

### Agencies and Persons Consulted

NRC provided drafts of its Environmental Assessment and Dose Assessment to the Department of Health of Puerto Rico for review on February 21, 2006. On March 29, 2006, the Department of Health of Puerto Rico responded by letter. The State agreed with the conclusions of the EA, and otherwise had no comments.

The NRC staff has determined that the proposed action is of a procedural nature, and will not affect listed species or critical habitat. Therefore, no further consultation is required under section 7 of the Endangered Species Act. The NRC staff has also determined that the proposed action is not the type of activity that has the potential to cause effects on historic properties. Therefore, no further consultation is required under section 106 of the National Historic Preservation Act.

### III. Finding of No Significant Impact

The NRC staff has prepared this EA in support of the proposed action. On the basis of this EA, the NRC finds that there are no significant environmental impacts from the proposed action, and that preparation of an environmental impact statement is not warranted. Accordingly, the NRC has determined that a Finding of No Significant Impact is appropriate.

### IV. Further Information

Documents related to this action, including the application for license 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 documents related to this action are listed below with their ADAMS accession numbers:

1. Final Status Survey Results for the Rio Piedras Research Center of the University of Puerto Rico Agricultural Experiment Station, dated September 28, 2004 [ADAMS Accession No. ML042780499];

2. Telephone Logs Containing Additional Site History Information, dated January 28, 2005 [ADAMS Accession No. ML050330622], February 10, 2005 [ADAMS Accession No. ML050430017], April 11, 2005 [ADAMS Accession No. ML051050036], August 31, 2005 [ADAMS Accession No. ML052450026], and February 9, 2006 [ADAMS Accession No. ML060400169];

3. Dose Assessment Evaluating Potential Burial of Carbon-14 at

University of Puerto Rico Agricultural Experiment Station [ADAMS Accession No. ML061090546];

4. **Federal Register** Notice, Volume 65, No. 114, page 37186, dated Tuesday, June 13, 2000, "Use of Screening Values to Demonstrate Compliance With The Federal Rule on Radiological Criteria for License Termination";

5. Title 10 Code of Federal Regulations, Part 20, Subpart E, "Radiological Criteria for License Termination";

6. Title 10, Code of Federal Regulations, Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions";

7. NUREG-1496, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities".

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 King of Prussia, Pennsylvania, this 12th day of May, 2006.

For the Nuclear Regulatory Commission.

**Marie Miller,**

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

[FR Doc. E6-7791 Filed 5-19-06; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-34325]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for An Amendment to a Materials Permit in Accordance With Byproduct Materials License No. 03-23853-01VA, for Unrestricted Release of a Department of Veterans Affairs's Facility In West Haven, CT

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Issuance of Environmental Assessment and Finding of No Significant Impact for License Amendment.

**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 U.S. Nuclear Regulatory Commission (NRC) is considering allowing an amendment to a materials permit in accordance with NRC Byproduct Materials License No. 03-23853-01VA issued to the Department of Veterans Affairs (DVA) (the licensee), to authorize release of its Connecticut Health Care System Building 27 in West Haven, Connecticut for unrestricted use. The NRC has prepared an Environmental Assessment (EA) in support of this proposed action in accordance with the requirements of Title 10, Code of Federal Regulations (CFR), Part 51 (10 CFR part 51). Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate. The approval for the amendment to the materials permit will be issued to the DVA following the publication of this Notice.

#### II. Environmental Assessment

##### Identification of Proposed Action

The proposed action would approve DVA's request to issue an amendment to a materials permit in accordance with NRC Byproduct Materials License No. 03-23853-01VA for the unrestricted release of Building 27 of the DVA's Connecticut Health Care System at 950 Campbell Avenue, West Haven, Connecticut. The proposed action is in accordance with the DVA's request to the U.S. Nuclear Regulatory Commission (NRC) on February 21, 2006 (ADAMS Accession No. ML060540225), to approve the release of the facility for unrestricted use, and is consistent with the current NRC policy to review all DVA 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 two isotopes of concern with half-lives greater than 120 days that it used in Research Building 27 of the West Haven, Connecticut facility: hydrogen-3 and carbon-14. The DVA was authorized by the NRC to use byproduct material for medical research at the West Haven Building 27 facility since it was renovated in 1973. Licensed materials were not used in outdoor areas.

The building is 2334 square feet of space comprised of medical research

laboratories, office space, break room and bathroom, located in a hospital compound area. The walls were painted cinder block and the floors were concrete covered with vinyl flooring.

On January 5, 2006, the DVA ceased licensed activities and initiated facility surveys and decontamination. Based on the licensee's historical knowledge of the site and the conditions of the facility, the DVA determined that only routine decontamination activities, in accordance with their radiation safety procedures, were required. The DVA was not required to submit a decommissioning plan to the NRC. On February 21, 2006, the DVA requested that NRC approve the release of the facility for unrestricted use. The DVA conducted facility surveys and provided information to the NRC to demonstrate that the site meets the license termination criteria in Subpart E of 10 CFR Part 20 for unrestricted release.

#### *Need for the Proposed Action*

The licensee is requesting approval of the amendment to allow for the release of Building 27 for unrestricted use. The licensee needs this permit change because it no longer plans to conduct licensed activities in this building. NRC is fulfilling its responsibilities under the Atomic Energy Act to make a timely decision on a proposed permit amendment for release of a facility for unrestricted use that ensures protection of public health and safety and the environment.

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

The NRC staff has reviewed the information provided and surveys performed by the DVA to demonstrate compliance with the 10 CFR 20.1402, "Radiological Criteria for Unrestricted Use" license termination criteria. Based on its review, the staff has determined that the affected environment and environmental impacts associated with the release for unrestricted use of the DVA facilities are bounded by the impacts evaluated by the "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities" (NUREG-1496). The staff also finds that the proposed release for unrestricted use of the DVA facilities is in compliance with 10 CFR 20.1402. The NRC has found no other activities in the area that could result in cumulative impacts. Based on its review, the staff considered the impact of the residual radioactivity at the facility and concluded that the proposed action will not have a

significant effect on the quality of the human environment.

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

Since the facility at the DVA site has already been surveyed and found acceptable for release for unrestricted use, the only alternative to the proposed action of approving the permit amendment and release of the West Haven facility for unrestricted use is denial of the proposed action (i.e. no action). 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, and the no-action alternative is accordingly not further considered.

#### *Agencies and Persons Consulted*

The NRC staff has determined that the proposed action is of a procedural nature, and will not affect listed species or critical habitat. Therefore, no further consultation is required under Section 7 of the Endangered Species Act. Likewise, the NRC staff have determined that the proposed action is not the type of activity that has the potential to cause effects on historic properties. Therefore, no further consultation is required under Section 106 of the National Historic Preservation Act.

NRC provided a draft of its Environmental Assessment to the Connecticut Department of Environmental Protection, Division of Radiation, for review on April 18, 2006. The State had no comments regarding the EA.

#### *Conclusion*

The NRC staff has concluded that the proposed action is consistent with the NRC's unrestricted release criteria specified in 10 CFR 20.1402. Because the proposed action will not significantly impact the quality of the human environment, the NRC staff concludes that the proposed action is the preferred alternative.

#### **III. Finding of No Significant Impact**

The staff has prepared the EA in support of the proposed amendment to the materials permit for the unrestricted release of the facility. The staff has found that the radiological environmental impacts from the proposed action 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, the NRC has concluded that there are no significant environmental impacts from the proposed action, and has determined not to prepare an environmental impact statement.

#### **List of Preparers**

William Snell, Senior Health Physicist, Division of Nuclear Materials Safety, Region III

#### **Sources Used**

1. NRC Byproduct Materials License Nos. 03-23853-01VA, 06-00092-05, and 06-11222-01, inspection and licensing records.
2. Historical Site Assessment and Final Status Survey Results for Building 27 of the DVA Connecticut Health Care System, provided under cover letter dated February 21, 2006.
3. **Federal Register** Notice, Volume 65, No. 114, page 37186, dated Tuesday, June 13, 2000, "Use of Screening Values to Demonstrate Compliance With The Federal Rule on Radiological Criteria for License Termination."
4. Title 10 Code of Federal Regulations, Part 20, Subpart E, "Radiological Criteria for License Termination."
5. Title 10, Code of Federal Regulations, Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions."
6. NUREG-1496, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities."

#### **IV. Further Information**

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The ADAMS accession numbers for the documents related to this Notice are:

1. E. Lynn McGuire, Department of Veterans Affairs, letter to U.S. Nuclear Regulatory Commission, February 21, 2006 (ADAMS Accession No. ML060540225).

Dated at Lisle, Illinois, this 10th day of May 2006.

For the Nuclear Regulatory Commission.

**Jamnes L. Cameron,**

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

[FR Doc. E6-7774 Filed 5-19-06; 8:45 am]

BILLING CODE 7590-01-P

**NUCLEAR REGULATORY COMMISSION**

**Request To Amend a License To Import Radioactive Waste**

Pursuant to 10 CFR 110.70(C) "Public notice of receipt of an application," please take notice that the Nuclear Regulatory Commission has received the following request to amend an import license. Copies of the request are available electronically through ADAMS and can be accessed through the Public Electronic Reading Room (PERR) link <http://www.nrc.gov/NRC/ADAMS/index.html> at the NRC Home page.

A request for a hearing or petition for leave to intervene may be filed within 30 days after publication of this notice in the **Federal Register**. Any request for hearing or petition for leave to intervene shall be served by the requestor or petitioner upon the applicant, the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington DC 20555; the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555; and the Executive Secretary, U.S. Department of State, Washington, DC 20520.

The information concerning this amendment request follows.

**NRC IMPORT LICENSE AMENDMENT APPLICATION**

Name of applicant date of application	Description of material				
	Date received application number docket number	Material type	Total qty	End use	Country of origin
Perma-Fix/DSSI, Inc. February 23, 2006 .....	February 28, 2006 .....	Class A radioactive mixed waste in various forms including solids, semi-solids, and liquids.	378,000 kg mixed waste containing 1,200 curies tritium, carbon-14, mixed fission product radionuclides and other contaminants.	Amend to: (1) Increase the quantity (total activity level) of radioactive contaminants authorized for import by 800 curies or from 1,200 to 2,000 curies; and (2) extend expiration date to 3/31/2008.	Canada
IW012/02 .....	11005322 .....	.....	.....	.....	.....

Dated this 10th day of May 2006 at Rockville, Maryland.

For The Nuclear Regulatory Commission.

**Margaret M. Doane,**

*Deputy Director, Office of International Programs.*

[FR Doc. E6-7787 Filed 5-19-06; 8:45 am]

BILLING CODE 7590-01-P

responses related to the resolution of Generic Safety Issue 191 (GSI-191), PWR Sump Performance, and concerning various research activities supporting the resolution of GSI-191, including chemical effects testing. The Subcommittee will hear presentations by and hold discussions with representatives of the NRC staff, their contractors and other interested persons regarding this matter. The Subcommittee will 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. Ralph Caruso (Telephone: 301-415-8065) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted only during those portions of the meeting that are open to the public.

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 7:30 a.m. and 4:15 p.m. (ET). Persons planning to attend this meeting are urged to contact the above named

individual at least two working days prior to the meeting to be advised of any potential changes to the agenda.

Dated: May 16, 2006.

**Michael R. Snodderly,**

*Acting Branch Chief, ACRS/ACNW.*

[FR Doc. E6-7793 Filed 5-19-06; 8:45 am]

BILLING CODE 7590-01-P

**NUCLEAR REGULATORY COMMISSION**

**Advisory Committee on Reactor Safeguards; Subcommittee Meeting on Thermal-Hydraulic Phenomena; Notice of Meeting**

The ACRS Subcommittee on Thermal-Hydraulic Phenomena will hold a meeting on June 13 and 14, 2006, 11555 Rockville Pike, Rockville, Maryland, Room O-1G16.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

*Tuesday, June 13, 2006—8:30 a.m. until the conclusion of business.*

*Wednesday, June 14, 2006—8:30 a.m. until the conclusion of business.*

The Subcommittee will discuss and review reports concerning industry

**NUCLEAR REGULATORY COMMISSION**

[Docket Nos: (Redacted), License Nos: (Redacted), EA-05-090]

**In the Matter of All Licensees Authorized To Possess Radioactive Material Quantities of Concern, Order Imposing Increased Controls (Effective Immediately).**

The Licensees identified in Attachment A <sup>1</sup> to this Order hold licenses issued in accordance with the Atomic Energy Act of 1954 by the U.S. Nuclear Regulatory Commission (NRC or Commission) and authorizing them to possess certain quantities of radioactive material of concern. Commission

<sup>1</sup> Attachment A contains sensitive information and will not be released to the public.