUDIT/PUBLIC SCOPING MEETING SCHEDULE - THURSDAY
APRIL 27 - MAY 2, 2008

Time	Thursday TEAM		ECII-1305	ECII-1343	ECII-9105	ECII-948	
	All NRC Audit Team Specialties	**Public Meeting Setup Team**					**Notes**
7:30 AM							
8:00	NRC Team Meet @ Duke Offices and go directly to respective discussions		Coffee/ Juice Need for Power/ Energy Alternatives	Health Physics	Hydrology	Ecology	Short meeting to discuss the day's plans before breaking into groups. Expect HP (and radwaste/decommissioning), Accidents, Hydrology, Ecology to continue meeting until about 4-5 pm. Will need to discuss nonhazardous/sanitary waste with hydrologist; thermophilic organisms with aquatic ecologist; other public and occupational health effects with PNNL TL.
9:00			Need for Power/ Energy Alternatives	Health Physics	Transmission Line Ecology/ Cultural Resources	Ecology	

WILLIAM STATES LEE III ALTERNATIVE SITE TOURS/SITE AUDIT/PUBLIC SCOPING MEETING SCHEDULE - THURSDAY
APRIL 27 - MAY 2, 2008

Time	Thursday TEAM		ECII-1305	ECII-1343	ECII-9105	ECII-948	
	All NRC Audit Team Specialties	**Public Meeting Setup Team**					**Notes**
10:00			Need for Power/ Energy Alternatives	Health Physics	Transmission Line Ecology/ Cultural Resources	Ecology	County Officials meeting with NRC and PNNL Team Leads at Gaffney Council Chambers 201 N. Limestone St. Gaffney, SC 29340. Contact County Clerk: Leigh Ann Turner 864-484-8507; cityclerk@cityofgaffney-SC.gov. Meeting time: 10-12pm
11:00			Need for Power/ Energy Alternatives	Health Physics	Hydrology	Ecology	County Officials meeting with NRC and PNNL Team Leads at Gaffney Council Chambers 201 N. Limestone St. Gaffney, SC 29340. Contact County Clerk: Leigh Ann Turner 864-484-8507; cityclerk@cityofgaffney-SC.gov. Meeting time: 10-12pm
12:00	Lunch	Lunch	Lunch				
1:00			Cost Benefit	Health Physics	Hydrology	Ecology	

WILLIAM STATES LEE III ALTERNATIVE SITE TOURS/SITE AUDIT/PUBLIC SCOPING MEETING SCHEDULE - THURSDAY
APRIL 27 - MAY 2, 2008

Time	Thursday TEAM		ECII-1305	ECII-1343	ECII-9105	ECII-948	
	All NRC Audit Team Specialties	**Public Meeting Setup Team**					**Notes**
2:00		Public Scoping Meeting Setup @ Gaffney High School.*	Cost Benefit	Health Physics	Hydrology	Ecology	* NRC Environmental Project Manager, NRC Deputy Project Manager, PNNL Team Leader leave for Gaffney High School @ 149 Twin Lakes Road, Gaffney, SC. Public Meeting optional for other audit team members.
3:00-3:15 PM	Snack @ Duke Offices		Snack				
4:00	End of Day for Audit Team @ Duke Offices[1]	Public Meeting Set up					[1] NRC Team members are free to leave to go home if have completed their audit activities. Please provide pertinent information to NRC Lee Principal support or PNNL Deputy Team Leader prior to departing. May attend public meeting in Gaffney if so desire.
5:00		Open House - Public Meeting					Gaffney High School 149 Twin Lake Road Gaffney, South Carolina 29341
6:00		Open House - Public Meeting					
7:00 - 10:00 PM		Public Meeting					
		Clean - up					
11:00 PM		Charlotte - Dunhill Hotel					

WILLIAM STATES LEE III ALTERNATIVE SITE TOURS/SITE AUDIT/PUBLIC SCOPING MEETING SCHEDULE - FRIDAY
APRIL 27 - MAY 2, 2008

Time	Friday 5/2/2008	ECII-1305	ECII-1343	ECII-9105	ECII-948	
	All NRC Audit Team Specialties					**Notes**
7:30 AM						
8:00						
9:00	NRC Team Meet @ Duke Offices in main conference room.[1]					[1] If still having discussions please check in first so Lee PM may know who is still at the Duke site. May go directly to individual discussions once have checked in with PM.
						Expect follow-up sessions needed for hydrology, possibly accidents and ecology.
10:00						
11:00	Close out Meeting NRC Audit Team.					
12:00	Close out Meeting NRC with Duke.					
1:00	Travel Home.					

4. Training Services
Type of Information Collection: Revision of a currently approved collection.
Title of Information Collection: Program Evaluation Instruments for Training Services.
OMB Number: 3320–0006.
Affected Public: Individuals or households, Business or other for-profit, Not-for-profit, Federal and State, Local or Tribal Government.
Frequency: One time.
Annual Number of Respondents: 1,950.
Total Annual Responses: 1,950.
Average Burden per Response: 6 minutes.
Total Annual Hours: 195.
Total Burden Cost: $8,775.
5. Facilitated Meeting Services
Type of Information Collection: Revision of a Currently Approved Collection.
Title of Information Collection: Program Evaluation Instruments for Facilitated Meeting Services.
OMB Number: 3320–0007.
Affected Public: Individuals or households, Business or other for-profit, Not-for-profit, Federal and State, Local or Tribal Government.
Frequency: One time.
Annual Number of Respondents: 3,150.
Total Annual Responses: 3,150.
Average Burden per Response: 6 minutes.
Total Annual Hours: 315.
Total Burden Cost: $14,175.
6. Roster Program Services
Type of Information Collection: Revision of a currently approved collection.
Title of Information Collection: Program Evaluation Instruments for Roster Program Services.
OMB Number: 3320–0005.
Affected Public: Business or other for-profit, not-for-profit, Federal and State, Local or Tribal Government.
Frequency: One time.
Annual Number of Respondents: 600.
Total Annual Responses: 600.
Average Burden per Response: 5 minutes.
Total Annual Hours: 50.
Total Burden Cost: $2,250.
7. Program Support Services
Type of Information Collection: Revision of a currently approved collection.
Title of Information Collection: Program Evaluation Instruments for Program Support Services.
OMB Number: 3320–0009.
Affected Public: Business or other for-profit, not-for-profit, Federal and State, Local or Tribal Government.
Frequency: One time.
Annual Number of Respondents: 60.
Total Annual Responses: 60.
Average Burden per Response: 6.
Total Annual Hours: 6.
Total Burden Cost: $270.

(Authority: 20 U.S.C. 5601–5609)

Dated: March 13, 2008.

Ellen Wheeler,

Executive Director, Morris K. Udall Foundation.

[FR Doc. E8–5631 Filed 3–19–08; 8:45 am]

BILLING CODE 6820–FN–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos.: 52–018 and 52–019]

Duke Energy Carolina, LLC (Duke); William States Lee III Combined License Application; Notice of Intent To Prepare an Environmental Impact Statement and Conduct Scoping Process

Duke Energy Carolinas, LLC (Duke) has submitted an application for a combined license (COL) for its William States Lee III Nuclear Station (Lee) Site to build Units 1 & 2, located in the eastern portion of Cherokee County in north central South Carolina, approximately 7.5 miles southeast of Gaffney, South Carolina. The application for the COL was submitted by letter dated December 12, 2007, pursuant to the requirements of Title 10 of the Code of Federal Regulations part 52 (10 CFR part 52). A notice of receipt and availability of the application, including the environmental report (ER), was published in the **Federal Register** on February 1, 2008 (73 FR 6218). A notice of acceptance for docketing of the application for the COL was published in the **Federal Register** on February 29, 2008 (73 FR 11156). A notice of hearing and opportunity to petition for leave to intervene will be published in the **Federal Register** at a later date. The purpose of this notice is to inform the public that the U.S. Nuclear Regulatory Commission (NRC) will be preparing an environmental impact statement (EIS) in support of the review of the COL application and to provide the public an opportunity to participate in the environmental scoping process, as defined in 10 CFR 51.29.

In addition, as outlined in 36 CFR 800.8(c), ''Coordination with the National Environmental Policy Act,'' the NRC staff intends to use the process and documentation required for the preparation of an EIS to comply with Section 106 of the National Historic Preservation Act, in lieu of the procedures set for in 36 CFR 800.3 through 800.6. In accordance with 10 CFR 51.45 and 51.50, Duke submitted the ER as part of the application. The ER was prepared pursuant to 10 CFR parts 51 and 52 and is available for public inspection at the NRC Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland or from the Publicly Available Records component of the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible at *http://www.nrc.gov/reading-rm/adams.html,* which provides access through the NRC's Electronic Reading Room (ERR) link. The ADAMS Accession Number for the application dated December 12, 2007 is ML073510876. The ADAMS Accession Number for supplemental information related to the ER, submitted by letter dated January 28, 2008, is ML080350324. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR Reference staff at 1–800–397–4209 or 301–415–4737 or by sending an e-mail to *pdr@nrc.gov.* The application may also be viewed on the Internet at *http://www.nrc.gov/reactors/new-licensing/col/lee.html.*

In addition, the Cherokee County Public Library, 300 E. Rutledge Avenue, Gaffney, SC 29340 has agreed to make the ER available for public inspection.

The following key reference documents related to the COL application and the NRC staff's review process are available through the NRC's Web site at *http://www.nrc.gov:*

a. 10 CFR part 51, Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions,
b. 10 CFR part 52, Licenses, Certifications, and Approvals for Nuclear Power Plants,
c. 10 CFR part 100, Reactor Site Criteria,
d. NUREG–1555, Standard Review Plans for Environmental Reviews for Nuclear Power Plants,
e. NUREG/BR–0298, Brochure on Nuclear Power Plant Licensing Process,
f. Fact Sheet on Nuclear Power Plant Licensing Process,
g. Regulatory Guide 4.2, Preparation of Environmental Reports for Nuclear Power Stations,
h. Regulatory Guide 1.206, Combined License Applications for Nuclear Power Plants, and
i. NRR Office Instruction LIC–203, Procedural Guidance for Preparing

Environmental Assessments and Considering Environmental Issues.

The regulations, NUREG-series documents, regulatory guides, and fact sheets can be found under Document Collections in the Electronic Reading Room on the NRC web page. Finally, Office Instruction LIC–203 can be found in ADAMS in two parts under Accession Numbers ML011710073 (main text) and ML011780314 (charts and figures).

This notice advises the public that the NRC intends to gather the information necessary to prepare an EIS in support of the review of the application for the COL at the Duke COL Site. Possible alternatives to the proposed action (issuance of the COL at the Duke COL Site) include no action and consideration of alternative sites.

The NRC is required by 10 CFR 51.20(b)(2) to prepare an EIS in connection with the issuance of a COL. This notice is being published in accordance with NEPA and NRC regulations found in 10 CFR Part 51. The NRC will first conduct a scoping process for the EIS and, as soon as practicable thereafter, will prepare a draft EIS for public comment. Participation in the scoping process by members of the public and local, State, Tribal, and Federal government agencies is encouraged. The scoping process for the EIS will be used to accomplish the following:

a. Define the proposed action which is to be the subject of the EIS;

b. Determine the scope of the EIS and identify the significant issues to be analyzed in depth;

c. Identify and eliminate from detailed study those issues that are peripheral or that are not significant;

d. Identify any environmental assessments and other EISs that are being or will be prepared that are related to, but are not part of the scope of the EIS being considered;

e. Identify other environmental review and consultation requirements related to the proposed action;

f. Identify parties consulting with the NRC under the National Historic Preservation Act, as set forth in 36 CFR 800.8(c)(1)(i);

g. Indicate the relationship between the timing of the preparation of the environmental analysis and the Commission's tentative planning and decision-making schedule;

h. Identify any cooperating agencies and as appropriate, allocate assignments for preparation and schedules for completing the EIS to the NRC and any cooperating agencies; and

i. Describe how the EIS will be prepared and include any contractor assistance to be used.

The NRC invites the following entities to participate in the scoping process:

a. The applicant, Duke Energy Carolinas, LLC;

b. Any Federal agency that has jurisdiction by law or special expertise with respect to any environmental impact involved or that is authorized to develop and enforce relevant environmental standards;

c. Affected State and local government agencies, including those authorized to develop and enforce relevant environmental standards;

d. Any affected Indian tribe;

e. Any person who requests or has requested an opportunity to participate in the scoping process; and

f. Any person who intends to petition for leave to intervene.

In accordance with 10 CFR 51.26, the scoping process for an EIS may include a public scoping meeting to help identify significant issues related to a proposed activity and to determine the scope of issues to be addressed in an EIS. The NRC will hold one public scoping meeting for the EIS regarding the Duke COL application. The scoping meeting is scheduled for Thursday, May 1, 2008, at the Gaffney High School Auditorium, 149 Twin Lake Road, Gaffney, South Carolina. The meeting will convene at 7 p.m. and will continue until 10 p.m. The meeting will be transcribed and will include: (1) An overview by the NRC staff of the NEPA environmental review process, the proposed scope of the EIS, the proposed review schedule, and (2) the opportunity for interested government agencies, organizations, and individuals to submit comments or suggestions on the environmental issues or the proposed scope of the EIS. Additionally, the NRC staff will host informal discussions from 5 p.m. to 7 p.m. before the start of the meeting at the Gaffney High School. No formal comments on the proposed scope of the EIS will be accepted during the informal discussions. To be considered, comments must be provided either at the transcribed public meeting or in writing, as discussed below. Persons may register to attend or present oral comments at the meeting on the scope of the NEPA review by contacting Ms. Linda M. Tello at 1–800–368–5642, extension 2907 or by email to the NRC at *Lee.COLAEIS@nrc.gov,* no later than April 18, 2008. Members of the public may also register to speak at the meeting within 15 minutes of the start of the meeting. Individual oral comments may be limited by the time available, depending on the number of persons who register. Members of the public who have not registered may also have an opportunity to speak, if time permits. Public comments will be considered in the scoping process for the EIS. Ms. Linda M. Tello will need to be contacted no later than April 18, 2008, if special equipment or accommodations are needed to attend or present information at the public meeting, so that the NRC staff can determine whether the request can be accommodated.

Members of the public may send written comments on the environmental scope of the Duke COL review to the Chief, Rulemaking, Directives, and Editing Branch, Division of Administrative Services, Office of Administration, Mailstop T–6D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001 and should cite the publication date and page number of this **Federal Register** notice. Comments may also be delivered to Room T–6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland from 7:30 a.m. to 4:15 p.m., during Federal workdays.

To be considered in the scoping process, comments should be received by the end of the scoping comment period, which is May 20, 2008. Written comments should be postmarked by May 20, 2008. Electronic comments may be sent via the Internet to the NRC at *Lee.COLAEIS@nrc.gov.* Submissions should be sent no later than May 20, 2008, to be considered in the scoping process. Comments will be available in the scoping summary report electronically and accessible through the NRC's ERR link at *http://www.nrc.gov/reading-rm/adams.html.*

Participation in the scoping process for the EIS does not entitle participants to become parties to the proceeding to which the EIS relates.

At the conclusion of the scoping process, the NRC staff will prepare a concise summary of the determination and conclusions reached including the significant issues identified and will make it publicly available. The summary will also be available for inspection through the NRC's ERR link. The staff will then prepare and issue for comment the draft EIS which will be the subject of separate notices and a separate public meeting. A copy of the draft EIS will be available for public inspection at the above-mentioned address and one copy per request will be provided free of charge. After receipt and consideration of the comments, the NRC staff will prepare a final EIS (which will also be available for public inspection).

Information about the proposed EIS and the scoping process may be obtained from Ms. Linda M. Tello, Environmental Project Manager at (301) 415–2907 or by email at *LMT2@nrc.gov.*

Dated at Rockville, Maryland, this 14th day of March 2008.

For the Nuclear Regulatory Commission.

John R. Tappert,

Acting Deputy Director, Division of Site and Environmental Reviews, Office of New Reactors.

[FR Doc. E8–5644 Filed 3–19–08; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–271–LR; ASLBP No. 06–849–03–LR]

Entergy Nuclear Vermont Yankee, L.L.C., and Entergy Nuclear Operations, INC. (Vermont Yankee Nuclear Power Station); Notice of Reconstitution

Pursuant to 10 CFR 2.321(b), the Atomic Safety and Licensing Board in the above captioned *Entergy Nuclear Vermont Yankee, L.L.C., and Entergy Nuclear Operations, Inc.* proceeding is hereby reconstituted by appointing Administrative Judge William H. Reed in place of Administrative Judge Thomas S. Elleman, whose circumstances have rendered him unavailable to participate further in this proceeding (10 CFR 2.313(c)).

In accordance with 10 CFR 2.302, henceforth all correspondence, documents, and other material relating to any matter in this proceeding over which this Licensing Board has jurisdiction should be e-mailed to Administrative Judge Reed at *whrcville@embarqmail.com* and served on him as follows: Administrative Judge William H. Reed,1819 Edgewood Lane, Charlottesville, VA 22902.

Issued at Rockville, Maryland, this 14th day of March 2008.

E. Roy Hawkens,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. E8–5642 Filed 3–19–08; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 72–26]

Notice of Availability of Environmental Assessment and Final Finding of No Significant Impact for an Exemption to the Requirements of 10 CFR 72.70(c)(6) for the Diablo Canyon Independent Spent Fuel Storage Installation

AGENCY: Nuclear Regulatory Commission.

ACTION: Issuance of Environmental Assessment and Final Finding of No Significant Impact for Exemption.

FOR FURTHER INFORMATION CONTACT: James R. Hall, Senior Project Manager, Licensing Branch, Division of Spent Fuel Storage and Transportation, Mail Stop EBB–3D–02M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001. Telephone: (301) 492–3319; e-mail: *jrh@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption, pursuant to 10 CFR 72.7, from the provisions of 10 CFR 72.70 to the Pacific Gas and Electric Company (PG&E, or the licensee). This regulation requires that each specific licensee under 10 CFR part 72 shall update periodically the final safety analysis report (FSAR) to assure that the information included in the report contains the latest information developed. 10 CFR 72.70(c)(6) requires that updates shall be filed every 24 months from the date of issuance of the license.

The NRC granted a license for the Diablo Canyon Independent Spent Fuel Storage Installation (ISFSI), to be located on the site of the Diablo Canyon Power Plant, to PG&E on March 22, 2004. The requested exemption would allow PG&E to submit an updated FSAR for the Diablo Canyon ISFSI no later than July 1, 2008, or no later than 30 days prior to the commencement of onsite dry-run testing activities, whichever occurs first. PG&E submitted the exemption request on January 22, 2008.

II. Environmental Assessment

Identification of Proposed Action

The licensee requested an exemption from the requirement in 10 CFR 72.70(c)(6), which states that each licensee shall submit an updated FSAR to the NRC every 24 months from the date of issuance of the license. The requested exemption would allow the licensee to delay the submittal of the updated FSAR for the Diablo Canyon ISFSI by up to approximately 100 days (no later than July 1, 2008, or 30 days prior to the commencement of onsite dry-run testing activities, whichever comes first).

The proposed action before the Commission is whether to grant this exemption pursuant to 10 CFR 72.7.

Need for the Proposed Action

The NRC granted a license to construct and operate the Diablo Canyon ISFSI to PG&E on March 22, 2004. PG&E has constructed the facility and plans to commence operation in the summer of 2008. The exemption would allow the licensee additional time to submit an updated FSAR beyond March 22, 2008, which is 24 months from the date of the last required update. In its justification for the exemption request, PG&E stated that it is currently completing certain design changes to the facility that will impact the information in the FSAR, and that these changes will be reflected in the FSAR update, after the required evaluations are finalized. Further, if the exemption is granted, the extra time provided will be sufficient to ensure that the updated FSAR will contain current and accurate information related to the ISFSI design, analysis and operation, in time for planned NRC inspection activities. In order to ensure that the information in the updated FSAR contains the latest information developed and is of the greatest value to its users, the licensee has requested the subject exemption.

Environmental Impacts of the Proposed Action

The NRC staff previously evaluated the environmental impacts resulting from the construction, operation and decommissioning of the Diablo Canyon ISFSI, and determined that such impacts would be acceptably small. The staff's conclusions are documented in the ''Environmental Assessment and Finding of No Significant Impact Related to the Construction and Operation of the Diablo Canyon Independent Spent Fuel Storage Installation,'' issued on October 24, 2003 (October 24, 2003 EA); and in the ''Supplement to the Environmental Assessment and Final Finding of No Significant Impact Related to the Construction and Operation of the Diablo Canyon Independent Spent Fuel Storage Installation,'' dated August 30, 2007 (Supplement). The proposed action under consideration would not change the staff's previous conclusions in the October 24, 2003 EA and the Supplement regarding environmental