

results of this audit will be documented and submitted to the NRC at the end of a two-year period. However, DIGIRAD will notify the NRC as soon as practicable after identification of any discrepancies identified as a result of the audit. If no falsifications are uncovered during the two-year period, DIGIRAD will discontinue the practice.

4. In addition, DIGIRAD will take other actions to ensure that similar violations will not recur. These actions will include the Vice President and Corporate Radiation Safety Officer preparing and submitting a commentary to (a) the Journal of Nuclear Medicine, (b) the Journal of Nuclear Medicine Technology, and (c) the Journal of Medical Physics to provide an opportunity for other licensees in the industry to learn from this incident. DIGIRAD will advise NRC upon completion of these items and not later than one year from the date of this agreement.

5. In light of the corrective actions that DIGIRAD has taken or has committed to take as described in Items 2, 3 and 4, the NRC agreed to issue a Severity Level III Notice of Violation to DIGIRAD (10 CFR 30.9(a)), but to not issue a Civil Penalty. This action will be publicly available in ADAMS and on the NRC "Significant Enforcement Actions" Web site, and the NRC will issue a press release announcing this action, as well as the actions DIGIRAD has taken and committed to take to address the violation.

6. DIGIRAD agreed to issuance of a Confirmatory Order confirming this agreement.

In light of the actions DIGIRAD has taken and agreed to take to correct the violation and prevent recurrence, as set forth in section III above, the NRC has concluded that its concerns regarding the violation can be resolved through the NRC's confirmation of the commitments as outlined in this Confirmatory Order.

I find that DIGIRAD's commitments as set forth in section III above are acceptable. However, in view of the foregoing, I have determined that these commitments shall be confirmed by this Confirmatory Order. Based on the above and DIGIRAD's consent, this Confirmatory Order is immediately effective upon issuance.

Accordingly, pursuant to Sections 103, 161b, 161i, 161o, 182, and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR part 30 and 35, it is hereby ordered, that by August 23, 2006:

1. DIGIRAD will audit, for all future NRC AU applicants, on a yearly basis,

the training and experience credentials of the first 10 AU applicants and 25% of any applications received after the first 10. DIGIRAD will audit by endeavoring to locate and call preceptors as well as Continuing Medical Education providers to verify the information given by the AU applicants. This does not eliminate the requirement that DIGIRAD provide complete and accurate information to the NRC on all AU applicants. The results of this audit will be documented and submitted to the NRC at the end of a two-year period. However, DIGIRAD will notify the NRC as soon as practicable after identification of any discrepancies identified as a result of the audit. If no falsifications are uncovered during the two-year period, DIGIRAD will discontinue the practice.

2. The DIGIRAD Vice President and Corporate Radiation Safety Officer will prepare and submit a commentary regarding this violation to the Journals of Nuclear Medicine, Nuclear Medicine Technology, and Medical Physics to provide an opportunity for other licensees in the industry to learn from this incident.

3. DIGIRAD will advise NRC upon completion of these items and not later than one year from the date of this agreement.

The Director, Office of Enforcement, may relax or rescind, in writing, any of the above conditions upon a showing by DIGIRAD of good cause.

Any person adversely affected by this Confirmatory Order, other than DIGIRAD, may request a hearing within 20 days of its issuance. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and must include a statement of good cause for the extension. Any request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Chief, Rulemaking and Adjudications Staff, Washington, DC 20555. Copies of the hearing request shall also be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Materials Litigation and Enforcement, to the Director of the Division of Regulatory Improvement Programs at the same address, and to MSHMC. Because of continuing disruptions in delivery of mail to United States Government offices, it is requested that answers and requests for hearing be transmitted to the Secretary of the Commission either by means of

facsimile transmission to 301-415-1101 or by e-mail to [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov) and also to the Office of the General Counsel by means of facsimile transmission to 301-415-3725 or e-mail to [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov). If such a person requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).

If a hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order shall be sustained. *An answer or a request for a hearing shall not stay the effectiveness date of this order.*

Dated this 27th day of January 2006.

For the Nuclear Regulatory Commission.

**Michael Johnson,**

*Office of Enforcement.*

[FR Doc. E6-1568 Filed 2-3-06; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-293]

### Entergy Nuclear Operations, Inc.; Notice of Receipt and Availability of Application for Renewal of Pilgrim Nuclear Power Station Facility Operating License No. DPR-35 for an Additional 20-Year Period

The U.S. Nuclear Regulatory Commission (NRC or Commission) has received an application, dated January 25, 2006, from Entergy Nuclear Operations, Inc., filed pursuant to Section 104b (DPR-35) of the Atomic Energy Act of 1954, as amended, and 10 CFR part 54, to renew the operating license for the Pilgrim Nuclear Power Station. Renewal of the license would authorize the applicant to operate the facility for an additional 20-year period beyond the period specified in the current operating license. The current operating license for the Pilgrim Nuclear Power Station (DPR-35) expires on June 8, 2012. The Pilgrim Nuclear Power Station is a Boiling Water Reactor designed by General Electric. The unit is located in Plymouth, MA. The acceptability of the tendered application for docketing, and other matters including an opportunity to request a hearing, will be the subject of subsequent **Federal Register** notices.

Copies of the application are available for public inspection at the

Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland 20582 or electronically from the NRC's Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room under accession number ML060300024. The ADAMS Public Electronic Reading Room is accessible from the NRC's Web site at <http://www.nrc.gov/reading-rm/adams.html>. In addition, the application is available at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications.html>, on the NRC's Web page, while the application is under review. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR Reference staff at 1-800-397-4209, extension 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

A copy of the license renewal application for the Pilgrim Nuclear Power Station is also available to local residents near the Pilgrim Nuclear Power Station at the Plymouth Public Library, 132 South Street, Plymouth, MA 02360.

Dated at Rockville, Maryland, this 31st day of January, 2006.

For the Nuclear Regulatory Commission.

**Frank P. Gillespie,**

*Director, Division of License Renewal, Office of Nuclear Reactor Regulation.*

[FR Doc. E6-1566 Filed 2-3-06; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-271]

### Entergy Nuclear Operations, Inc. Notice of Receipt and Availability of Application for Renewal of Vermont Yankee Nuclear Power Station Facility Operating License No. DPR-28 for an Additional 20-Year Period

The U.S. Nuclear Regulatory Commission (NRC or Commission) has received an application, dated January 25, 2006, from Entergy Nuclear Operations, Inc., filed pursuant to Section 104b (DPR-28) of the Atomic Energy Act of 1954, as amended, and 10 CFR part 54, to renew the operating license for the Vermont Yankee Nuclear Power Station. Renewal of the license would authorize the applicant to operate the facility for an additional 20-year period beyond the period specified in the current operating license. The current operating license for the Vermont Yankee Nuclear Power Station

(DPR-28) expires on March 21, 2012. The Vermont Yankee Nuclear Power Station is a Boiling Water Reactor designed by General Electric. The unit is located in Vernon, VT. The acceptability of the tendered application for docketing, and other matters including an opportunity to request a hearing, will be the subject of subsequent **Federal Register** notices.

Copies of the application are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 20582 or electronically from the NRC's Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room under accession number ML060300078. The ADAMS Public Electronic Reading Room is accessible from the NRC's Web site at <http://www.nrc.gov/reading-rm/adams.html>. In addition, the application is available at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications.html>, on the NRC's Web page, while the application is under review. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR Reference staff at 1-800-397-4209, extension 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

A copy of the license renewal application for the Vermont Yankee Nuclear Power Station is also available to local residents near the Vermont Yankee Nuclear Power Station at the following four public libraries: Vernon Free Library, 567 Governor Hunt Rd, Vernon, VT 05354; Brooks Memorial Library, 224 Main Street, Brattleboro, VT 05301; Hinsdale Public Library, 122 Brattleboro Rd, Hinsdale, NH 03451; and Dickinson Memorial Library, 115 Main St, Northfield, MA 01360.

Dated at Rockville, Maryland, this 31st day of January, 2006.

For the Nuclear Regulatory Commission.

**Frank P. Gillespie,**

*Director, Division of License Renewal, Office of Nuclear Reactor Regulation.*

[FR Doc. E6-1567 Filed 2-3-06; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-11789]

### Notice of Environmental Assessment Related to the Issuance of a License Amendment to Byproduct Material License No. 24-00196-07, for Unrestricted Release of a Facility for Saint Louis University, St. Louis, MO

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Issuance of environmental assessment and Finding of No Significant Impact for license amendment.

#### FOR FURTHER INFORMATION CONTACT:

George M. McCann, Senior Health Physicist, Decommissioning Branch, Division of Nuclear Materials Safety, Region III, U.S. Nuclear Regulatory Commission, 2443 Warrenton Road, Lisle, Illinois 60532-4352; telephone: (630) 829-9856; or by e-mail at [gmm@nrc.gov](mailto:gmm@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of an amendment to NRC Byproduct Materials License No. 24-00196-07, which is held by Saint Louis University (licensee). The amendment would authorize the unrestricted release of the licensee's former Radioactive Waste Storage Facility, located at 1008 South Spring Avenue, St. Louis, Missouri. The NRC has prepared an Environmental Assessment in support of this action in accordance with the requirements of 10 CFR part 51. Based on the Environmental Assessment, the NRC has determined that a Finding of No Significant Impact is appropriate. The amendment to Saint Louis University's license will be issued following the publication of this Environmental Assessment and Finding of No Significant Impact.

#### I. Environmental Assessment

##### Identification of Proposed Action

The proposed action would approve St. Louis University's request to amend its license and release the licensee's former waste storage facility for unrestricted use in accordance with 10 CFR part 20, subpart E. The proposed action is in accordance with the Saint Louis University's request to the U.S. Nuclear Regulatory Commission (NRC) to amend its NRC Byproduct Material License by letters dated October 31, 2005 (ADAMS Accession No. ML060180319), and January 13, 2006 (ADAMS Accession No. ML060170694). Saint Louis University is licensed as an