

NUCLEAR REGULATORY COMMISSION

[Docket No. 40-7102-MLA; ASLBP No. 07-852-01-MLA-BD01]

Shieldalloy Metallurgical Corporation; Establishment of Atomic Safety and Licensing Board

Pursuant to delegation by the Commission dated December 29, 1972, published in the *Federal Register*, 37 FR 28,710 (1972), and the Commission's regulations, see 10 CFR 2.104, 2.300, 2.303, 2.309, 2.311, 2.318, and 2.321, an Atomic Safety and Licensing Board is being established to preside over the following proceeding:

Shieldalloy Metallurgical Corporation (License Amendment Request for Decommissioning the Newfield Facility)

This Board is being established pursuant to a November 9, 2006 Notice of License Amendment Request and Opportunity to Request a Hearing (71 FR 66,986 (Nov. 17, 2006)), regarding the request of Shieldalloy Metallurgical Corporation (SMC) to amend its Source Material License No. SMB-743 to authorize the decommissioning of its Newfield Facility in Newfield, New Jersey. SMC submitted its revised Decommissioning Plan (DP) by letter dated June 30, 2006, and the NRC Staff found the DP acceptable to begin a detailed technical review of its adequacy. This proceeding concerns the requests for hearing submitted by the Attorney General for the State of New Jersey, the Gloucester County Board of Chosen Freeholders, the County of Cumberland, the Residents of Newfield, New Jersey (by Terry Ragone), and Loretta Williams.

This Board is comprised of the following administrative judges:

Alan S. Rosenthal, Chair, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Dr. Richard E. Wardwell, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Dr. William Reed, Atomic Safety and Licensing Board Panel, 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 23rd day of January 2007.

E. Roy Hawkens,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-245]

Environmental Assessment and Finding of No Significant Impact Related to Exemption From the Recordkeeping Requirements of 10 CFR Part 50 for Dominion Nuclear Connecticut, Inc., License DPR-21, Millstone, Connecticut

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Environmental Assessment and Finding of No Significant Impact.

FOR FURTHER INFORMATION CONTACT: John Hickman, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Mail Stop: T7E18, Washington, DC 20555-00001. Telephone: (301) 415-3017; e-mail: jbh@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering granting a partial exemption from the recordkeeping requirements of Title 10 of the Code of Federal Regulations (10 CFR) 50.59(d)(3); 10 CFR 50.71(c); 10 CFR part 50, Appendix A Criterion 1; and 10 CFR part 50, Appendix B Criterion XVII, for the Millstone Power Station, Unit 1 (Millstone Unit 1) as requested by Dominion Nuclear Connecticut (DNC or the Licensee) on June 8, 2006. An Environmental Assessment (EA) was performed by the NRC staff in support of its review of the exemption request.

II. Environmental Assessment

Background

Millstone Unit 1 was a single-cycle, boiling water reactor with a Mark I containment which was designed, furnished and constructed by General Electric Company as the prime contractor for the licensee. The General Electric Company engaged Ebasco Services Incorporated as the architect-engineer. Millstone Unit 1 had a reactor thermal output of 2011 megawatts and

a net electrical output of 652.1 megawatts. The Millstone site is located in the town of Waterford, New London County, Connecticut, on the north shore of Long Island Sound.

Construction of Millstone Unit 1 was authorized by a provisional construction permit CPPR-20, on May 19, 1966, in AEC Docket 50-245. Millstone Unit 1 was completed and ready for fuel loading during October 1970. The plant went into commercial operation on December 28, 1970. On July 21, 1998, pursuant to 10 CFR 50.82(a)(1)(i) and 10 CFR 50.82(a)(1)(ii), the licensee certified to the NRC that, as of July 17, 1998, Millstone Unit No. 1 had permanently ceased operations and that fuel had been permanently removed from the reactor vessel. The issuance of this certification fundamentally changed the licensing basis of Millstone Unit 1 in that the NRC issued 10 CFR part 50 license no longer authorizes operation of the reactor or emplacement or retention of fuel in the reactor vessel.

Safety related structures, systems, and components (SSCs) and SSCs important to safety remaining at Millstone Unit 1 are associated with the spent fuel pool island where the Millstone Unit 1 spent fuel is stored. Other than non-essential systems supporting the balance of plant facilities, the remaining plant equipment has been de-energized, disabled and abandoned in place or removed from the unit and can no longer be used for power generation.

This EA has been developed in accordance with the requirements of 10 CFR 51.21.

Proposed Action

DNC is requesting an exemption from the record retention requirements of: (1) 10 CFR 50.59(d)(3), which requires certain records be maintained until "termination of a license issued pursuant to" Part 50; (2) 10 CFR 50.71(c) which requires that records required by the regulations, by license condition, or by technical specifications must be retained for the period specified by the appropriate regulation, license condition, or technical specification or if a retention period is not otherwise specified, these records must be retained until the Commission terminates the facility license; (3) 10 CFR Part 50 Appendix A Criterion 1, which requires certain records be retained "throughout the life of the unit"; and (4) 10 CFR Part 50 Appendix B Criterion XVII, which requires certain records be retained consistent with regulatory requirements for a duration established by the licensee.

DNC proposes to eliminate record retention requirements for Millstone