

**FOR FURTHER INFORMATION CONTACT:**

AS10/Environmental Engineering and Occupational Health Office, SSP Transition and Property Disposal, Marshall Space Flight Center, Building 4249/100C, Marshall Space Flight Center, AL 35812, 1-256-544-7201, or electronic mail at [Donna.L.Holland@nasa.gov](mailto:Donna.L.Holland@nasa.gov).

**SUPPLEMENTARY INFORMATION:** The SSP is an extremely large and complex program spanning decades and requiring the efforts of a broad spectrum of talent located throughout NASA and many commercial entities. On January 14, 2004, President George W. Bush presented a new U.S. Space Exploration Policy to the nation. In the announcement, the President directed NASA to use the Space Shuttle to fulfill its obligation to complete assembly of the International Space Station and then to retire the Space Shuttle in 2010. Consequently, SSP Transition and Retirement is being proposed as a structured process for the disposition of SSP real and personal property consisting of a coordinated series of actions. SSP real and personal property would be evaluated in accordance with NPR 8800.15, "Real Estate Management Program Implementation Manual," and NPR 4300.1, "NASA Personal Property Disposal Procedural Requirements," to select the best option for disposal. The Draft SSP PEA addresses the environmental impacts associated with implementing a series of actions in the structured process for disposition of SSP real and personal property.

For the purpose of real and personal property disposition, the overall goals of SSP Transition and Retirement are to methodically assess the SSP assets and provide for their disposition in a manner that fully realizes any remaining value of those assets, and to ensure that the actions taken by NASA comply with applicable federal, state and local laws and regulations. The primary decision to be made by NASA, supported by information contained in the PEA, is the manner of disposition of the SSP assets. NASA has applied a systematic and interdisciplinary approach to ensure that the environmental resources at each site were analyzed and potential issues identified for the disposition of SSP-related real and personal property. Shuttle-related personal property includes hundreds of thousands of items ranging from common parts to complex tooling and flight hardware. The disposition of common parts would have no potential for significant impacts to the environment and is not analyzed in the PEA. Personal property, such as complex tooling and flight hardware,

may have the potential to adversely affect the environment and is analyzed in the PEA. The environmental impacts of principal concern are those that would result from disposition of Historic Resources. As the SSP approaches the end of its mission, a variety of buildings and facilities at several NASA installations will be modified for other NASA Programs or will no longer be of use to NASA. For any SSP building or facility no longer needed by NASA, NASA will initiate the standard process for addressing excess infrastructure. NASA will conduct any additional NEPA analysis, as necessary and appropriate, before final decisions on the disposition of SSP infrastructure are made. If any such SSP assets are listed or eligible for listing in the National Register of Historic Places, NASA will take no action that would affect any such property until the National Historic Preservation Act Section 106 process is complete.

Under NASA's Proposed Action, SSP transition and property disposal activities would be expected to occur at the following NASA sites:

- Dryden Flight Research Center, Edwards Air Force Base, California
- George C. Marshall Space Flight Center, Huntsville, Alabama
- John F. Kennedy Space Center, Brevard County, Florida
- John C. Stennis Space Center, Hancock County, Mississippi
- Johnson Space Center El Paso Forward Operating Location, El Paso, Texas
- Johnson Space Center Ellington Field, Houston, Texas
- Johnson Space Center White Sands Test Facility (and the U.S. Army's White Sands Missile Range), Las Cruces, New Mexico
- Lyndon B. Johnson Space Center, Houston, Texas
- Langley Research Center, Hampton, Virginia
- Michoud Assembly Facility, New Orleans, Louisiana

The Draft PEA may be viewed at the following NASA locations by contacting the pertinent Freedom of Information Act Office or by telephoning:

- (a) NASA, Ames Research Center, Moffett Field, CA 94035 (650-604-3273);
- (b) NASA, Dryden Flight Research Center, Edwards, CA 93523 (661-276-2704);
- (c) NASA, Glenn Research Center at Lewis Field, Cleveland, OH 44135 (1-866-404-3642);
- (d) NASA, Goddard Space Flight Center, Greenbelt, MD 20771 (301-286-4721);

(e) NASA, John C. Stennis Space Center, MS 39529 (228-688-2118);

(f) NASA, Lyndon B. Johnson Space Center, Houston, TX 77058 (281-483-8612);

(g) NASA, Langley Research Center, Hampton, VA 23681 (757-864-2497);

(h) NASA, Michoud Assembly Facility, New Orleans, LA 70189 (504-257-2629); and

(i) NASA, White Sands Test Facility, Las Cruces, NM 88004 (505-524-5024).

In addition the Draft PEA may be examined at:

(j) Jet Propulsion Laboratory, Visitors Lobby, Building 249, 4800 Oak Grove Drive, Pasadena, CA 91109.

Written public input and comments on alternatives and environmental issues and concerns associated with proposed SSP transition and property disposal activities are hereby requested.

**Olga M. Dominguez,**

*Assistant Administrator for Infrastructure and Administration.*

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## **NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 50-247 and 50-286; License Nos. DPR-26 and DPR-64]**

### **Entergy Nuclear Operations, Inc., Entergy Nuclear Indian Point 2, LLC, Entergy Nuclear Indian Point 3, LLC, Indian Point Nuclear Generating Unit Nos. 2 and 3; Receipt of Request for Action Under 10 CFR 2.206**

Notice is hereby given that by petition dated September 28, 2007, Mr. Sherwood Martinelli, representing Friends United for Sustainable Energy (Petitioner), has requested that the NRC (1) issue orders, effective immediately, to suspend the NRC licenses for the Indian Point Nuclear Generating Units 2 and 3 (Indian Point) until the new emergency notification siren system is fully approved by both the Federal Emergency Management Agency and the NRC and (2) fine Entergy Nuclear Operations (Entergy, or the licensee) \$130,000 per day from the date of his petition (*i.e.*, September 28, 2007) until Entergy complies with the NRC's Confirmatory Order of January 31, 2006, which requires the licensee to install backup power for the Indian Point siren system. On January 24, 2008, the Petitioner amended the petition citing concerns with recently discovered corrosion on sirens for the new emergency notification system. In the amended petition, the Petitioner requested that the NRC (1) issue an

order to immediately place both Indian Point Unit Nos. 2 and 3 in Cold Shutdown, (2) suspend Entergy's license to operate Indian Point Unit Nos. 2 and 3 until such time as they are in full compliance with their design basis threat, current licensing basis, and all NRC rules and regulations, and (3) fine Entergy on a daily basis for no less than \$500,000 until such time as the sirens have been fully approved by all levels of government.

The request is being treated pursuant to 10 CFR 2.206 of the Commission's regulations. The request has been referred to the Director of the Office of Nuclear Reactor Regulation (NRR). On November 1 and December 19, 2007, the Petitioner was informed in telephone calls that the request for immediate action for the original petition was denied. In addition, on January 30, 2008, the Petitioner was informed by electronic transmission that the request for immediate action for the amended petition was also denied. The Petitioner participated in a conference call with the NRR Petition Review Board (PRB) on December 21, 2007, to discuss the petition. The additional information provided by the Petitioner was considered by the PRB before making its final recommendation. By letter dated February 12, 2008, the Director accepted for review, pursuant to 10 CFR 2.206, the Petitioner's concerns regarding (1) the licensee's failure to implement the new emergency notification siren system in a timely manner and (2) the recently identified corrosion found on sirens for the new emergency notification system. As provided by Section 2.206, appropriate action will be taken on this petition within a reasonable time.

A copy of the petition and addenda can be located at Agencywide Documents Access and Management Systems Accession Nos. ML072760602 and ML080250075, respectively, and are available for inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland.

Dated at Rockville, Maryland this 12th day of February 2008.

For the Nuclear Regulatory Commission.

**J. E. Dyer,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. E8-3472 Filed 2-22-08; 8:45 am]

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## **NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-395]

### **South Carolina Electric & Gas Company, Virgil C. Summer Nuclear Station; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from Title 10 of the *Code of Federal Regulations*, Part 50, (10 CFR), Section 50.46, "Acceptance criteria for emergency core cooling systems for light-water nuclear power reactors," (10 CFR 50.46) and 10 CFR Part 50, Appendix K, "ECCS Evaluation Models," (Appendix K) for the Renewed Facility Operating License No. NPF-12, issued to South Carolina Electric & Gas Company (SCE&G, the licensee), for operation of the Virgil C. Summer Nuclear Station (VCSNS), located in Fairfield County, South Carolina. Therefore, as specified in 10 CFR 51.21, the NRC has performed an environmental assessment as described in this notice and has made a finding of no significant impact.

The action proposed by the licensee also included a request for an exemption from 10 CFR 50.44, "Combustible gas control for nuclear power reactors," (10 CFR 50.44). The proposed exemption from 10 CFR 50.44 is not being considered further by the NRC staff because revisions to 10 CFR 50.44 (68 FR 54123, dated September 16, 2003), such that it does not refer to specific types of zirconium cladding, remove the need for such an exemption.

### **Environmental Assessment**

#### *Identification of the Proposed Action*

The proposed action would allow a third cycle of irradiation (i.e., burnup) for one lead test assembly (LTA) containing fuel rods with advanced cladding alloys. This third cycle of irradiation is expected to begin in the Cycle 18 core for VCSNS in the spring of 2008. An exemption previously issued by the NRC on January 14, 2005, authorized the use of four LTAs up to a lead rod average burnup limit of 62,000 megawatt days per metric ton uranium (MWd/MTU). The cladding in two of those four LTAs is entirely Optimized ZIRLO™ cladding. Each of the other two LTAs uses sixteen fuel rods with AXIOM™ cladding with the remainder of the rods using Optimized ZIRLO™ cladding. Based upon the results of examinations of these four LTAs during the VCSNS Cycle 17/18 refueling outage, the licensee may select either one of the Optimized ZIRLO™

LTAs or one of the LTAs containing both Optimized ZIRLO™ plus AXIOM™ cladding for the third cycle of irradiation. The third cycle of irradiation is expected to take the LTA from a burnup of about 55,000 up to 75,000 MWd/MTU. The burnup limits are not part of the technical specifications (TS), but are design bases limits, and limit the current fuel rod-average burnup to less than or equal to 62,000 MWd/MTU. The proposed action is in accordance with the licensee's application dated May 31, 2007, as supplemented by letter dated October 11, 2007. Also, information in the licensee's letters dated September 3 and November 11, 2004, that supported the exemption previously issued on January 14, 2005, has been considered in this action.

#### *The Need for the Proposed Action*

As the licensee states in its letter dated September 3, 2004, "As the nuclear industry pursues longer operating cycles with increased fuel discharge burnups and more aggressive fuel management, corrosion performance requirements for nuclear fuel cladding become more demanding. In addition, fuel rod internal pressures (resulting from increased fuel duty, use of integral fuel burnable absorbers (IFBAs) and corrosion/temperature feedback effects) have become more limiting with respect to fuel rod design criteria. Available industry data [\* \* \*] indicate the corrosion resistance improves for cladding with a lower tin content," and "In addition, developmental testing has shown that small additions of some alloying elements will further improve the corrosion resistance, microstructure and mechanical properties of the cladding," and "To meet these needs, Westinghouse Electric Company has developed a lead test assembly program in cooperation with the V.C. Summer Nuclear Station. One element of the program is use of Optimized ZIRLO™ cladding [\* \* \*]" and another element of the program is the use of LTAs with AXIOM™ cladding.

As the licensee states in its application, 10 CFR 50.46 specifically refers to fuel with Zircaloy or ZIRLO™ cladding and does not include Optimized ZIRLO™ or AXIOM™ cladding. Appendix K, paragraph I.A.5, references an analysis that utilizes the Baker-Just equation which assumes use of a zirconium alloy different than the Optimized ZIRLO™ or AXIOM™ cladding used in the LTAs. Therefore, the exemption is needed because the NRC regulations identified above specifically refer to light-water reactors