

the proposed Ginna EPU. Implementation of the proposed EPU would have less impact on the environment than the construction and operation of a new coal or natural-gas fired plant at an alternative site. In addition, the EPU does not involve environmental impacts that are significantly different from those presented in the 1973 FES for Ginna. Therefore, the NRC staff concludes that the impacts of the no-action alternative would be greater than the impacts of the proposed action based on information in the FES and NUREG-1437 Supplement 14.

#### *Alternative Use of Resources*

This action does not involve the use of any resources not previously considered in the FES and NUREG-1437 Supplement 14.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on [xxxxxxx], 2006, the NRC staff consulted with the State of New York official, [xxxxxxx], of the Energy Research and Development Authority, regarding the environmental impact of the proposed action. The State official had [xxxxxx] comments.

#### **Finding of No Significant Impact**

On the basis of the environmental assessment, the Commission concludes that implementation of the action as proposed would not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's application dated July 7, 2005, as supplemented by letters dated August 15, September 30, December 6, 9, and 22, 2005, and January 11 and 25, and February 16 and March 3 and 24, 2006 (Agencywide Documents Access and Management System (ADAMS) Accession Nos. ML051950123, ML052310155, ML052800223, ML053480388, ML053480362, ML053640080, ML060180262, ML060960416, ML060540349, ML060810218, and ML060940312, respectively). 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 O-1F21, 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 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 at 1-800-397-4209, or 301-415-4737, or send an e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

**DATES:** The comment period expires 30 days after publication. Comments received after this date will be considered if it is practical to do so, but the Commission is only able to assure consideration of comments received on or before 30 days after publication.

**ADDRESSES:** Submit written comments to Chief, Rules and Directives Branch, Division of Administration, U.S. Nuclear Regulatory Commission, Mail Stop T-6D59, Washington, DC 20555-0001. Written comments may also be delivered to 11545 Rockville Pike, Room T-6D59, Rockville, Maryland, 20852 from 7:30 a.m. to 4:15 p.m. on Federal workdays. Copies of written comments received will be electronically available at the NRC's Public Electronic Reading Room (PERR) link, <http://www.nrc.gov/reading-rm/adams.html>, on the NRC Web site or at the NRC's Public Document Room located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. 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 at 1-800-397-4209, or 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The NRC is considering issuance of an amendment to Facility Operating License No. DPR-18 issued to Ginna LLC for operation of Ginna, located in Wayne County, New York.

**FOR FURTHER INFORMATION CONTACT:** Patrick Milano, Office of Nuclear Reactor Regulation, Mail Stop O-8C2, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by telephone at 301-415-1457, or by e-mail at [pdm@nrc.gov](mailto:pdm@nrc.gov).

Dated at Rockville, Maryland, this 6th day of April 2006.

For the Nuclear Regulatory Commission.

**Patrick D. Milano,**

*Senior Project Manager, Plant Licensing Branch I-1, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

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**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

### **Advisory Committee On Nuclear Waste; Notice of Meeting**

The Advisory Committee on Nuclear Waste (ACNW) will hold its 169th meeting on April 18-20, 2006, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

The schedule for this meeting is as follows:

#### **Tuesday, April 18, 2006**

*10 a.m.-10:15 a.m.: Opening Statement (Open)*—The ACNW Chairman will make opening remarks regarding the conduct of the meeting.

*10:15 a.m.-11:15 a.m.: Overview of Accelerator Mass Spectrometry (Open)*—A faculty member of Purdue University (PRIME Lab) will brief the Committee on the methodology of accelerator mass spectrometry, including the statistical analysis of analytical results.

*11:15 a.m.-12 Noon: Update on U.S. Department of Energy (DOE) Chlorine-36 Studies at Yucca Mountain (Open)*—DOE representatives will update the Committee on the status of Chlorine-36 validation studies at Yucca Mountain, Nevada.

*2 p.m.-4:30 p.m.: Briefing from National Academy of Sciences (NAS) on Its 2006 Report on the Transportation of High-Level Nuclear Waste (Open)*—NAS representatives will brief the Committee on their recent report titled "Going the Distance? The Safe Transport of Spent Nuclear Fuel and High-Level Radioactive Waste in the United States." A copy of this report is available on the NAS Web site at <http://www.nap.edu/catalog/11538.html>.

*4:45 p.m.-5:15 p.m.: Proposed Rulemaking on Naturally Occurring or Accelerator-Produced Radioactive Materials (Open)*—A representative from NRC's Office of Nuclear Material Safety and Safeguards (NMSS) will brief the Committee on the staff's proposed rulemaking to implement Section 651(e) of the Energy Policy Act of 2005 to include certain discrete sources of naturally occurring or accelerator-produced radioactive materials (NARM) in NRC's regulations for byproduct material.

*5:15 p.m.-6:15 p.m.: Discussion of Draft Letters and Reports (Open)*—The Committee will discuss proposed ACNW letters.

#### **Wednesday, April 19, 2006**

*8:30 a.m.-8:35 a.m.: Opening Remarks by the ACNW Chairman (Open)*—The ACNW Chairman will make opening

remarks regarding the conduct of the meeting.

*8:35 a.m.–9:30 a.m.: Update on DOE Activities at the Yucca Mountain Site (Open)*—DOE representatives will brief the Committee on recent activities related to the development of a proposed geologic repository at Yucca Mountain.

*9:30 a.m.–11:30 a.m.: Update on Nye County Independent Early Warning Drilling Program (Open)*—

Representatives from Nye County and DOE will provide the Committee with an update of technical developments related to this independent ground water monitoring program.

*1 p.m.–2 p.m.: Modeling Igneous Activity: Dynamic Controls on Summit and Flank Eruptions of Basalt (Open)*—A faculty member of Cambridge University (an NMSS contractor) will brief the Committee on research regarding a theoretical model for the eruption of basalt through multiple vents originating from a common source. The discussion will address partitioning of flow between summit and flank vents. This work potentially applies to the proposed Yucca Mountain repository.

*2 p.m.–3 p.m.: Modeling Igneous Activity: Magma Interactions with a Geologic Repository (Open)*—An ACNW consultant from the Johns Hopkins University will present an analysis of the realistic effects of magma solidification during potential interactions with repository drifts and waste packages. This work potentially applies to the proposed Yucca Mountain repository.

*3:15 p.m.–4:15 p.m.: DOE Performance Confirmation Program Plan: NRC Staff Perspective and Update (Open)*—NMSS representatives will brief the Committee on the staff's preliminary views regarding the most recent update of DOE's Performance Confirmation Program Plan.

*4:15 p.m.–5 p.m.: Physical Capacity of Yucca Mountain for the Emplacement of High-Level Waste (Open)*—A representative from the Electric Power Research Institute (EPRI) will present a preliminary analysis of the physical capacity of Yucca Mountain for the disposal of additional commercial spent nuclear fuel.

*5 p.m.–6 p.m.: Discussion of Draft Letters and Reports (Open)*—The Committee will discuss proposed ACNW letters.

#### Thursday, April 20, 2006

*8:30 a.m.–8:35 a.m.: Opening Remarks by the ACNW Chairman (Open)*—The ACNW Chairman will

make opening remarks regarding the conduct of the meeting.

*8:35 a.m.–10:30 a.m.: NRC Radiation Research Program (Open)*—Representatives of the Office of Nuclear Regulatory Research will brief the Committee on recent NRC-sponsored activities in the area of health physics research.

*10:45 a.m.–4 p.m.: Discussion of Draft Letters and Reports (Open)*—The Committee will discuss proposed ACNW letters.

*4 p.m.–4:30 p.m.: Miscellaneous (Open)*—The Committee will discuss matters related to the conduct of ACNW activities and specific issues that were not completed during previous meetings, as time and availability of information permit. Discussions may include future Committee Meetings.

Procedures for the conduct of and participation in ACNW meetings were published in the **Federal Register** on October 11, 2005 (70 FR 59081). In accordance with these procedures, oral or written statements may be presented by members of the public. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Persons desiring to make oral statements should notify Mr. Michael R. Snodderly (Telephone 301-415-6927), between 8:15 a.m. and 5 p.m. ET, as far in advance as practicable so that appropriate arrangements can be made to schedule the necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during this meeting will be limited to selected portions of the meeting as determined by the ACNW Chairman. Information regarding the time to be set aside for taking pictures may be obtained by contacting the ACNW office prior to the meeting. In view of the possibility that the schedule for ACNW meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should notify Mr. Snodderly as to their particular needs.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted, therefore can be obtained by contacting Mr. Snodderly.

ACNW meeting agenda, meeting transcripts, and letter reports are available through the NRC Public Document Room (PDR) at [pdr@nrc.gov](mailto:pdr@nrc.gov), or by calling the PDR at 1-800-397-4209, or from the Publicly Available Records System component of NRC's document system (ADAMS) which is accessible from the NRC Web site at

<http://www.nrc.gov/reading-rm/adams.html> or <http://www.nrc.gov/reading-rm/doc-collections/> (ACRS & ACNW Mtg schedules/agendas).

Video Teleconferencing service is available for observing open sessions of ACNW meetings. Those wishing to use this service for observing ACNW meetings should contact Mr. Theron Brown, ACNW Audiovisual Technician (301-415-8066), between 7:30 a.m. and 3:45 p.m. ET, at least 10 days before the meeting to ensure the availability of this service. Individuals or organizations requesting this service will be responsible for telephone line charges and for providing the equipment and facilities that they use to establish the video teleconferencing link. The availability of video teleconferencing services is not guaranteed.

Dated: April 6, 2006.

**Andrew L. Bates,**

*Advisory Committee Management Officer.*

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## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Nuclear Waste Meeting on Planning and Procedures; Notice of Meeting

The Advisory Committee on Nuclear Waste (ACNW) will hold a Planning and Procedures meeting on April 18, 2006, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland. The entire meeting will be open to public attendance, with the exception of a portion that may be closed pursuant to 5 U.S.C. 552b(c)(2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of ACNW, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.

The agenda for the subject meeting shall be as follows:

**Tuesday, April 18, 2006—8:30 a.m.–9:30 a.m.**

The Committee will discuss proposed ACNW activities and related matters. The purpose of this meeting is to gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official, Mr. Michael R. Snodderly (Telephone: 301/415-6927) between 8:15 a.m. and 5 p.m. (ET) five days prior to the meeting, if possible, so