

Signed in Washington, DC, this 8th of July, 2005.

**Charles S. Ciccolella,**

*Acting Assistant Secretary of Labor for Veterans' Employment and Training.*

[FR Doc. 05-14024 Filed 7-15-05; 8:45 am]

**BILLING CODE 4510-79-M**

## **NATIONAL CREDIT UNION ADMINISTRATION**

### **Sunshine Act Meeting**

**TIME AND DATE:** 10 a.m., Thursday, July 21, 2005.

**PLACE:** Board Room, 7th Floor, Room 7047, 1775 Duke Street, Alexandria, VA 22314-3428.

**STATUS:** Open

#### **MATTERS TO BE CONSIDERED:**

1. Quarterly Insurance Fund Report.
2. Reprogramming of NCUA's Operating Budget for 2005.
3. Proposed Rule: Part 796 of NCUA's Rules and Regulations, Post-Employment Restrictions for Certain NCUA Examiners.
4. Proposed Rule: Section 741.8 of NCUA's Rules and Regulations, Purchase of Assets and Assumption of Liabilities; and Request for Comments: Section 741.3 of NCUA's Rules and Regulations, Nonconforming Investments.
5. Proposed Rule: Section 701.34 of NCUA's Rules and Regulations, Uninsured Secondary Capital Accounts.
6. Proposed Rule: Part 742 of NCUA's Rules and Regulations, Regulatory Flexibility Program.

**FOR FURTHER INFORMATION CONTACT:** Mary Rupp, Secretary of the Board, Telephone: 703-518-6304.

**Mary Rupp,**

*Secretary of the Board.*

[FR Doc. 05-14192 Filed 7-14-05; 2:18 pm]

**BILLING CODE 7535-01-M**

## **NUCLEAR REGULATORY COMMISSION**

**[Docket No. 40-8989]**

### **Notice of Availability of Environmental Assessment and Finding of No Significant Impact for Exemption From Certain NRC Licensing Requirements for Special Nuclear Material for Envirocare of Utah, Inc.**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability.

**FOR FURTHER INFORMATION CONTACT:** James Park, Environmental and

Performance Assessment Directorate, Division of Waste Management and Environmental Protection, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 415-5835; fax number: (301) 415-5397; e-mail: [jrp@nrc.gov](mailto:jrp@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Introduction**

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an Order pursuant to section 274f of the Atomic Energy Act that would modify an existing Order for Envirocare of Utah, Inc. (Envirocare). The existing order exempts Envirocare from certain NRC regulations and permits Envirocare, under specified conditions, to possess waste containing special nuclear material (SNM), in greater quantities than those specified in 10 CFR part 150, at Envirocare's low-level waste (LLW) disposal facility located in Clive, Utah, without obtaining an NRC license pursuant to 10 CFR part 70. The NRC has prepared an Environmental Assessment (EA) in support of this action in accordance with the requirements of 10 CFR part 51. Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate. The modified Order will be issued following the publication of this notice.

##### **II. Environmental Assessment**

###### *Background*

The NRC is considering issuance of an Order pursuant to section 274f of the Atomic Energy Act that would modify an existing Order for Envirocare. The existing order exempts Envirocare from certain NRC regulations and permits Envirocare, under specified conditions, to possess waste containing SNM, in greater quantities than those specified in 10 CFR part 150, at Envirocare's LLW disposal facility located in Clive, Utah, without obtaining an NRC license pursuant to 10 CFR part 70. Published in the **Federal Register** on May 21, 1999 (64 FR 27826), the original Order was modified subsequently on January 30, 2003, at the request of Envirocare and published in the **Federal Register** on February 13, 2003 (68 FR 7399).

Envirocare is licensed by the State of Utah, an NRC Agreement State, under a 10 CFR part 61 equivalent license for the disposal of LLW. Envirocare also is licensed by Utah to dispose of mixed waste, hazardous waste, and 11e.(2) byproduct material (as defined under section 11e.(2) of the Atomic Energy Act of 1954, as amended).

By letter dated July 8, 2003, Envirocare proposed that the NRC amend the January 30, 2003, Order. The NRC staff has evaluated this request in two phases. In the first phase, the NRC staff evaluated the following requested revisions: (1) Modify the table in Condition 1 to include limits for uranium and plutonium in waste without magnesium oxide; (2) modify the units of the table from picocuries of SNM per gram of waste material to gram of SNM per gram of waste material; and (3) revise the language of Condition 5 to be consistent with the revised units in the table in Condition 1. The NRC staff approved these revisions and published a modified Order in the **Federal Register** on December 29, 2003 (68 FR 74986). In the second phase, which is the subject of this EA, the NRC staff has evaluated the remaining revisions requested by Envirocare (the proposed action).

###### *Review Scope*

The purpose of this EA is to assess the environmental impacts of Envirocare's requested modification to its December 2003 Order. This EA does not approve or deny the requested action. A separate Safety Evaluation Report (SER) also will be issued in support of the approval or denial of the requested action. This EA will determine whether to issue or prepare an Environmental Impact Statement (EIS). Should the NRC issue a FONSI, no EIS will be prepared.

###### *Proposed Action*

Envirocare proposes that the NRC amend the December 29, 2003, Order to: (1) Modify the table in Condition 1 to include criticality-based limits for uranium-233 and plutonium isotopes in waste containing up to 20 percent of materials listed in Condition 2 (e.g., magnesium oxide); (2) include criticality-based limits in the table in Condition 1 for plutonium isotopes in waste with unlimited materials in Condition 2, and in waste with unlimited quantities of materials in Conditions 2 and 3 (e.g., beryllium); (3) provide criticality-based limits for uranium-235 as a function of enrichment in waste containing up to 20 percent of materials listed in Condition 2 and in waste containing none of the materials listed in Condition 2; and (4) include additional mixed waste treatment technologies.

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

In its July 8, 2003, request, Envirocare states that it is currently at a competitive disadvantage with another waste disposal company. Envirocare would like to expand its capabilities to