

NSF/MPS CyberScience Activities, Discussion of MPS Long-term Planning Activities.

*Summary Minutes:* May be obtained from the contact person listed above.

Dated: October 4, 2005.

**Susanne E. Bolton,**

*Committee Management Officer.*

[FR Doc. 05-20273 Filed 10-6-05; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-528, 50-529, and 50-530]

### Arizona Public Service Company; Notice of Partial Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Arizona Public Service Company (the licensee) to partially withdraw its May 28, 2003, application for proposed amendments to Facility Operating License No. NPF-41, NF-51, and NPF-74 for the Palo Verde Nuclear Generating Station, Units 1, 2, and 3, located in Maricopa County, Arizona.

The proposed amendments would modify several surveillance requirements (SRs) in Technical Specifications (TSs) 3.8.1 and 3.8.4 on alternating current and direct current sources, respectively, for plant operation. The revised SRs would have notes deleted or modified to allow the SRs to be performed, or partially performed, in reactor modes that are currently not allowed by the TSs. The current SRs are not allowed to be performed in Modes 1 and 2. Several of the current SRs also cannot be performed in Modes 3 and 4.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on July 8, 2003 (68 FR 40709). However, the licensee partially withdrew the proposed change in two separate letters. By letter dated June 23, 2004, the licensee withdrew the proposed changes to the notes in SR 3.8.4.7 and SR 3.8.4.8 and by letter dated September 27, 2005, the licensee withdrew the proposed changes to SRs 3.8.1.9, 3.8.1.10, and 3.8.1.14.

For further details with respect to this action, see the application for amendments dated May 28, 2003, and the licensee's letters dated June 23, 2004, and September 27, 2005, which partially withdrew the application for license amendments. 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 O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams/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, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

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

For the Nuclear Regulatory Commission.

**Mel B. Fields,**

*Senior Project Manager, Section 2, Project Directorate IV, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. E5-5529 Filed 10-6-05; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-309, License No. DPR-36]

### Maine Yankee Atomic Power Company; Notice of Release of Land from the Jurisdiction of Maine Yankee Atomic Power Company's Facility Operating License No. DPR-36

On March 15, 2004, as supplemented by letters on September 2, 2004, and May 16, 2005, Maine Yankee Atomic Power Company (Maine Yankee) submitted a request to amend its license to release the remaining land under License No. DPR-36 with the exception of the land where the Independent Spent Fuel Storage Installation (ISFSI) is located, and a 3.17 acre parcel of land adjacent to the ISFSI. Notification of the amendment request was published in the **Federal Register** on May 5, 2004 (Vol. 69, No. 101, Page 69769).

The U.S. Nuclear Regulatory Commission (NRC) staff reviewed the Final Status Survey Report (FSSR) and concludes that: (i) Dismantlement and decontamination activities were performed in accordance with the approved License Termination Plan (LTP), and (ii) Maine Yankee's FSSR Supplements 1-10A demonstrate that the land to be released from Facility Operating License No. DPR-36, meets the radiological criteria for unrestricted use, as defined by 10 CFR 20.1402, by meeting site release criteria of 10

millirem (Total Effective Dose Equivalent (TEDE) per year over background (all pathways) and 4 millirem (as distinguishable from background) TEDE per year for groundwater sources of drinking water in accordance with the approved LTP. Therefore, NRC is releasing all land from the jurisdiction of license DPR-36 except the land where the ISFSI is located, and a 3.17 acre parcel of land adjacent to the ISFSI.

For further details with respect to this action, see the license amendment request dated March 15, 2004, as supplemented by letters dated September 2, 2004, and May 16, 2005, and the Environmental Assessment dated February 12, 2003, available for public inspection at the Commission'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 Agency-wide 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> (ADAMS Accession Nos. ML040990045, ML042600417, ML051440411, and ML030340122). 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).

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

For The Nuclear Regulatory Commission.

**Daniel M. Gillen,**

*Deputy Director, Decommissioning Directorate, Division of Waste Management and Environmental Protection, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. E5-5527 Filed 10-6-05; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 72-27]

### Pacific Gas and Electric Company; Humboldt Bay Independent Spent Fuel Storage Installation; Issuance of Environmental Assessment and Finding of No Significant Impact Regarding a Proposed Exemption

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering issuance of an exemption, pursuant to 10 CFR 72.7, from the provisions of 10 CFR 72.72(d) to Pacific

Gas and Electric Company (PG&E or applicant). The requested exemption would allow PG&E to maintain a single set of spent fuel, high-level radioactive waste, and reactor-related Greater than Class C (GTCC) waste records in accordance with the requirements of its NRC-approved Quality Assurance program, which satisfies the criteria of 10 CFR part 50, Appendix B, for the Independent Spent Fuel Storage Installation (ISFSI) at the Humboldt Bay Power Plant (HBPP) in Humboldt County, California.

### Environmental Assessment (EA)

#### *Identification of Proposed Action*

In its application for an ISFSI license, submitted on December 15, 2003, PG&E requested an exemption from the requirement in 10 CFR 72.72(d); which states in part that, "Records of spent fuel, high-level radioactive waste, and reactor-related GTCC waste containing special nuclear material meeting the requirements in paragraph (a) of this section must be kept in duplicate. The duplicate set of records must be kept at a separate location sufficiently remote from the original records that a single event would not destroy both sets of records."

The proposed action before the Commission is whether to grant this exemption pursuant to 10 CFR 72.7.

#### *Need for the Proposed Action*

The applicant stated that ISFSI spent-fuel, high-level radioactive waste, and reactor-related GTCC waste records will be maintained in a manner consistent with the records of the HBPP, which are stored in accordance with the NRC-approved Quality Assurance (QA) program. The approved QA program for the HBPP complies with the requirements established in 10 CFR part 50, Appendix B, which incorporates by reference the specific recordkeeping requirements in 10 CFR 50.71(d)(1). PG&E did not request exemption from the records retention period requirements of 10 CFR 72.72(d). The applicant seeks to provide consistency in recordkeeping practices for the records related to the proposed Humboldt Bay ISFSI and those records currently maintained under the HBPP QA program. The exemption would also preclude the need for PG&E to construct and operate a separate, second records storage facility to store a duplicate set of spent fuel, high-level radioactive waste, and reactor-related GTCC waste records.

In its application, PG&E indicated that the NRC-approved QA program for the Diablo Canyon Power Plant will be applied to all Humboldt Bay ISFSI

activities, and that program meets the provisions of ANSI N45.2.9-1974. The requirements in ANSI N45.2.9-1974 have been endorsed by the NRC as an acceptable method of satisfying the recordkeeping requirements of 10 CFR part 50, Appendix B, which states, in part, that "[c]onsistent with applicable regulatory requirements [including 10 CFR 50.71(d)(1)], the applicant shall establish requirements concerning record retention, such as duration, location, and assigned responsibility." Further requirements for the maintenance of nuclear power plant records are provided in 10 CFR 50.71(d)(1), which states, in part, that, "The licensee shall maintain adequate safeguards against tampering with and loss of records." ANSI N.45.2.9-1974 also satisfies the requirements of 10 CFR 72.72 by providing for adequate maintenance of records regarding the identity and history of the spent fuel in storage. Such records would be subject to, and need to be protected from, the same types of degradation mechanisms or loss as nuclear power plant Quality Assurance records.

#### *Environmental Impacts of the Proposed Action*

An exemption from the requirement to store a duplicate set of ISFSI records at a separate location has no impact on the environment. Storage of records does not change the methods by which spent fuel will be handled and stored at the HBPP ISFSI and does not affect the potential for radiological or non-radiological effluents associated with the ISFSI.

#### *Alternative to the Proposed Action*

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the "no-action" alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

#### *Agencies and Persons Consulted*

On August 30, 2005, the NRC staff discussed the environmental assessment for the proposed action with Ms. Barbara Byron, Senior Nuclear Policy Advisor for the California Energy Commission (CEC). On September 14, 16, and 27, 2005, the staff provided additional details regarding the proposed storage of the Humboldt Bay ISFSI records, in response to Ms. Byron's requests for clarification. The CEC had no further comments on the EA. The NRC staff has determined that a consultation under Section 7 of the

Endangered Species Act is not required because the proposed action is administrative or procedural in nature and will not affect listed species or critical habitat. The NRC staff has also determined that the proposed action is not a type of activity having the potential to cause effects on historic properties because it is an administrative or procedural action. Therefore, no further consultation is required under Section 106 of the National Historic Preservation Act.

### Finding of No Significant Impact

The environmental impacts of the proposed action have been reviewed in accordance with the requirements set forth in 10 CFR part 51. Based upon the foregoing EA, the Commission finds that the proposed action of granting the exemption from 10 CFR 72.72(d), so that PG&E may store spent fuel records for the proposed ISFSI in a single records storage facility, in accordance with its NRC-approved Quality Assurance program (which satisfies the criteria of 10 CFR part 50, Appendix B, and 10 CFR 50.71(d)(1)), will not significantly impact the quality of the human environment. Accordingly, the Commission has determined that a Finding of No Significant Impact is appropriate, and that an environmental impact statement for the proposed exemption is not necessary.

For further details with respect to this exemption request, see the PG&E ISFSI license application, and the accompanying Safety Analysis Report, dated December 15, 2003. The request for exemption was docketed under 10 CFR 72, Docket No. 72-27. In accordance with 10 CFR 2.390 of NRC's "Rules of Practice," final NRC records and documents regarding this proposed action are publicly available in the records component of NRC's Agencywide Documents Access and Management System (ADAMS). These documents may be inspected at NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. These documents may also be viewed electronically on the public computers located at the NRC's Public Document Room (PDR), O1F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee. 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 30th day of September, 2005.

For the Nuclear Regulatory Commission.

**James R. Hall,**

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

[FR Doc. E5-5530 Filed 10-6-05; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-34325]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for Release of Facility for Unrestricted Use for the Department of Veterans Affairs Chicago Health Care System Lakeside Campus—Lakeside Hospital Building, Chicago, IL

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability.

#### FOR FURTHER INFORMATION CONTACT:

William Snell, Senior Health Physicist, Decommissioning Branch, Division of Nuclear Materials Safety, Region III, U.S. Nuclear Regulatory Commission, 2443 Warrenville Road, Lisle, Illinois 60532; telephone: (630) 829-9871; fax number: (630) 515-1259; or by e-mail at [wgs@nrc.gov](mailto:wgs@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Introduction

The Nuclear Regulatory Commission (NRC) is considering issuing a license amendment to Material License No. 03-23853-01VA issued to the Department of Veterans Affairs (DVA) (the licensee), to authorize release of its Chicago Health Care System, Lakeside Campus—Lakeside Hospital Building in Chicago, Illinois for unrestricted use, and 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.

#### II. EA Summary

The purpose of the proposed amendment is to allow for the release of the licensee's Chicago, Illinois facility for unrestricted use. The DVA has occupied the Lakeside Hospital Building since it was built in about 1955, and was authorized to use byproduct, source, and special nuclear material for medical diagnosis, therapy, and research beginning in 1957. The Chicago, Illinois facility is a permittee

under the DVA NRC Master Material License (MML) Number 03-23853-01VA, and on April 27, 2005, requested the NRC approve the release of the facility for unrestricted use. The approval is consistent with a November 10, 2004, Letter of Understanding (LOU) between the NRC and the DVA for DVA permittees. The LOU requires the DVA to submit for NRC review, permittee requests for the release of buildings for unrestricted use where radioactive materials with a half-life greater than 120 days were used. The DVA identified six isotopes of concern with half-lives greater than 120 days that it used in the Lakeside Hospital Building since 1957: hydrogen-3, carbon-14, chlorine-36, cobalt-60, nickel-63, and cesium-137. The DVA has conducted surveys of the facility and provided information to the NRC to demonstrate that the site meets the licensee termination criteria in Subpart E of 10 CFR Part 20 for unrestricted release.

The staff has prepared an EA in support of the proposed license amendment. Based on its review, the staff determined there were no radiological or non-radiological environmental impacts associated with the action since no radiological remediation activities were required to complete the proposed action. However, the proposed action excludes approval for the release of an area of the facility where nuclear medicine activities are being performed in compliance with 10 CFR 35.100 and 35.200, an activity in which only short-lived radioactive isotopes are used (i.e., isotopes with a half-life less than 120 days). The licensee verified compliance with 10 CFR 20.1402 in this area for isotopes with half-lives longer than 120 days. Because the LOU allows the DVA to release facilities for unrestricted use without NRC approval if only isotopes of less than 120 days were used, when the VA ceases all licensable activities related to the diagnostic nuclear medicine operation, the VA may release that area for unrestricted use without NRC approval.

#### III. Finding of No Significant Impact

The staff has prepared an EA in support of the proposed license amendment to release the site for unrestricted use. The staff has found that the radiological environmental impacts from the proposed amendment are bounded by the impacts evaluated by NUREG-1496, Volumes 1-3, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Facilities" (ML042310492,

ML042320379, and ML042330385). Additionally, no non-radiological or cumulative impacts were identified. 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: The DVA letter dated April 27, 2005 (Accession No. ML051190353); the Final Status Survey Report, VA Chicago—Lakeside Campus, Medical Sciences Building, December 8, 2004 (Accession No. ML051190353); and the EA summarized above (Accession No. ML052690312). If you do not have access to ADAMS, or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

These documents may also be viewed electronically on the public computers located at the NRC's PDR, O 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Lisle, Illinois, this 28th day of September 2005.

For the Nuclear Regulatory Commission.

**Jamnes L. Cameron,**

*Chief, Decommissioning Branch, Division of Nuclear Materials Safety Region III.*

[FR Doc. E5-5528 Filed 10-6-05; 8:45 am]

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