

50.12(a)(2) for the granting of an exemption from 10 CFR 50.71(e)(3)(iii) exist.

#### *Eligibility for Categorical Exclusion From Environmental Review*

With respect to the exemption's impact on the quality of the human environment, the NRC has determined that this specific exemption request is eligible for categorical exclusion as identified in 10 CFR 51.22(c)(25). Under 10 CFR 51.22(c)(25), granting of an exemption from the requirements of any regulation of 10 CFR Chapter 1 (which includes 10 CFR 50.71(e)(3)(iii)) is an action that is a categorical exclusion, provided that:

- (i) There is no significant hazards consideration;
- (ii) There is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite;
- (iii) There is no significant increase in individual or cumulative public or occupational radiation exposure;
- (iv) There is no significant construction impact;
- (v) There is no significant increase in the potential for or consequences from radiological accidents; and
- (vi) The requirements from which an exemption is sought involve:
  - (A) Recordkeeping requirements;
  - (B) Reporting requirements;
  - (C) Inspection or surveillance requirements;
  - (D) Equipment servicing or maintenance scheduling requirements;
  - (E) Education, training, experience, qualification, requalification or other employment suitability requirements;
  - (F) Safeguard plans, and materials control and accounting inventory scheduling requirements;
  - (G) Scheduling requirements;
  - (H) Surety, insurance or indemnity requirements; or
  - (I) Other requirements of an administrative, managerial, or organizational nature.

The requirements from which this exemption is sought involve only "(B) Reporting requirements" or "(G) Scheduling requirements" of those required by 10 CFR 51.22(c)(25)(vi).

The NRC staff's determination that each of the applicable criteria for this categorical exclusion is met as follows:

I. 10 CFR 51.22(c)(25)(i): There is no significant hazards consideration.

*Staff Analysis:* The criteria for determining if an exemption involves a significant hazards consideration are found in 10 CFR 50.92. The proposed action involves only a schedule change regarding the submission of an update to the application for which only the

environmental portion of the licensing review is currently underway. Therefore, there are no significant hazard considerations because granting the proposed exemption 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.

II. 10 CFR 51.22(c)(25)(ii): There is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite.

*Staff Analysis:* The proposed action involves only a schedule change, which is administrative in nature, and does not involve any changes in the types or significant increase in the amounts of effluents that may be released offsite.

III. 10 CFR 51.22(c)(25)(iii): There is no significant increase in individual or cumulative public or occupational radiation exposure.

*Staff Analysis:* Since the proposed action involves only a schedule change, which is administrative in nature, it does not contribute to any significant increase in occupational or public radiation exposure.

IV. 10 CFR 51.22(c)(25)(iv): There is no significant construction impact.

*Staff Analysis:* The proposed action involves only a schedule change which is administrative in nature. While the environmental portion of the application review is underway, the safety portion of the COL application review is on hold and no license will be issued prior to receipt of the aforementioned application's December 31, 2015, submittal of the revised FSAR; therefore, the proposed action does not involve any construction impact.

V. 10 CFR 51.22(c)(25)(v): There is no significant increase in the potential for or consequences from radiological accidents.

*Staff Analysis:* The proposed action involves only a schedule change which is administrative in nature and does not impact the probability or consequences of accidents.

VI. 10 CFR 51.22(c)(25)(vi): The requirements from which this exemption is sought involve only "(B) Reporting requirements" or "(G) Scheduling requirements."

*Staff Analysis:* The exemption request involves requirements in both of these categories because it involves submitting an updated COL FSAR by December 31, 2015, and also relates to the schedule for submitting COL FSAR updates to the NRC.

#### **IV. Conclusion**

The NRC has determined that, pursuant to 10 CFR 50.12, the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Also, special circumstances exist under 10 CFR 50.12(a)(2)(ii). This one-time exemption will support the NRC staff's effective and efficient review of the COL application, when resumed, as well as issuance of the NRC staff's safety evaluation report. Therefore, the NRC hereby grants PPL a one-time exemption from the requirements of 10 CFR 50.71(e)(3)(iii) pertaining to the BBNPP COL application to allow submittal of the next FSAR update on or before December 31, 2015.

Pursuant to 10 CFR 51.22, the Commission has determined that the exemption request meets the applicable categorical exclusion criteria set forth in 10 CFR 51.22(c)(25), and the granting of this exemption will not have a significant effect on the quality of the human environment.

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 30th day of October 2014.

For The Nuclear Regulatory Commission.

**Frank Akstulewicz,**

*Director, Division of New Reactor Licensing, Office of New Reactors.*

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#### **NUCLEAR REGULATORY COMMISSION**

**[Docket No. 52-043; NRC-2014-0149]**

#### **Early Site Permit for the PSEG Site**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Draft environmental impact statement; extension of comment period.

**SUMMARY:** On August 22, 2014, the U.S. Nuclear Regulatory Commission (NRC) and the U.S. Army Corps of Engineers (USACE) published for public comment a draft environmental impact statement (EIS), NUREG-2168, "Draft Environmental Impact Statement for the Early Site Permit (ESP) for the PSEG Site." The PSEG Site is located in Salem County, New Jersey. The public comment period was to have ended on November 6, 2014. The NRC has decided to extend the public comment period for 30 days to allow more time for members of the public to develop and submit their comments.

**DATES:** The comment period for the draft EIS (79 FR 49820; August 22, 2014) has been extended to December 6, 2014.

**ADDRESSES:** You may submit comments by any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2014-0149. Address questions about NRC dockets to Carol Gallagher; telephone: 301-287-3422; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* Cindy Bladey, Office of Administration, Mail Stop: 3WFN-06-A44M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

For additional direction on obtaining information and submitting comments, see "Obtaining Information and Submitting Comments" in the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Allen Fetter, Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-415-8556, email: [Allen.Fetter@nrc.gov](mailto:Allen.Fetter@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

#### **I. Obtaining Information and Submitting Comments**

##### *A. Obtaining Information*

Please refer to Docket ID NRC-2014-0149, when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this action by the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for NRC Docket ID NRC-2014-0149.
- *NRC'S Agencywide Documents Access and Management System (ADAMS):*

You may obtain publicly-available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The draft EIS and an accompanying reader's guide are available in ADAMS under Accession No. ML14219A304.

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One

White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

- *Project Web site:* The draft EIS can be accessed online at the PSEG ESP specific Web page at <http://www.nrc.gov/reactors/new-reactors/esp/pseg.html>.

- *Salem Free Public Library:* The draft EIS is available for public inspection at 112 West Broadway, Salem, New Jersey, 08079.

##### *B. Submitting Comments*

Please include Docket ID NRC-2014-0149 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <http://www.regulations.gov> as well as enter the comment submissions into ADAMS, and the NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

#### **II. Discussion**

The application submitted by PSEG Power, LLC, and PSEG Nuclear, LLC (PSEG), for an ESP was submitted by letter dated May 25, 2010 (ADAMS Accession No. ML101480484), pursuant to Part 52 of Title 10 of the *Code of Federal Regulations*. A notice of receipt and availability of the application, which included the environmental report, was published in the **Federal Register** on June 18, 2010 (75 FR 34794). A notice of acceptance for docketing of the ESP application was published in the **Federal Register** on August 13, 2010 (75 FR 49539). A notice of intent to prepare a draft environmental impact statement (EIS) and to conduct the scoping process was published in the **Federal Register** on October 15, 2010 (75 FR 63521). On August 22, 2014, the NRC and USACE published for public comment the draft EIS in the **Federal**

**Register** (79 FR 49820). The purpose of this solicitation was to obtain public comments on the draft EIS for NRC staff to consider in preparing the final EIS. The public comment period was to have ended on November 6, 2014. Extensions to the 75-day comment period may be provided at the discretion of the NRC staff if special circumstances are present. The NRC staff has determined that special circumstances exist that support extending this comment period. Those special circumstances include the recent identification of some individuals and organizations with special knowledge and expertise in the area of environmental justice that had not been aware of the original notice and other outreach efforts. In order to gain additional information on any minority or low-income populations that might be disproportionately affected, the NRC has determined that it is prudent, in this instance, to extend the public comment period on this document until December 6, 2014, to allow more time for members of the public to submit their comments.

Dated at Rockville, Maryland, this 30th day of October, 2014.

For the Nuclear Regulatory Commission.  
**Frank Akstulewicz,**  
*Director, Division of New Reactor Licensing,*  
*Office of New Reactors.*

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#### **NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-305; NRC-2014-0219]

#### **Dominion Energy Kewaunee, Inc.; Kewaunee Power Station**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Exemption; issuance.

**SUMMARY:** Kewaunee Power Station (KPS) is a decommissioning nuclear power reactor that permanently shut down on May 7, 2013, and permanently defueled on May 14, 2013. In response to a request from Dominion Energy Kewaunee, Inc. (DEK or the licensee), the U.S. Nuclear Regulatory Commission (NRC) is granting exemptions from certain emergency planning (EP) requirements. The exemptions will eliminate the requirements to maintain offsite radiological emergency plans and reduce the scope of the onsite emergency planning activities at the Kewaunee Power Station (KPS) based on the reduced risks of accidents that could result in an offsite radiological