

telephone at 1-800-397-4209, 301-415-4737, or by e-mail to *pdr@nrc.gov*.

Dated at Rockville, Maryland this 6th day of April, 2007.

For the Nuclear Regulatory Commission.

**Charles L. Miller,**

*Director, Office of Federal and State Materials and Environmental Management Programs.*

[FR Doc. E7-7208 Filed 4-13-07; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-255; Renewed License No. DPR-20]

### In the Matter of Consumers Energy Company Nuclear Management Company (Palisades Nuclear Plant); Order Approving Transfer of License and Conforming Amendment

#### I.

Consumers Energy Company (Consumers) and Nuclear Management Company, LLC (NMC) are holders of Renewed Facility Operating License No. DPR-20, which authorizes the possession, use, and operation of Palisades Nuclear Plant (Palisades). Consumers is authorized to possess and use, and NMC is authorized to possess, use, and operate Palisades. The facility is located at the licensee's site in Van Buren County, Michigan.

#### II.

By letter dated August 31, 2006, Consumers, NMC, Entergy Nuclear Palisades, LLC (ENP), and Entergy Nuclear Operations, Inc. (ENO) (collectively, "the applicants") submitted an application to the U.S. Nuclear Regulatory Commission (NRC or Commission) requesting approval of the direct transfer of Renewed Facility Operating License No. DPR-20 from Palisades to ENP. The application is in connection with the sale of Consumer's ownership interest (100 percent) in Palisades to ENP, and the related transfer of operating authority for the facility from NMC to ENO.

Supplemental information was provided by letters dated December 15, 2006, and March 1 and April 4, 2007 (hereinafter, the August 31 application and December 15, 2006, and March 1 and April 4, 2007, supplemental information will be referred to collectively as the "application"). The applicants also requested approval of a conforming license amendment that would replace references to Consumers and NMC in the license with references to ENP and ENO to reflect the transfer of ownership, and would revise

paragraph 1.B in the license to be consistent with paragraph 2 regarding the disposition of the Provisional Operating License. No physical changes to the facilities or operational changes were proposed in the application. After completion of the proposed transfer, ENP and ENO would be the owner and operator, respectfully, of the facility.

Approval of the transfer of the facility operating license and conforming license amendment is requested by the applicants pursuant to Sections 50.80 and 50.90 of Title 10 of the *Code of Federal Regulations* (10 CFR). Notice of the request for approval and opportunity for a hearing were published in the **Federal Register** on November 16, 2006 (71 FR 66805). No comments were received. A petition for leave to intervene pursuant to 10 CFR 2.309 was received on December 5, 2006, from the Van Buren County, Covert Township, Covert Public Schools, Van Buren County Intermediate School District, Van Buren County District Library, Lake Michigan College, and South Haven Hospitals. A second petition for leave to intervene pursuant to 10 CFR 2.309 was received on December 6, 2006, from Michigan Environmental Council and Public Interest Research Group. The petitions are under consideration by the Commission.

Pursuant to 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. Upon review of the information in the application and other information before the Commission, and relying upon the representations and agreements contained in the application, the NRC staff has determined that ENP is qualified to hold the ownership interests in the facility previously held by Consumers, and ENO is qualified to hold the operating authority under the license, and that the transfer of ownership interests and the operating interests in the facility to ENP and ENO, respectively, described in the application is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission, subject to the conditions set forth below. The NRC staff has further found that the application for the proposed license amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I; the facility will operate in conformity with the applications, the provisions of the Act,

and the rules and regulations of the Commission; there is reasonable assurance that the activities authorized by the proposed license amendment can be conducted without endangering the health and safety of the public and that such activities will be conducted in compliance with the Commission's regulations; the issuance of the proposed license amendment will not be inimical to the common defense and security or to the health and safety of the public; and the issuance of the proposed amendment will be in accordance with 10 CFR part 51 of the Commission's regulations and all applicable requirements have been satisfied.

The findings set forth above are supported by NRC safety evaluations dated April 6, 2007.

#### III.

Accordingly, pursuant to Sections 161b, 161i, and 184 of the Act, 42 U.S.C. Sections 2201(b), 2201(i), and 2234; and 10 CFR 50.80, *it is hereby ordered* that the transfer of the license, as described herein, to ENP and ENO is approved, subject to the following condition:

Prior to completion of the transfer of the license, Entergy shall provide the Director of the Office of Nuclear Reactor Regulation satisfactory documentary evidence that it has obtained the appropriate amount of insurance required of a licensee under 10 CFR part 140 of the Commission's regulations.

*It is further ordered* that, consistent with 10 CFR 2.1315(b), the license amendment that makes changes, as indicated in Enclosure 2 to the cover letter forwarding this Order, to conform the license to reflect the subject direct license transfer is approved. The amendment shall be issued and made effective at the time the proposed direct license transfer is completed.

*It is further ordered* that ENP and ENO shall inform the Director of the Office of Nuclear Reactor Regulation in writing of the date of closing of the transfer of the Consumers and NMC interests in Palisades, at least 1 business day prior to closing. Should the transfer of the license not be completed within one year of this Order's date of issue, this Order shall become null and void, provided; however, that upon written application and for good cause shown, such date may be extended by order.

This Order is effective upon issuance.

For further details with respect to this Order, see the initial application dated August 31, 2006, as supplemented by letters dated December 15, 2006, and March 1 and April 4, 2007, and the non-proprietary safety evaluation dated April 6, 2007, which are available for

public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike, Room O-1 F21 (First Floor), Rockville, Maryland and 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 at [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 6th day of April 2007.

For the Nuclear Regulatory Commission.

**J.E. Dyer,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. E7-7210 Filed 4-13-07; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

### Notice of Sunshine Act Meetings

**DATE:** Week of April 9, 2007.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

**ADDITIONAL MATTERS TO BE CONSIDERED:**

#### Week of April 9, 2007

*Wednesday, April 11, 2007*

10:15 a.m. Affirmation Session (Public Meeting).

a. Final Rule to Update 10 CFR Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants" (RIN AG24).

b. Entergy Nuclear Vermont Yankee, LLC, and Entergy Nuclear Operations, Inc. (Vermont Yankee Nuclear Power Station) Docket No. 50-271-LR, LBP-06-20, 64 NRC 131, 175-82 (2006).

#### Week of April 16, 2007—Tentative

*Tuesday, April 17, 2007*

12:55 p.m. Affirmation Session (Public Meeting).

a. Final Rulemaking—10 CFR Part 26—Fitness-for-Duty Programs (Tentative).

b. Final Rulemaking on Limited Work Authorizations (Tentative).

\* \* \* \* \*

\* The schedule for Commission meetings is subject to change on short

notice. To verify the status of meetings call (recording)—(301) 415-1292.

Contact person for more information: Michelle Schroll, (301) 415-1662.

\* \* \* \* \*

### Additional Information

By a vote of 5-0 on April 10, 2007, the Commission determined pursuant to U.S.C. 552b(e) and § 9.107(a) of the Commission's rules that "Affirmation of Final Rule to Update 10 CFR Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants (RIN AG24)" be held April 11, 2007, and on less than one week's notice to the public.

By a vote of 4-1 on April 10, 2007, the Commission determined pursuant to U.S.C. 552b(e) and § 9.107(a) of the Commission's rules that "Affirmation of Entergy Nuclear Vermont Yankee, LLC, and Entergy Nuclear Operations, Inc. (Vermont Yankee Nuclear Power Station) Docket No. 50-271-LR, LBP-06-20, 64 NRC 131, 175-82 (2006)" be held on April 11, 2007, and on less than one week's notice to the public. This item was previously scheduled for affirmation on Tuesday, April 17, 2007, at 12:55 p.m.

\* \* \* \* \*

The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/what-we-do/policy-making/schedule.html>.

\* \* \* \* \*

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g. braille, large print), please notify the NRC's Disability Program Coordinator, Deborah Chan, at 301-415-7041, TDD: 301-415-2100, or by e-mail at [DLC@nrc.gov](mailto:DLC@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

\* \* \* \* \*

This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [dkw@nrc.gov](mailto:dkw@nrc.gov).

Dated: April 10, 2007.

**R. Michelle Schroll,**

*Office of the Secretary.*

[FR Doc. 07-1886 Filed 4-12-07; 12:37 pm]

**BILLING CODE 7590-01-P**

## NUCLEAR WASTE TECHNICAL REVIEW BOARD

### Board Meeting

*Board meeting:* May 15, 2007—Arlington, VA; The U.S. Nuclear Waste Technical Review Board will meet to discuss U.S. Department of Energy activities related to the possible development of a repository for spent nuclear fuel and high-level radioactive waste at Yucca Mountain in Nevada.

Pursuant to its authority under section 5051 of Public Law 100-203, Nuclear Waste Policy Amendments Act of 1987, the U.S. Nuclear Waste Technical Review Board will meet in Arlington, Virginia, on Tuesday, May 15, 2007. The Board was created in the Nuclear Waste Policy Amendments Act of 1987 and charged with performing an independent review of the technical and scientific validity of U.S. Department of Energy (DOE) activities related to disposing of, packaging, and transporting spent nuclear fuel and high-level radioactive waste.

At the May meeting, the Board will discuss several topics, including the use of depleted uranium oxide, a drilling program carried out by Inyo County in California, waste package designs, DOE's saturated zone model, near-field chemistry, probabilistic volcanic hazards analysis, and Global Nuclear Energy Partnership.

A final meeting agenda will be available on the Board's Web site ([www.nwtrb.gov](http://www.nwtrb.gov)) approximately one week before the meeting date. The agenda also may be obtained by telephone request at that time. The meeting will be open to the public, and opportunities for public comment will be provided.

The meeting will be held at the Crowne Plaza Hotel; 1480 Crystal Drive; Arlington, Virginia 22202; (tel) 703-416-1600; (fax) 703-416-1651.

The meeting will begin at 8 a.m. with an overview of the Yucca Mountain program. Presentations on the use of depleted uranium oxide as a chemical barrier, Inyo County's drilling program, and the second-generation waste package design will follow. After lunch, the Board will be briefed on waste streams and disposition options related to DOE's Global Nuclear Energy Partnership, Sandia National Laboratory's saturated zone model for