

Licenses and conforming amendments and an opportunity for a hearing was published in the **Federal Register** on June 8, 2006 (71 FR 33321). No hearing requests or written comments were received.

Pursuant to 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. After reviewing the information in SCE's application and other information before the Commission, and relying upon the representations and agreements contained in the application, the NRC staff has determined that SCE is qualified to hold the licenses to the extent proposed to permit the transfer of Anaheim's 3.16-percent undivided ownership interest in SONGS 2 and 3 to SCE, excluding Anaheim's interest in its spent fuel and in the SONGS 2 and 3 ISFSI, as previously described herein, and that the transfer of the licenses is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto, subject to the conditions set forth below. The NRC staff has further found that the application for the proposed license amendments complies with the standards and requirements of the Atomic Energy Act (AEA) of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I; the facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission; there is reasonable assurance that the activities authorized by the proposed license amendments can be conducted without endangering the health and safety of the public and that such activities will be conducted in compliance with the Commission's regulations; the issuance of the proposed license amendments will not be inimical to the common defense and security or the health and safety of the public; and the issuance of the proposed amendments will be in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied. The foregoing findings are supported by a safety evaluation dated September 27, 2006.

### III.

Accordingly, pursuant to Sections 161b, 161i, and 184 of the AEA of 1954, as amended, 42 U.S.C. 2201(b), 2201(i), and 2234, and 10 CFR 50.80, *It is hereby ordered* that the transfer of the licenses to SCE, as described herein, is

approved, subject to the following conditions:

After receipt of all required regulatory approvals of the transfer of Anaheim's 3.16-percent undivided ownership interest in SONGS 2 and 3 to SCE, excluding Anaheim's interest in its spent fuel and in the SONGS 2 and 3 ISFSI, as previously described herein, SCE shall inform the Director, Office of Nuclear Reactor Regulation, in writing of such receipt, within 5 business days, and of the date of the closing of the transfer no later than 7 business days before the date of closing. If the transfer is not completed by September 27, 2007, this Order shall become null and void, provided however, that upon written application and for good cause shown, such date may be extended in writing.

*It is further ordered* that consistent with 10 CFR 2.1315(b), license amendments that make changes, as indicated in Enclosure 2 to the cover letter forwarding this Order, to conform the licenses to reflect the subject license transfers are approved. The amendments shall be issued and made effective at the time the proposed transfers are completed.

This Order is effective upon issuance.

For further details with respect to this action, see the initial application dated March 10, 2006, the supplemental submittal dated May 16, 2006, and the safety evaluation dated September 27, 2006, which are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and accessible electronically through the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet on the NRC's Web site <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the document located in ADAMS, should contact the Office of Nuclear Reactor Regulation PDR reference staff by telephone at 1-800-397-4209, 301-415-4737, or by e-mail to [PDR@nrc.gov](mailto:PDR@nrc.gov).

Dated at Rockville, Maryland, this 27th day of September 2006.

For the Nuclear Regulatory Commission.

**J. E. Dyer,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. E6-16446 Filed 10-4-06; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 52-011]

### Southern Nuclear Operating Company, Inc., Vogtle ESP Site; Notice of Intent To Prepare an Environmental Impact Statement and Conduct Scoping Process

Southern Nuclear Operating Corporation (SNC) has submitted an application for an early site permit (ESP) for its Vogtle ESP site, located on the west bank of the Savannah River in eastern Burke County, in east-central Georgia. The site is approximately 100 miles northwest of Savannah, Georgia, and approximately 26 miles southeast of Augusta, Georgia, and across the river from the U.S. Department of Energy's Savannah River Site (Barnwell County, South Carolina). The application for the ESP was submitted by letter dated August 15, 2006, pursuant to 10 CFR Part 52. A notice of receipt of application, including the environmental report (ER), was published in the **Federal Register** on August 29, 2006 (71 FR 51222). A notice of acceptance for docketing of the application for an early site permit for Vogtle was published in the **Federal Register** on September 26, 2006 (71 FR 56187). 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 ESP application and to provide the public with 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, "Coordination with the National Environmental Policy Act," the NRC plans to coordinate compliance with Section 106 of the National Historic Preservation Act in meeting the requirements of the National Environmental Policy Act of 1969 (NEPA).

In accordance with 10 CFR 52.17 (a)(2), 51.45 and 51.50, SERI submitted the ER as part of the application. The ER was prepared pursuant to 10 CFR Part 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 20852, or from the Publicly Available Records component of 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. 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 e-mail to [pdrc@nrc.gov](mailto:pdrc@nrc.gov). The application may also be viewed on the Internet at <http://www.nrc.gov/reactors/new-licensing/esp/vogtle.html>. In addition, the Burke County Library, 130 Highway 24 South, Waynesboro, GA 30830-4572, has agreed to make the ER available for public inspection.

The following key reference documents related to the ESP applications 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, Early site permits; standard design certifications; and combined licenses 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. Regulatory Guide 4.2, Preparation of Environmental Reports for Nuclear Power Stations.
- g. Regulatory Guide 4.7, General Site Suitability Criteria for Nuclear Power Stations.
- h. Fact Sheet on Nuclear Power Plant Licensing Process.
- i. Draft review Standard RS-002, Processing Applications for Early Site Permits.
- j. NRR Office Instruction LIC-203, Procedural Guidance for Preparing Environmental Assessments and Considering Environmental Issues.

The regulations, NUREG-series documents, regulatory guide(s), and fact sheet can be found under Document Collections in the Electronic Reading Room on the NRC Web page. The draft review standard is at <http://www.nrc.gov/reactors/new-licensing/license-reviews/esp/esp-public-comments-rs-002.html>. 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 an ESP at the Vogtle ESP site. Possible alternatives to the proposed action (issuance of the ESP at the Vogtle ESP site) include no action and alternate

sites. The NRC is required by 10 CFR 52.18 to prepare an EIS in connection with the issuance of an ESP. This notice is being published in accordance with NEPA and the NRC's 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 this scoping process by members of the public and local, State, Tribal, and Federal government agencies is encouraged. The scoping process for the draft EIS will be used to accomplish the following:

- a. Define the proposed action which is to be the subject of 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. Indicate the relationship between the timing of the preparation of environmental analyses and the Commission's tentative planning and decision-making schedule.
- g. Identify any cooperating agencies and, as appropriate, allocate assignments for preparation and schedules for completing the EIS to the NRC and any cooperating agencies.
- h. Describe how the EIS will be prepared, including any contractor assistance to be used.

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

- a. The applicant, SNC.
- 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 including the State Historic Preservation Officer.
- d. Any affected Indian tribe including the Tribal Historic Preservation Officer.
- e. The Advisory Council on Historic Preservation.
- f. Any person who requests or has requested an opportunity to participate in the scoping process.
- g. 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 a public meeting for the Vogtle early site permit application EIS. The scoping meeting will be held at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830, on Thursday, October 19, 2006. The meeting will convene at 7 p.m., and will continue until 10 p.m., as necessary. The meeting will be transcribed and will include the following: (1) An overview by the NRC staff of the NEPA environmental review process, the proposed scope of the EIS, and the proposed review schedule; (2) an overview by SNC of the proposed action, the Vogtle ESP, and the environmental impacts as outlined in the ER; and (3) 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 during the two hours prior to the start of the public meeting at Augusta Technical College. 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 NEPA scoping process by contacting Ms. Cristina Guerrero by telephone at 1 (800) 368-5642, extension 2981, or by Internet to the NRC at [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov) no later than October 12, 2006. Members of the public may also register to speak at the meeting within 15 minutes of the start of the session. 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. If special equipment or accommodations are needed to attend or present information at the public meeting, the need should be brought to Ms. Guerrero's attention no later than October 12, 2006, so that the NRC staff can determine whether the request can be accommodated.

Members of the public may send written comments on the environmental

scoping process for the EIS to the Chief, Rules and Directives 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 be hand-delivered to the NRC at 11545 Rockville Pike, Rockville, Maryland, between 7:30 a.m. and 4:15 p.m. on Federal workdays. To be considered in the scoping process, written comments must be postmarked or delivered by December 4, 2006. Electronic comments may be sent by the Internet to the NRC at [Vogtle\\_EIS@nrc.gov](mailto:Vogtle_EIS@nrc.gov). Electronic submissions must be sent no later than December 4, 2006, to be considered in the scoping process. The staff will not consider comments submitted later than as specified above unless time permits. Comments will be available electronically and accessible through the NRC's ERR link <http://www.nrc.gov/nrc.gov/reading-rm/adams.html> at the NRC Homepage.

Participation in the scoping process for the EIS does not entitle participants to become parties to the proceeding to which the EIS relates. Notice of a hearing regarding the application for an ESP will be the subject of a future **Federal Register** notice.

At the conclusion of the scoping process, the NRC will prepare a concise summary of the determination and conclusions reached, including the significant issues identified, and will send a copy of the summary to each participant in the scoping process. The summary will also be available for inspection through the 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. Copies will be available for public inspection at the above-mentioned addresses, and one copy per request will be provided free of charge. After receipt and consideration of the comments, the NRC will prepare a final EIS, which will also be available for public inspection.

Information about the proposed action, the EIS, and the scoping process may be obtained from Mark Notich at (301) 415-3053 or [mdn@nrc.gov](mailto:mdn@nrc.gov).

Dated at Rockville, Maryland, this 2nd day of October, 2006.

For the Nuclear Regulatory Commission.

**Thomas A. Bergman,**

*Acting Director, Division of New Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E6-16559 Filed 10-4-06; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Notice of Sunshine Act Meeting

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

**DATE:** Week of October 9, 2006.

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

**STATUS:** Public and Closed.

**ADDITIONAL MATTERS TO BE CONSIDERED:**

*Week of October 9, 2006*

Tuesday, October 10, 2006

12:55 p.m. Affirmation Session (Public Meeting) (Tentative). a. Entergy Nuclear Vermont Yankee, LLC and Energy Nuclear Operations, Inc., (Pilgrim Nuclear Power Station and Vermont Yankee Nuclear Power Station), Massachusetts Attorney General's Petition for Backfit Order (Tentative).

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#### *Additional Information*

Affirmation of Entergy Nuclear Operations, Inc., (Pilgrim Nuclear Power Station), Massachusetts Attorney General's Petition for Backfit Order, tentatively scheduled for Thursday, October 5, 2006, at 12:55 p.m. has been rescheduled tentatively on Tuesday, October 10, 2006 at 12:55 p.m.

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The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings call (recording)—(301) 415-1292. Contact person for more information: Michelle Schroll, (301) 415-1662.

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The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/what-we-do/policy-making/schedule.html>.

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The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g. braille, large print), please notify the NRC's Disability Program Coordinator, Deborah Chan, at 301-415-7041, TDD: 301-415-2100, or by e-mail at [DLC@nrc.gov](mailto:DLC@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

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This notice is distributed by mail to several hundred subscribers; if you no

longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [dkw@nrc.gov](mailto:dkw@nrc.gov).

Dated: October 2, 2006.

**R. Michelle Schroll,**

*Office of the Secretary.*

[FR Doc. 06-8530 Filed 10-3-06; 10:40 am]

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## NUCLEAR REGULATORY COMMISSION

### Notice of Opportunity to Comment on Model Safety Evaluation and Model License Amendment Request on Technical Specification Improvement Regarding the Removal of the Main Steam and Main Feedwater Isolation Valve Times Using the Consolidated Line Item Improvement Process

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Request for comment.

**SUMMARY:** Notice is hereby given that the staff of the U.S. Nuclear Regulatory Commission (NRC) has prepared a model license amendment request (LAR), model safety evaluation (SE), and model proposed no significant hazards consideration (NSHC) determination related to changes to Standard Technical Specification NUREG-1430, 1431, 1432, (STS) 3.7.2, "Main Stream Isolation Valves (MSIVs);" NUREG-1430, STS 3.7.3, "Main Feedwater Stop Valves (MFSVs), Main Feedwater Control Valves (MFCVs), and Associated Startup Feedwater Control Valves (SFCVs);" NUREG-1431, STS 3.7.3, "Main Feedwater Isolation Valves (MFIVs), Main Feedwater Regulation Valves (MFRVs), and Associated Bypass Valves;" and NUREG-1432, STS 3.7.3, "Main Feedwater Isolation Valves (MFIVs), and MFIV Bypass Valves." These valves are herein referred to generically as the Main Steam and Main Feedwater Isolation Valves. The Babcocks and Wilcocks Owners Group (BWOG), the Combustion Engineering Owners Group (CEOG) and the Westinghouse Owners Group (WOG) participants in the Technical Specifications Task Force (TSTF) proposed these changes to the STS in TSTF-491, Revision 2 "Removal of Main Steam and Feedwater Valve Isolation Times."