

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-255-LR, ASLBP No. 05-842-03-LR]

In the Matter of Nuclear Management Company, LLC; Establishment of Atomic Safety and Licensing Board

Pursuant to delegation by the Commission dated December 29, 1972, published in the **Federal Register**, 37 FR 28710 (1972), and the Commission's regulations, *see* 10 CFR 2.104, 2.300, 2.303, 2.309, 2.311, 2.318, and 2.321, notice is hereby given that an Atomic Safety and Licensing Board is being established to preside over the following proceeding:

Nuclear Management Company, LLC (Palisades Nuclear Plant)

This proceeding concerns an August 8, 2005 request for hearing submitted jointly by the Nuclear Information and Resource Service, West Michigan Environmental Action Council, Don't Waste Michigan, the Green Party of Van Buren County, the Michigan Land Trustees, and a number of individuals in response to a June 2, 2005 notice of opportunity for hearing, 70 Fed. Reg. 33,533 (June 8, 2005), regarding a March 22, 2005, application, as supplemented on May 5, 2005, from Nuclear Management Company, LLC, (NMC) for renewal of the operating license for its Palisades Nuclear Plant. In its application, NMC requests that the operating license for its Palisades facility be extended for an additional twenty years beyond the period specified in the current license, which expires on March 24, 2011.

The Board is comprised of the following administrative judges:

Ann Marshall Young, Chair, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Dr. Anthony J. Baratta, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Dr. Nicholas G. Trikouros, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

All correspondence, documents, and other materials shall be filed with the administrative judges in accordance with 10 CFR 2.302.

Issued at Rockville, Maryland, this 25th day of August, 2005.

G. Paul Bollwerk, III,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 40-6622]

Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for Pathfinder Mines Corporation, Shirley Basin Site, Carbon County, WY

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Notice of availability.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

I. Introduction

The Nuclear Regulatory Commission (NRC) is issuing an amendment to Materials License No. SUA-442, issued to Pathfinder Mines Corporation (the licensee), to authorize alternate concentration limits (ACLs) at its Shirley Basin site in Carbon County, WY. NRC has prepared an Environmental Assessment (EA) in support of this amendment 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 amendment will be issued following the publication of this Notice.

II. EA Summary

The purpose of the proposed amendment is to authorize ACLs for chloride, radium-226 + -228, selenium, sulfate, thorium-230, total dissolved solids (TDS), and uranium at the licensee's Shirley Basin site. Specifically, the amendment will replace current ground-water protection

standards with ACLs because reducing ground-water concentrations to meet current standards is not feasible using the current ground-water corrective action program (CAP). The Licensee will also deactivate the current CAP because approval of the ACLs will bring all ground-water constituents of concern into compliance with approved standards. The current CAP has significantly reduced concentrations of the aforementioned constituents in ground water to the extent that deactivating the CAP is not expected to impact human health, safety, and the environment.

On April 3, 2000, Pathfinder Mines Corporation requested that NRC approve the proposed amendment. The staff has prepared the EA in support of the proposed license amendment. Staff considered impacts to land use, geology and soils, water resources, ecology, meteorology, climatology, air quality, socioeconomics, historical and cultural resources, public and occupational health, and transportation. The staff found that the impacts of the proposed action were not significant because ground-water remedial actions have significantly reduced the areal extent and concentration of hazardous constituents, and considerable modeling and ground-water sampling have adequately demonstrated that residual groundwater constituent concentrations are not expected to impact human health, safety, and the environment.

III. Finding of No Significant Impact

On the basis of the EA, NRC has concluded that there are no significant environmental impacts from the proposed amendment and has determined not to prepare an environmental impact statement.

IV. Further Information

Documents related to this action, including the application for amendment and supporting documentation, are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, you can access the NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The ADAMS accession numbers for the documents related to this notice are as follows:

Document	ADAMS Accession No.	Date
Pathfinder Mines Corporation, license amendment request and Shirley Basin Application for Alternate Concentration Limits.	ML003701936	4/3/00