

For the Nuclear Regulatory Commission.  
**Beth C. St. May**,  
*Acting NRC Clearance Officer, Office of  
 Information Services.*  
 [FR Doc. E5-3637 Filed 7-8-05; 8:45 am]  
**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 72-20]

### Notice of Issuance of Amendment to Materials License No. SNM-2508; Department of Energy; Three Mile Island 2 Independent Spent Fuel Storage Installation

**AGENCY:** Nuclear Regulatory  
 Commission.

**ACTION:** License amendment.

#### FOR FURTHER INFORMATION CONTACT:

Joseph M. Sebrosky, Senior Project  
 Manager, Spent Fuel Project Office,  
 Office of Nuclear Material Safety and  
 Safeguards, U.S. Nuclear Regulatory  
 Commission, Washington, DC 20555.  
 Telephone: (301) 415-1132; fax number:  
 (301) 425-8555; e-mail: [jms3@nrc.gov](mailto:jms3@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The U.S.  
 Nuclear Regulatory Commission (NRC  
 or Commission) has issued Amendment  
 4 to Materials License SNM-2508 held  
 by the Department of Energy (DOE) for  
 the receipt, possession, transfer, and  
 storage of spent fuel of the Three Mile  
 Island Unit 2 (TMI-2) core debris in an  
 Independent Spent Fuel Storage  
 Installation (ISFSI), located in Butte  
 County, Idaho. The amendment is  
 effective as of the date of issuance.

By application dated January 31,  
 2005, as supplemented, DOE submitted  
 a request to the NRC, in accordance  
 with Title 10 of the Code of Federal  
 Regulations (10 CFR) 72.56,  
 "Application for amendment of  
 license," to amend the license for the  
 TMI-2 ISFSI to revise the technical  
 specification corrective actions if the 5  
 year leak test on the dry shielded  
 canisters (DSC) fails.

This amendment complies with the  
 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.

In accordance with 10 CFR  
 72.46(b)(2), a determination has been  
 made that the amendment does not  
 present a genuine issue as to whether  
 public health and safety will be  
 significantly affected. Therefore, the

publication of a notice of proposed  
 action and an opportunity for hearing or  
 a notice of hearing is not warranted.  
 Notice is hereby given of the right of  
 interested persons to request a hearing  
 on whether the action should be  
 rescinded or modified.

The NRC staff has determined that the  
 proposed action will not have a  
 significant impact on the environment.  
 For this action, an Environmental  
 Assessment and Finding of No  
 Significant Impact was prepared and  
 published in the **Federal Register** (70  
 FR 37124, June 28, 2005).

The request for amendment was  
 docketed under 10 CFR Part 72, Docket  
 72-20. For further details with respect  
 to this action, see the amendment  
 request dated January 31, 2005, and  
 June 9, 2005, supplement. The NRC  
 maintains an Agencywide Documents  
 Access and Management System  
 (ADAMS), which provides text and  
 image files of NRC's public documents.  
 These documents may be accessed  
 through the NRC's Public Electronic  
 Reading Room on the Internet at:  
[http://www.nrc.gov/reading-rm/  
 adams.html](http://www.nrc.gov/reading-rm/adams.html). Copies of the referenced  
 documents will also be available for  
 review at the NRC Public Document  
 Room (PDR), located at 11555 Rockville  
 Pike, Rockville, MD 20852. PDR  
 reference staff can be contacted at 1-  
 800-397-4209, 301-415-4737 or by E-  
 mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). The PDR  
 reproduction contractor will copy  
 documents for a fee.

Dated at Rockville, Maryland, this 30th day  
 of June, 2005.

For the Nuclear Regulatory Commission.

**Joseph M. Sebrosky**,

*Senior Project Manager, Spent Fuel Project  
 Office, Office of Nuclear Material Safety and  
 Safeguards.*

[FR Doc. E5-3631 Filed 7-8-05; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-244]

### R.E. Ginna Nuclear Power Plant, LLC, R.E. Ginna Nuclear Power Plant; Notice of Receipt and Availability for Comment of Request Regarding Release of Part of Site for Unrestricted Use

**AGENCY:** U.S. Nuclear Regulatory  
 Commission.

**ACTION:** Notice of receipt and  
 availability for comment.

**DATES:** Comments must be provided in  
 writing by August 10, 2005.

#### FOR FURTHER INFORMATION CONTACT:

Patrick D. Milano, Senior Project  
 Manager, Section 1, Project Directorate  
 I, Division of Licensing Project  
 Management, Office of Nuclear Reactor  
 Regulation, U.S. Nuclear Regulatory  
 Commission, Washington, DC 20555.  
 Telephone: 301-415-1457; fax no.: 301-  
 415-2102; e-mail: [pdm@nrc.gov](mailto:pdm@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The Nuclear Regulatory Commission  
 (NRC) has received, by letter dated May  
 20, 2005, an application filed by R. E.  
 Ginna Nuclear Power Plant, LLC (Ginna  
 LLC) requesting the release of a part of  
 the site for unrestricted use at its R. E.  
 Ginna Nuclear Power Plant (Ginna  
 Plant), located in Wayne County, New  
 York. An NRC administrative review,  
 documented in a letter to Ginna LLC  
 dated June 29, 2005, found the request  
 acceptable to begin a technical review.  
 Before approving the proposed partial  
 site release, the NRC will need to  
 determine that the licensee has met the  
 criteria set forth in Section 50.83,  
 "Release of part of a power reactor  
 facility or site for unrestricted use," of  
 Part 50 of Title 10 of the Code of Federal  
 Regulations (10 CFR 50.83). The tract of  
 land proposed for release consists of  
 two adjacent parcels, comprising a total  
 of approximately 15 acres located along  
 the western edge of the Ginna Plant site  
 boundary, and is entirely outside of the  
 Exclusion Area. The release of the part  
 of the site would allow Ginna LLC to  
 convey the tract of land under a  
 Purchase and Sale Contract dated  
 September 10, 2002, that was assumed  
 from the former licensee of the Ginna  
 Plant. Pursuant to this contract  
 agreement, the land would be sold to a  
 real estate developer for the purpose of  
 developing the land for residential use.  
 No physical changes to the Ginna Plant  
 facility or operational changes are being  
 proposed in the application.

The NRC will approve an application  
 for partial release of a non-impacted  
 area, if it determines that the licensee  
 has adequately evaluated the effect of  
 releasing the property and has  
 adequately justified the classification of  
 any release areas as non-impacted.

##### II. Opportunity To Provide Comments

The NRC is providing notice to  
 individuals in the vicinity of the facility  
 that the NRC is in receipt of this request,  
 and will accept written comments  
 concerning this proposal by August 10,  
 2005. The comments must be submitted  
 to the Secretary, U.S. Nuclear  
 Regulatory Commission, Washington,  
 DC 20555-0001, Attention: Rulemakings  
 and Adjudications Staff, and should cite

the publication date and page number of this **Federal Register** notice.

Furthermore, before acting upon this request for approval submitted in accordance with 10 CFR 50.83, the NRC will schedule and conduct in the near future a public meeting in the vicinity of the Ginna Plant for the purpose of obtaining public comments on the proposed release of the part of the site. The NRC will consider and, if appropriate, respond to these written and verbal comments, but such comments will not otherwise constitute part of the decisional record. Comments received after public meeting will be considered if practicable to do so, but only those comments received on or before the public meeting can be assured consideration.

### III. Further Information

Documents related to this action, including the application for approval and supporting documentation, are available for public inspection at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will also be accessible electronically as text and image files from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>.

The ADAMS accession numbers for the documents related to this notice are:

Title	ADAMS accession No.
Application, "Partial Site Release".	ML051530448
Drawing 1 of 4, "Ginna Site Boundary Survey".	ML051530451
Drawing 2 of 4, "Building Details".	ML051530453
Drawing 3 of 4, "Site Detail"	ML051530454
Drawing 4 of 4, "Station 13A Site Survey Map".	ML051530457

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 by telephone at 1-800-397-4209, 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). The PDR reproduction contractor will copy documents for a fee.

Dated at Rockville, Maryland, this 5th day of July 2005.

For the Nuclear Regulatory Commission.

**Patrick D. Milano,**

*Senior Project Manager, Section 1, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. E5-3634 Filed 7-8-05; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-321 and 50-366]

### Southern Nuclear Operating Company (SNC); Notice of Withdrawal of Application for Amendment to Renewed Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of SNC (the licensee) to withdraw its application dated July 20, 2004, for a proposed amendment to Renewed Facility Operating License Nos. DPR-57 and NPF-5 for the Edwin I. Hatch Nuclear Plant, Units 1 and 2, respectively, located in Appling County, Georgia.

The proposed amendment would have revised the Administrative Controls Section 5.3.1 of the technical specifications and replaced the specific designation for the Health Physics Superintendent with a reference to the senior individual in charge of Health Physics, and to add flexibility to the qualification requirements for the unit staff positions.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on September 28, 2004 (69 FR 57993). However, by letter dated June 27, 2005, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated July 20, 2004, and the licensee's letter dated June 27, 2005, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/reading-rm.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 by telephone at 1-800-397-4209,

or 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 29th day of June, 2005.

For the Nuclear Regulatory Commission.

**Christopher Gratton,**

*Senior Project Manager, Section 1, Project Directorate II, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. E5-3632 Filed 7-8-05; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-259]

### Tennessee Valley Authority; Browns Ferry Nuclear Plant, Unit 1; Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-33, issued to Tennessee Valley Authority (the licensee), for operation of the Browns Ferry Nuclear Plant (BFN), Unit 1, located in Limestone County, Alabama.

The proposed amendment would change the BFN, Unit 1, operating license to increase the maximum authorized power level from 3293 megawatts thermal (MWT) to 3952 MWT. This change represents an increase of approximately 20 percent above the current maximum authorized power level. The proposed amendment would also change the BFN, Unit 1, licensing bases and any associated Technical Specifications for containment overpressure, the maximum ultimate heat sink temperature, and the upper bound peak cladding temperature.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

Within 60 days after the date of publication of this notice, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for