

should reduce the volume of waste shipped for disposal at licensed commercial waste disposal facilities. The Commission uses policy statements to communicate expectations about matters relating to activities that are within NRC jurisdiction and of importance to the Commission. Policy statements help to guide the activities of the NRC staff and licensees. However, they are not regulations and are not accorded the status of a regulation within the meaning of the Administrative Procedure Act. The Agreement States, which are responsible for overseeing their material licensees, cannot be required to implement the elements of a policy statement because such statements, unlike NRC regulations, are not a matter of compatibility. Additionally, policy statements cannot be considered binding upon, or enforceable against, NRC or Agreement State licensees or certificate holders.

On April 7, 2010, the NRC staff issued SECY-10-0043, "Blending of Low-Level Radioactive Waste" (ADAMS Accession No. ML090410531), and referenced the Policy Statement in response to stakeholder comments that large-scale blending might not be consistent with the Policy Statement goal of achieving reduced waste volumes and might actually increase waste volumes. Although the Commission disagreed that blending would necessarily increase the volume of waste, it recognized the need to clarify the Policy Statement to better explain the role of volume reduction in the context of LLRW management. Therefore, the Commission directed the staff to update the Policy Statement to recognize the progress that has been achieved in waste reduction since 1981, and to acknowledge that volume reduction continues to be important, and that other risk-informed, performance-based approaches to managing waste are also appropriate for managing LLRW safely.

A revised draft of the Policy Statement, "Volume Reduction and Low-Level Radioactive Waste Management," was published in the **Federal Register** for comment on August 15, 2011 (76 FR 50500), with the comment period ending on October 14, 2011.

The NRC received written comments on the draft Policy Statement and considered these comments when finalizing the Policy Statement. None of the comments resulted in changes to the basic principles of the Policy Statement and the changes made to the draft Policy Statement were limited. Responses to these comments can be found in ADAMS (Accession No. ML120090117).

II. Congressional Review Act

In accordance with the Congressional Review Act of 1996, the NRC has determined that this action is not a major rule and has verified this determination with the Office of Information and Regulatory Affairs of the Office of Management and Budget (OMB).

III. Policy Statement of the U.S. Nuclear Regulatory Commission on Low-Level Radioactive Waste Management and Volume Reduction

Summary

In 1981, the Commission published a Policy Statement (46 FR 51100; October 16, 1981) regarding the volume reduction of LLRW. In October 2010, the Commission directed the NRC staff to revise the Policy Statement (ADAMS Accession No. ML102861764) including updating to acknowledge that volume reduction continues to be important and adding that risk-informed, performance-based approaches to managing waste are also needed to safely manage LLRW.

Policy Statement

The focus of any LLRW management program should be public health and safety. Such programs often include waste minimization efforts and the Commission recognizes the substantial progress made by licensees in reducing volumes of LLRW shipped for disposal since the publication of the 1981 Policy Statement. The Congress, States, LLRW Compacts and nuclear industry groups have also played a central part in this effort by encouraging waste minimization and volume reduction practices. Widespread use of these practices has resulted in a significant reduction in the amount of LLRW generated by licensees and the volume shipped for disposal. The Commission recognizes that the high cost of LLRW disposal has also been a factor, along with limitations on LLRW disposal access, which has resulted in increased use of volume reduction and waste minimization techniques.

The Commission continues to believe that volume reduction is important to the management of LLRW. A continued focus on volume reduction will extend the operational lifetime of the existing commercial LLRW disposal sites and will reduce the number of waste shipments to disposal facilities. Therefore, the Commission encourages licensees to continue to adopt procedures that will minimize the volume of waste being transferred to disposal facilities.

The Commission also recognizes that volume reduction is only one aspect of

an effective LLRW management program. Although the Commission continues to favor the disposal of LLRW over storage, it recognizes that licensees may safely manage waste in a variety of ways, consistent with NRC regulations and guidance. As part of ensuring public health and safety, licensees should consider reductions in occupational exposures and security in determining how best to manage LLRW. As part of their LLRW management strategies, licensees may consider operational efficiency and cost. Although the Commission continues to favor disposal in a licensed disposal facility, licensees should consider additional means available to manage waste in a manner that is secure and protects public health and safety, such as (in no particular order and thus not indicating any NRC preference):

- Waste minimization;
- Short-term storage and decay;
- Long-term storage;
- Use of the alternate disposal provision in Title 10 of the *Code of Federal Regulations* (10 CFR) 20.2002, "Method for obtaining approval of proposed disposal procedures;" and
- Use of waste processing technologies.

The Commission understands that limited LLRW disposal access means that many licensees will need to store at least some of their LLRW. Agreement States and NRC licensees must continue to ensure that waste is safely and securely managed. However, waste disposal is still considered the safest and most secure long-term LLRW management approach.

Dated at Rockville, Maryland, this 25th day of April 2012.

For the Nuclear Regulatory Commission.

Annette L. Vietti-Cook,

Secretary of the Commission.

[FR Doc. 2012-10433 Filed 4-30-12; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[NRC-2012-0002]

Sunshine Act Meetings

AGENCY HOLDING THE MEETINGS: Nuclear Regulatory Commission.

DATES: Weeks of April 30, May 7, 14, 21, 28, June 4, 2012.

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

STATUS: Public and Closed.

Week of April 30, 2012*Monday, April 30, 2012*

9:30 a.m. Briefing on Human Capital and Equal Employment Opportunity (EEO) (Public Meeting) (Contact: Kristin Davis, 301-492-2208).

This meeting will be webcast live at the Web address—www.nrc.gov.

Week of May 7, 2012—Tentative*Friday, May 11, 2012*

9:00 a.m. Briefing on Potential Medical Isotope Production Licensing Actions (Public Meeting); (Contact: Jessie Quichocho, 301-415-0209).

This meeting will be webcast live at the Web address—www.nrc.gov.

Week of May 14, 2012—Tentative

There are no meetings scheduled for the week of May 14, 2012.

Week of May 21, 2012—Tentative

There are no meetings scheduled for the week of May 21, 2012.

Week of May 28, 2012—Tentative*Friday, June 1, 2012*

9:00 a.m. Briefing on Results of the Agency Action Review Meeting (AARM) (Public Meeting) (Contact: Rani Franovich, 301-415-1868).

This meeting will be webcast live at the Web address—www.nrc.gov.

Week of June 4, 2012—Tentative*Thursday, June 7, 2012*

9:30 a.m. Meeting with the Advisory Committee on Reactor Safeguards (ACRS) (Public Meeting); (Contact: Tanny Santos, 301-415-7270).

This meeting will be webcast live at the Web address—www.nrc.gov.

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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: Rochelle Baval, 301-415-1651.

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The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/public-involve/public-meetings/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 Bill Dosch, Chief, Work Life and Benefits Branch, at 301-415-6200, TDD: 301-415-2100, or by email at william.dosch@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 electronically to 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), or send an email to darlene.wright@nrc.gov.

Dated: April 26, 2012.

Rochelle C. Baval,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2012-10617 Filed 4-27-12; 4:15 pm]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 72-1039; NRC-2012-0099; EA-12-047]

In the Matter of Southern Nuclear Operating Company, Inc., Vogtle Electric Generating Plant, Independent Spent Fuel Storage Installation; Order Modifying License (Effective Immediately)

AGENCY: Nuclear Regulatory Commission.

ACTION: Issuance of order for implementation of additional security measures and fingerprinting for unescorted access to Southern Nuclear Operating Company, Inc.

FOR FURTHER INFORMATION CONTACT:

L. Raynard Wharton, Senior Project Manager, Licensing and Inspection Directorate, Division of Spent Fuel Storage and Transportation, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Rockville, Maryland 20852; telephone: (301) 492-3316; fax number: (301) 492-3348; email: Raynard.Wharton@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

Pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 2.106, the U.S. Nuclear Regulatory Commission (NRC or the Commission) is providing notice, in the matter of Vogtle Electric Generating Plant Independent Spent Fuel Storage Installation (ISFSI) Order Modifying License (Effective Immediately).

II. Further Information

I

The NRC has issued a general license to Southern Nuclear Operating Company, Inc. (SNC), authorizing the operation of an ISFSI, in accordance with the Atomic Energy Act of 1954, as amended, and 10 CFR part 72. This Order is being issued to SNC because it has identified near-term plans to store spent fuel in an ISFSI under the general license provisions of 10 CFR part 72. The Commission's regulations at 10 CFR 72.212(b)(5), 10 CFR 50.54(p)(1), and 10 CFR 73.55(c)(5) require licensees to maintain safeguards contingency plan procedures to respond to threats of radiological sabotage and to protect the spent fuel against the threat of radiological sabotage, in accordance with 10 CFR part 73, appendix C. Specific physical security requirements are contained in 10 CFR 73.51 or 73.55, as applicable.

Inasmuch as an insider has an opportunity equal to, or greater than, any other person, to commit radiological sabotage, the Commission has determined these measures to be prudent. Comparable Orders have been issued to all licensees that currently store spent fuel or have identified near-term plans to store spent fuel in an ISFSI.

II

On September 11, 2001, terrorists simultaneously attacked targets in New York, NY, and Washington, DC, using large commercial aircraft as weapons. In response to the attacks and intelligence information subsequently obtained, the Commission issued a number of Safeguards and Threat Advisories to its licensees to strengthen licensees' capabilities and readiness to respond to a potential attack on a nuclear facility. On October 16, 2002, the Commission issued Orders to the licensees of operating ISFSIs, to place the actions taken in response to the Advisories into the established regulatory framework and to implement additional security enhancements that emerged from NRC's ongoing comprehensive review. The Commission has also communicated with other Federal, State, and local government agencies and industry representatives to discuss and evaluate the current threat environment in order to assess the adequacy of security measures at licensed facilities. In addition, the Commission has conducted a comprehensive review of its safeguards and security programs and requirements.

As a result of its consideration of current safeguards and security