

files electronically. If you wish to mail additional materials in reference to an electronic or facsimile submission, you must submit them to the OSHA Docket Office (see the section of this notice titled **ADDRESSES**). The additional materials must clearly identify your electronic comments by your name, date, and the docket number so the Agency can attach them to your comments.

Because of security procedures, the use of regular mail may cause a significant delay in the receipt of comments. For information about security procedures concerning the delivery of materials by hand, express delivery, messenger, or courier service, please contact the OSHA Docket Office at (202) 693-2350, (TTY) (877) 889-5627).

Comments and submissions are posted without change at <http://www.regulations.gov>. Therefore, OSHA cautions commenters about submitting personal information such as Social Security numbers and dates of birth. Although all submissions are listed in the <http://www.regulations.gov> index, some information (e.g., copyrighted material) is not publicly available to read or download through this Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the <http://www.regulations.gov> Web site to submit comments and access the docket is available at the Web site's "User Tips" link. Contact the OSHA Docket Office for information about materials not available through the Web site and for assistance in using the Internet to locate docket submissions.

#### V. Authority and Signature

David Michaels, PhD, M.P.H., Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 5-2010 (72 FR 55355).

Signed at Washington, DC, on July 6, 2011.

**David Michaels,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. 2011-17417 Filed 7-11-11; 8:45 am]

**BILLING CODE 4510-26-P**

#### NATIONAL LABOR RELATIONS BOARD

##### Public Availability of National Labor Relations Board's FY 2010 Service Contract Inventory

**AGENCY:** National Labor Relations Board.

**ACTION:** Notice of public availability of FY 2010 Service Contract inventories.

**SUMMARY:** In accordance with Section 743 of Division C of the Consolidated Appropriations Act of 2010 (Pub. L. 111-117), the National Labor Relations Board (NLRB) is publishing this notice to advise the public of the availability of the FY 2010 Service Contract inventory. This inventory provides information on service contract actions over \$25,000 that were made in FY 2010. The information is organized by function to show how contracted resources are distributed throughout the agency. The inventory has been developed in accordance with guidance issued on November 5, 2010 by the Office of Management and Budget's Office of Federal Procurement Policy (OFPP). OFPP's guidance is available at <http://www.whitehouse.gov/sites/default/files/omb/procurement/memo/service-contract-inventories-guidance-11052010.pdf>. The NLRB has posted its inventory and a summary of the inventory on the NLRB homepage at the following link: <http://www.nlr.gov/service-contract-inventories>.

**FOR FURTHER INFORMATION CONTACT:** Questions regarding the service contract inventory should be directed to David Graham in the Acquisitions Management Branch at 202-273-4047 or [david.graham@nrlb.gov](mailto:david.graham@nrlb.gov).

By Direction of the Board.

**Lester A. Heltzer,**

*Executive Secretary.*

[FR Doc. 2011-17412 Filed 7-11-11; 8:45 am]

**BILLING CODE 7545-01-P**

#### NATIONAL TRANSPORTATION SAFETY BOARD

##### Sunshine Act Meeting

**TIME AND DATE:** 9:30 a.m., Tuesday, July 26, 2010.

**PLACE:** NTSB Conference Center, 429 L'Enfant Plaza, SW., Washington, DC 20594.

**STATUS:** The ONE item is open to the public.

**MATTER TO BE CONSIDERED:** 8202 Highway Accident Report—Rollover of a Truck-Tractor and Cargo Tank Semitrailer Carrying Liquefied

Petroleum Gas and Subsequent Fire, Indianapolis, Indiana, October 22, 2009.  
**NEWS MEDIA CONTACT:** Telephone: (202) 314-6100.

The press and public may enter the NTSB Conference Center one hour prior to the meeting for set up and seating.

Individuals requesting specific accommodations should contact Rochelle Hall at (202) 314-6305 by Friday, July 22, 2010. The public may view the meeting via a live or archived webcast by accessing a link under "News & Events" on the NTSB home page at <http://www.nts.gov>.

**FOR FURTHER INFORMATION CONTACT:** Candi Bing, (202) 314-6403 or by e-mail at [bingc@ntsb.gov](mailto:bingc@ntsb.gov).

Dated: Friday, July 8, 2011.

**Candi R. Bing,**

*Federal Register Liaison Officer.*

[FR Doc. 2011-17633 Filed 7-8-11; 4:15 pm]

**BILLING CODE 7533-01-P**

#### NUCLEAR REGULATORY COMMISSION

[NRC-2011-0151]

##### Biweekly Notice; Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations

##### Background

Pursuant to Section 189a. (2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (the Commission or NRC) is publishing this regular biweekly notice. The Act requires the Commission publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from June 16, 2011 to June 29, 2011. The last biweekly notice was published on June 28, 2011 (96 FR 37845).

**ADDRESSES:** Please include Docket ID NRC-2011-0151 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, <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.

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-2011-0151. Address questions about NRC dockets to Carol Gallagher 301-492-3668; e-mail [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

- *Mail comments to:* Chief, Rules, Announcements, and Directives Branch (RADB), Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

- *Fax comments to:* RADB 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, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* Publicly available documents created or received at the NRC are accessible electronically through ADAMS in the NRC Library 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 the 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-2011-0151.

### Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in Title 10 of the Code of Federal Regulations (10 CFR) 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. Should the Commission make a final No Significant Hazards Consideration Determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

Within 60 days after the date of publication of this notice, any person(s) whose interest may be affected by this action may file a request for a hearing and a petition to intervene with respect to issuance of the amendment to the subject facility operating license. Requests for a hearing and a petition for leave to intervene shall be filed in

accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR part 2. Interested person(s) should consult a current copy of 10 CFR 2.309, which is available at the Commission's PDR, located at One White Flint North, Room O1-F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. NRC regulations are accessible electronically from the NRC Library on the NRC Web site at <http://www.nrc.gov/reading-rm/doc-collections/cfr/>. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements: (1) The name, address, and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also identify the specific contentions which the requestor/petitioner seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the requestor/petitioner shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the requestor/petitioner intends to rely in proving the contention at the hearing. The requestor/petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the requestor/petitioner intends to rely to establish those facts or expert opinion. The petition must include sufficient information to show that a genuine dispute exists with the

applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the requestor/petitioner to relief. A requestor/petitioner who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of any amendment.

All documents filed in NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in accordance with the NRC E-Filing rule (72 FR 49139, August 28, 2007). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least ten (10) days prior to the filing deadline, the participant should contact the Office of the Secretary by e-mail at [hearing.docket@nrc.gov](mailto:hearing.docket@nrc.gov), or by telephone at 301-415-1677, to request (1) A digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is

participating; and (2) advise the Secretary that the participant will be submitting a request or petition for hearing (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals/apply-certificates.html>. System requirements for accessing the E-Submittal server are detailed in NRC's "Guidance for Electronic Submission," which is available on the agency's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>. Participants may attempt to use other software not listed on the Web site, but should note that the NRC's E-Filing system does not support unlisted software, and the NRC Meta System Help Desk will not be able to offer assistance in using unlisted software.

If a participant is electronically submitting a document to the NRC in accordance with the E-Filing rule, the participant must file the document using the NRC's online, Web-based submission form. In order to serve documents through the Electronic Information Exchange System, users will be required to install a Web browser plug-in from the NRC Web site. Further information on the Web-based submission form, including the installation of the Web browser plug-in, is available on the NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>.

Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC public Web site at <http://www.nrc.gov/site-help/e-submittals.html>. A filing is considered complete at the time the documents are submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an e-mail notice confirming receipt of the document. The E-Filing system also distributes an e-mail notice that provides access to the document to the NRC Office of the

General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically using the agency's adjudicatory E-Filing system may seek assistance by contacting the NRC Meta System Help Desk through the "Contact Us" link located on the NRC Web site at <http://www.nrc.gov/site-help/e-submittals.html>, by e-mail at [MSHD.Resource@nrc.gov](mailto:MSHD.Resource@nrc.gov), or by a toll-free call at 1-866-672-7640. The NRC Meta System Help Desk is available between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in NRC's electronic hearing docket which is available to the public at <http://ehd1.nrc.gov/EHD>, unless excluded pursuant to an order of the Commission, or the presiding officer. Participants are

requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

Petitions for leave to intervene must be filed no later than 60 days from the date of publication of this notice. Non-timely filings will not be entertained absent a determination by the presiding officer that the petition or request should be granted or the contentions should be admitted, based on a balancing of the factors specified in 10 CFR 2.309(c)(1)(i)-(viii).

For further details with respect to this license amendment application, see the application for amendment which is available for public inspection at the Commission's PDR, located at One White Flint North, Room O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. Publicly available documents created or received at the NRC are accessible electronically through ADAMS in the NRC Library 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 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).

*FirstEnergy Nuclear Operating Company (the licensee), Docket Nos. 50-334 and 50-412, Beaver Valley Power Station, Unit 1 and 2, Beaver County, Pennsylvania Docket No. 50-346, Davis-Besse Nuclear Power Station, Unit 1, Ottawa County, Ohio*

*Date of amendment request:* April 29, 2011.

*Description of amendment request:* The proposed amendment would revise the Technical Specifications (TSs) to define a new time limit for restoring inoperable reactor coolant system (RCS) leakage detection instrumentation to operable status, establish alternate methods of monitoring RCS leakage when one or more required monitors are inoperable, and make TS Bases changes that reflect the proposed changes and more accurately reflect the contents of the facility design basis related to operability of the RCS leakage detection instrumentation. The proposed changes are consistent with Nuclear Regulatory

Commission (NRC) approved Revision 3 to Technical Specification Task Force (TSTF) change traveler TSTF-513, "Revise [Pressurized-Water Reactor] PWR Operability Requirements and Actions for RCS Leakage Instrumentation".

*Basis for proposed no significant hazards consideration determination:* As required by Title 10 of the Code of Federal Regulations (10 CFR) 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the Proposed Amendment Involve a Significant Increase in the Probability or Consequences of an Accident Previously Evaluated?

Response: No.

The proposed change clarifies the operability requirements for the RCS leakage detection instrumentation and reduces the time allowed for the plant to operate when the only TS-required operable RCS leakage detection monitor is the containment atmospheric gaseous radiation monitor. The monitoring of RCS leakage is not a precursor to any accident previously evaluated. The monitoring of RCS leakage is not used to mitigate the consequences of any accident previously evaluated.

Therefore, it is concluded that the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the Proposed Change Create the Possibility of a New or Different Kind of Accident from any Accident Previously Evaluated?

Response: No.

The proposed change clarifies the operability requirements for the RCS leakage detection instrumentation and reduces the time allowed for the plant to operate when the only TS-required operable RCS leakage detection monitor is the containment atmospheric gaseous radiation monitor. The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. The proposed change maintains sufficient continuity and diversity of leak detection capability that the probability of piping evaluated and approved for Leak-Before-Break progressing to pipe rupture remains extremely low.

Therefore, it is concluded that the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the Proposed Change Involve a Significant Reduction in a Margin of Safety?

Response: No.

The proposed change clarifies the operability requirements for the RCS leakage detection instrumentation and reduces the time allowed for the plant to operate when the only TS-required operable RCS leakage detection monitor is the containment atmospheric gaseous radiation monitor. Reducing the amount of time the plant is

allowed to operate with only the containment atmospheric gaseous radiation monitor operable increases the margin of safety by increasing the likelihood that an increase in RCS leakage will be detected before it potentially results in a gross failure.

Therefore, it is concluded that the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the requested amendments involve no significant hazards consideration.

*Attorney for licensee:* David W. Jenkins, Attorney, FirstEnergy Corporation, 76 South Main Street, Akron, Ohio 44308.

*NRC Branch Chief:* Jacob I. Zimmerman.

*South Carolina Electric and Gas Company (SCE&G, the licensee), South Carolina Public Service Authority, Docket No. 50-395, Virgil C. Summer Nuclear Station, Unit 1, Fairfield County, South Carolina*

*Date of amendment request:* March 18, 2011.

*Description of amendment request:* The proposed change would relocate several requirements of Technical Specification (TS) Section 6.0, Administrative Controls, to the new Virgil C. Summer Nuclear Station, Unit 1 Quality Assurance Program Description.

*Basis for proposed no significant hazards consideration determination:* As required by Title 10 of the Code of Federal Regulations (10 CFR) 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes involve the relocation of several administrative requirements from the TS to a document subject to the controls of 10 CFR 50.54(a), and is, therefore, administrative in nature. The relocated requirements involve review and audit, procedure review and approval, and record retention requirements. The change will not alter the physical design or operational procedures associated with any plant structure, system, or component. The change does not reduce the duties and responsibilities of the organizations performing the review, audit, and approval functions essential to ensuring the safe operation of the plant.

2. Does the proposed amendment create the possibility of a new or different kind of

accident from any accident previously evaluated?

Response: No.

The proposed changes are administrative in nature. The changes do not alter the physical design, safety limits, or safety analysis assumptions, associated with the operation of the plant. Accordingly, the changes do not create the possibility of a new or different kind of accident from any accident previously evaluated because the proposed changes do not introduce a new or different accident initiator or introduce a new or different equipment failure mode or mechanism.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed changes conform to NRC regulatory guidance regarding the content of plant Technical Specifications. The guidance is presented in the Final Policy Statement published on July 22, 1993 (58 FR 39132), and Administrative Letter AL 95-06. The relocation of these administrative requirements will not reduce the quality assurance commitments as accepted by the NRC, nor reduce administrative controls essential to the safe operation of the plant. Future changes to these administrative requirements will be performed in accordance with 10 CFR 50.54(a), consistent with the guidance identified above. Accordingly, the relocation results in an equivalent level of regulatory control.

Therefore, these changes do not involve a significant reduction in a margin of safety because the proposed changes do not reduce the margin of safety that exists in the present Technical Specifications.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* J. Hagood Hamilton, Jr., South Carolina Electric & Gas Company, Post Office Box 764, Columbia, South Carolina 29218.

*NRC Branch Chief:* Gloria Kulesa.

*South Carolina Electric and Gas Company, South Carolina Public Service Authority, Docket No. 50-395, Virgil C. Summer Nuclear Station, Unit 1, Fairfield County, South Carolina*

*Date of amendment request:* May 2, 2011.

*Description of amendment request:* The proposed change would revise Technical Specifications (TS) 3.4.6.1, "RCS Leakage Detection Systems", to (1) Define a new time limit for restoring inoperable Reactor Coolant System (RCS) leakage detection instrumentation to operable status, and (2) Establish alternate methods of monitoring RCS leakage when one or more required monitors are inoperable.

*Basis for proposed no significant hazards consideration determination:* As required by Title 10 of the *Code of Federal Regulations* (10 CFR) 50.91(a), the licensee (i.e., SCE&G) has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the Proposed Change Involve a Significant Increase in the Probability or Consequences of an Accident Previously Evaluated?

Response: No

The proposed change clarifies the operability requirements for the RCS leakage detection instrumentation, provides appropriate allowed operating times and compensatory measures when RCS leakage detection monitors are inoperable, and revises the TS LCO [Limiting Condition for Operation], Actions, and Bases to conform more closely with the corresponding STS [Standard Technical Specification] requirements. The monitoring of RCS leakage is not a precursor to any accident previously evaluated. The monitoring of RCS leakage is not used to mitigate the consequences of any accident previously evaluated.

Therefore, it is concluded that the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the Proposed Change Create the Possibility of a New or Different Kind of Accident from any Accident Previously Evaluated?

Response: No

The proposed change clarifies the operability requirements for the RCS leakage detection instrumentation, provides appropriate allowed operating times and compensatory measures when RCS leakage detection monitors are inoperable, and revises the TS LCO, Actions, and Bases to conform more closely with the corresponding STS requirements. The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. The proposed change maintains sufficient continuity and diversity of leak detection capability that the probability of piping evaluated and approved for Leak-Before-Break progressing to pipe rupture remains extremely low.

Therefore, it is concluded that the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the Proposed Change Involve a Significant Reduction in a Margin of Safety?

Response: No

The proposed change clarifies the operability requirements for the RCS leakage detection instrumentation, provides appropriate allowed operating times and compensatory measures when RCS leakage detection monitors are inoperable, and revises the TS LCO, Actions, and Bases to conform more closely with the corresponding STS requirements. The proposed change maintains sufficient continuity and diversity of leak detection capability (consistent with

the STS) that an increase in RCS leakage will be detected before it potentially results in gross failure.

Therefore, it is concluded that the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* J. Hagood Hamilton, Jr., South Carolina Electric & Gas Company, Post Office Box 764, Columbia, South Carolina 29218.

*NRC Branch Chief:* Gloria Kulesa.

### **Previously Published Notices of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing**

The following notices were previously published as separate individual notices. The notice content was the same as above. They were published as individual notices either because time did not allow the Commission to wait for this biweekly notice or because the action involved exigent circumstances. They are repeated here because the biweekly notice lists all amendments issued or proposed to be issued involving no significant hazards consideration.

For details, see the individual notice in the **Federal Register** on the day and page cited. This notice does not extend the notice period of the original notice.

*Southern Nuclear Operating Company, Inc., Docket Nos. 50-424 and 50-425, Vogtle Electric Generating Plant, Units 1 and 2, Burke County, Georgia*

*Date of amendment request:* March 3, 2011.

*Brief description of amendment request:* The proposed amendments would revise license and Technical Specifications (TSs) 3.3.1, "Reactor Protection System Instrumentation," and TS 3.3.2, "Engineered Safety Features Actuation System (ESFAS) Instrumentation." Specifically, the amendment would correct a non-conservative error associated with the ESFAS Permissive P-14, "Steam Generator Water Level High-High" instrument setpoint and associated allowable value. The proposed change is described in Technical Specification Task Force Traveler TSTF-493-A, Revision 4, "Clarify Application of Setpoint Methodology for LSSS [Limiting Safety System Setting]

Functions,” Option A as described in the Notice of Availability published in the **Federal Register** on May 11, 2010 (75 FR 26294). TSTF-493-A revises the Improved Standard TS to address Nuclear Regulatory Commission concerns that the TS requirement for LSSS may not be fully in compliance with the intent of Title 10 of the *Code of Federal Regulations* (10 CFR) 50.36.

*Date of publication of individual notice in **Federal Register**:* May 24, 2011 (76 FR 30206)

*Expiration date of individual notice:* Comments, June 23, 2011; Hearing, July 25, 2011.

#### **Notice of Issuance of Amendments to Facility Operating Licenses**

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission’s rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission’s rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for A Hearing in connection with these actions was published in the **Federal Register** as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) The applications for amendment, (2) the amendment, and (3) the Commission’s related letter, Safety Evaluation and/or Environmental Assessment as indicated. All of these items are available for public inspection at the Commission’s Public Document Room (PDR), located at One White Flint North, Room O1-F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. Publicly available documents created or received at the NRC are

accessible electronically through the Agencywide Documents Access and Management System (ADAMS) in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the 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).

*Duke Energy Carolinas, LLC, Docket Nos. 50-269, 50-270, and 50-287, Oconee Nuclear Station, Units 1, 2, and 3, Oconee County, South Carolina*

*Date of application of amendments:* June 29, 2009, as supplemented June 24, 2010, February 15, 2011, June 6, 2011, and June 15, 2011.

*Brief description of amendments:* The amendments authorize changes to the Updated Final Safety Analysis Report, to allow the use of fiber reinforced polymer on masonry brick walls for uniform pressure loads resulting from a tornado event.

*Date of Issuance:* June 27, 2011.

*Effective date:* As of the date of issuance and shall be implemented within 90 days from the date of issuance.

*Amendment Nos.:* 373, 375, and 374.  
*Renewed Facility Operating License Nos. DPR-38, DPR-47, and DPR-55:* Amendments revised the licenses and the technical specifications.

*Date of initial notice in **Federal Register**:* December 14, 2010 (75 FR 77908), and renoticed May 25, 2011 (76 FR 30399).

The supplements dated June 24, 2010, February 15, 2011, June 6, 2011, and June 15, 2011, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff’s original proposed no significant hazards consideration determination.

The Commission’s related evaluation of the amendments is contained in a Safety Evaluation dated June 27, 2011.

*No significant hazards consideration comments received:* No.

*Exelon Generating Company, LLC, Docket No. 50-219, Oyster Creek Nuclear Generating Station, Ocean County, New Jersey*

*Date of application for amendment:* June 25, 2010, as supplemented by letters dated October 18, 2010, December 1, 2010, March 9, 2011, and May 16, 2011.

*Brief description of amendment:* The amendment revises the Oyster Creek Nuclear Generating Station Technical Specifications (TSs) governing actions

to be taken if a single emergency diesel generator (EDG) is inoperable. Specifically, the amendment removes the requirement to test the other EDG daily. Instead, the licensee is required to either test the other EDG once, or determine that it is not inoperable due to a common cause failure.

*Date of issuance:* June 16, 2011.

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

*Amendment No.:* 278.

*Renewed Facility Operating License No. DPR-16:* The amendment revised the License and Technical Specifications

*Date of initial notice in **Federal Register**:* January 11, 2011 (76 FR 1647). The supplements dated October 18, 2010, December 1, 2010, and March 9, 2011, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff’s original proposed no significant hazards determination.

The Commission’s related evaluation of the amendment is contained in a Safety Evaluation dated June 16, 2011.

*No significant hazards consideration comments received:* No.

*Attorney for licensee:* Mr. J. Bradley Fewell, Associate General Counsel, Exelon Generation Company LLC, 4300 Winfield Road, Warrenville, IL 60555.

*NRC Branch Chief:* Harold Chernoff.

*Exelon Generating Company, LLC, Docket No. 50-219, Oyster Creek Nuclear Generating Station, Ocean County, New Jersey*

*Date of application for amendment:* June 11, 2010, as supplemented by letter dated May 6, 2011.

*Brief description of amendment:* The amendment revises the administrative requirements for the Responsibility and Review and Audit sections of the Environmental Technical Specifications for consistency with the fleet Quality Assurance Topical report.

*Date of issuance:* June 28, 2011.

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

*Amendment No.:* 279.

*Renewed Facility Operating License No. DPR-16:* The amendment revised the License and Technical Specifications

*Date of initial notice in **Federal Register**:* November 2, 2010 (75 FR 67402). The supplement dated May 6, 2011, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change

the NRC staff's original proposed no significant hazards determination.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated June 28, 2011.

*No significant hazards consideration comments received:* No.

*Florida Power and Light Company, Docket Nos. 50-250 and 50-251, Turkey Point Plant, Units 3 and 4, Miami-Dade County, Florida*

*Date of application for amendments:* June 25, 2009, as supplemented by letters dated July 21, July 30, August 26, 2009, February 10, March 15, April 14, April 28, May 21, June 11, June 23, June 25, September 2, September 15, October 13, December 14, 2010, and May 11, 2011.

*Brief description of amendments:* The amendments revised the licensing bases to adopt the alternative source term as allowed in Title 10 of the Code of Federal Regulations (10 CFR) 50.67.

*Date of issuance:* June 23, 2011.

*Effective date:* As of the date of issuance and shall be implemented by the completion of the Cycle 26 refueling outage for Unit 3 and Cycle 27 refueling outage for Unit 4.

*Amendment Nos.:* Unit 3-244 and Unit 4-240.

*Renewed Facility Operating License Nos. DPR-31 and DPR-41:* Amendments revised the Operating Licenses and the Technical Specifications.

*Date of initial notice in Federal Register:* December 29, 2009 (74 FR 68870). The supplements dated July 21, July 30, August 26, 2009, February 10, March 15, April 14, April 28, June 11, June 23, June 25, September 2, September 15, October 13, December 14, 2010, and May 11, 2011, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**. The supplement dated May 21, 2010, changed the scope of the application as originally noticed. Due to the changes, the application was renoticed and published in the **Federal Register** on July 13, 2010 (75 FR 39978).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated June 23, 2011.

*No significant hazards consideration comments received:* No.

Dated at Rockville, Maryland, this 30th day of June 2011.

For the Nuclear Regulatory Commission.

**Allen G. Howe,**

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

[FR Doc. 2011-17439 Filed 7-11-11; 8:45 am]

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## **NUCLEAR REGULATORY COMMISSION**

**[NRC-2010-0216]**

### **Notice of Issuance of Regulatory Guide**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Issuance and Availability of Regulatory Guide 1.152, Revision 3, "Criteria for Use of Computers in Safety Systems of Nuclear Power Plants."

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

Mark P. Orr, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-251-7495 or e-mail: [Mark.Orr@nrc.gov](mailto:Mark.Orr@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

#### **I. Introduction**

The U.S. Nuclear Regulatory Commission (NRC) is issuing a revision to an existing guide in the agency's "Regulatory Guide" series. This series was developed to describe and make available to the public information such as methods that are acceptable to the NRC staff for implementing specific parts of the agency's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

Revision 3 of Regulatory Guide 1.152, "Criteria for Use of Computers in Safety Systems of Nuclear Power Plants," was issued with a temporary identification as Draft Regulatory Guide, DG-1249, for public comments on June 22, 2010 (75 FR 35508). The public comment period closed on August 20, 2010. All comments that were received were considered and, where appropriate, the final guide was revised to address the comments. Editorial changes and clarifications were made to Regulatory Guide 1.152 as a result of the public comments. These include minor changes to the discussion section to improve consistency with other NRC regulations and guidance, clarification of the regulatory criteria to more clearly indicate that licensees are responsible for demonstrating establishment of a

secure development and operational environment, and clarification of regulatory criteria to precisely state the expectations of actions taken to protect developmental activities. This guide describes a method that the staff of the NRC considers acceptable to implement Title 10, of the Code of Federal Regulations, part 50, "Domestic Licensing of Production and Utilization Facilities" (10 CFR part 50); 10 CFR 50.55a(h); General Design Criterion (GDC) 21, "Protection System Reliability and Testability," of Appendix A, "General Design Criteria for Nuclear Power Plants," to 10 CFR part 50; and Criterion III, "Design Control," of Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," to 10 CFR part 50 with regard to the use of computers in safety systems of nuclear power plants. This guide applies to all types of commercial nuclear power plants. Regulatory Guide 1.152 was not uniquely developed for non-power reactors; therefore, the applicability of this guide for those facilities should be determined on a case-by-case basis.

This regulatory guide describes a method that the NRC staff deems acceptable for complying with the Commission's regulations for promoting high functional reliability, design quality, and a secure development and operational environment for the use of digital computers in the safety systems of nuclear power plants. In this context, the term "computer" identifies a system that includes computer hardware, software, firmware, and interfaces.

#### **II. Further Information**

Electronic copies of Regulatory Guide 1.152, Revision 3 are available through the NRC's public Web site under "Regulatory Guides" at <http://www.nrc.gov/reading-rm/doc-collections/>. The regulatory analysis may be found through the NRC's Agencywide Documents Access and Management System (ADAMS) under Accession No. ML101320317.

In addition, regulatory guides are available for inspection at the NRC's Public Document Room (PDR) located at Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738. The PDR's mailing address is USNRC PDR, Washington, DC 20555-0001. The PDR can also be reached by telephone at 301-415-4737 or 800-397-4209, by fax at 301-415-3548, and by e-mail to [pdr.resources@nrc.gov](mailto:pdr.resources@nrc.gov).

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