

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Attendees will be requested to sign a register and to comply with NASA security requirements, including the presentation of a valid picture ID, before receiving an access badge. Foreign nationals attending this meeting will be required to provide the following information no less than 5 working days prior to the meeting: Full name; gender; date/place of birth; citizenship; visa/green card information (number, type, expiration date); passport information (number, country, expiration date); employer/affiliation information (name of institution, address, country, telephone); title/position of attendee. To expedite admittance, attendees with U.S. citizenship can provide identifying information 5 working days in advance by contacting Marian Norris via e-mail at mnorris@nasa.gov or by telephone at (202) 358-4452.

Dated: May 10, 2007.

P. Diane Rausch,

*Advisory Committee Management Officer,
National Aeronautics and Space
Administration.*

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-271-LR; ASLBP No. 06-849-03-LR]

Atomic Safety and Licensing Board; In the Matter of Entergy Nuclear Vermont Yankee, L.L.C., and Entergy Nuclear Operations, Inc. (Vermont Yankee Nuclear Power Station); Notice of Hearing (Application for License Renewal)

May 11, 2007.

Before Administrative Judges: Alex S. Karlin, Chairman, Dr. Richard E. Wardwell, Dr. Thomas S. Elleman.

This proceeding concerns the January 25, 2006, application of Entergy Nuclear Vermont Yankee, L.L.C., and Entergy Nuclear Operations, Inc. (collectively, Entergy), to renew the operating license for the Vermont Yankee Nuclear Power Station in Windham County, Vermont (Operating License No. DPR-28). Entergy seeks to extend this license for an additional twenty years beyond the current expiration date of March 21, 2012. On March 27, 2006, the Commission published a notice of acceptance for docketing of the Entergy renewal application and a notice of opportunity to request a hearing on the

application. 71 FR 15,220 (Mar. 27, 2006). Requests for hearings and petitions to intervene were filed on or before May 26, 2006, by four entities: The Vermont Department of Public Service (DPS), the Attorney General of the Commonwealth of Massachusetts, the Town of Marlboro, Vermont, and the New England Coalition (NEC). On June 14, 2006, this Atomic Safety and Licensing Board was established to conduct this adjudication. 71 FR 34,397 (June 14, 2006).

On August 1 and 2, 2006, the Board heard oral argument from the petitioners, Entergy, and the NRC Staff in Brattleboro, Vermont, relating to the admissibility of the proposed contentions. The standing of the petitioners to intervene was uncontested. On September 22, 2006, the Board issued a Memorandum and Order admitting contentions submitted by DPS and NEC, thereby granting two of the requests for a hearing and admitting DPS and NEC as parties to the proceeding. LBP-06-20, 64 NRC 131, 143 (2006). At the same time, the Board also granted these two organizations' requests to adopt one another's contentions under 10 CFR 2.309(f)(3). On November 17, 2006, the Board granted the request by the State of New Hampshire to participate in this proceeding as an interested state under 10 CFR 2.315(c).

In light of the foregoing, please take notice that an evidentiary hearing will be conducted in this proceeding. Subject to a Board determination regarding any request to employ formal hearing procedures under 10 CFR part 2, subpart G or expedited hearing procedures under 10 CFR part 2, subpart N, see 10 CFR 2.310, the evidentiary hearing on all admitted contentions will be governed by the informal hearing procedures set forth in 10 CFR part 2, subpart L, 10 CFR 2.1200-2.1213. During the course of the proceeding, the Board may also hear oral arguments as provided in 10 CFR 2.331, may hold various prehearing conferences pursuant to 10 CFR 2.329, and may conduct evidentiary hearings in accordance with 10 CFR 2.1206-2.1208. These may be held via teleconference, video-conference, and/or in person. The public may attend any oral argument, prehearing conference, or evidentiary hearing. Notices of these sessions will be published in the **Federal Register** and/or made available to the public at the NRC Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and through the NRC Web site, <http://www.nrc.gov>.

Additionally, as provided in 10 CFR 2.315(a), any "person who is not a party" to the proceeding may submit a written limited appearance statement. Limited appearance statements do not constitute evidence, but they are placed in the docket for the hearing and provide members of the public with an opportunity to make the Board and/or the parties aware of their concerns about matters at issue in the proceeding. A written limited appearance statement can be submitted at any time and should be sent to the Office of the Secretary using one of the following methods: (1) *Mail* to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, with a copy to the Chairman of this Licensing Board at Mail Stop T-3F23, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; (2) *e-mail* to the Office of the Secretary at hearingdocket@nrc.gov, with a copy to the Board Chairman (*c/o* Marcia Carpentier, mx7@nrc.gov); or (3) *fax* to the Office of the Secretary at 301-415-1101 (facsimile verification number: 301-415-1966), with a copy to the Board Chairman at 301-415-5599 (facsimile verification number: 301-415-7550).

At a later date, the Board may, at its discretion, hear oral limited appearance statements at a location in the vicinity of the Vermont Yankee facility. Notice of any oral limited appearance sessions will be published in the **Federal Register** and/or made available to the public at the NRC PDR and on the NRC Web site, <http://www.nrc.gov>.

The deadline for this Board's receipt of limited appearance statements (written or oral) will be the day preceding the commencement of the evidentiary hearing. The evidentiary hearing will occur after the NRC Staff issues its final environmental report and final safety evaluation report on this application. Thus, the evidentiary hearing has not yet been specifically scheduled, but will probably commence in early 2008.

Documents relating to this proceeding are available for public inspection at the Commission's PDR or electronically from the publicly available records component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). 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 or 301-415-4737, or by e-mail at pdr@nrc.gov.

It is so ordered.

Dated: May 11, 2007.

For the Atomic Safety and Licensing Board.¹

Alex S. Karlin,

Chairman, Administrative Judge, Rockville, Maryland.

[FR Doc. E7-9524 Filed 5-16-07; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 030-19324]

Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment to Byproduct Materials License No. 25-19852-01 For Unrestricted Release Of Building 7 of the Glaxosmithkline Biologicals-Hamilton Facility in Hamilton, MT

AGENCY: Nuclear Regulatory Commission.

ACTION: Issuance of environmental assessment and finding of no significant impact for license amendment.

FOR FURTHER INFORMATION CONTACT:

Janine F. Katanic, Ph.D., Health Physicist, Nuclear Materials Inspection Branch, Division of Nuclear Materials Safety, Region IV, U.S. Nuclear Regulatory Commission, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011; telephone: (817) 860-8151; fax number: (817) 860-8188; or by e-mail: jfk@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to Byproduct Materials License No. 25-19852-01. The license is held by GlaxoSmithKline Biologicals-Hamilton (the Licensee), for its Hamilton facility (the Facility), located at 553 Old Corvallis Road in Hamilton, Montana. Issuance of the amendment would authorize release of Building 7 of the Facility for unrestricted use. The Licensee requested this action in a letter dated June 8, 2006. 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 with respect to the proposed action. The amendment will be issued to the Licensee following the publication of this FONSI and EA in the **Federal Register**.

II. Environmental Assessment

Identification of Proposed Action

The proposed action would approve the Licensee's June 8, 2006, license amendment request, resulting in the release of Building 7 of the Facility for unrestricted use. License No. 25-19852-01 was issued on June 24, 1988, pursuant to 10 CFR Part 30, and has been amended periodically since that time. This license authorizes the Licensee to possess and use small quantities of byproduct material, in both sealed and unsealed form, for laboratory research in immunological and biochemical studies. Additionally, the license authorizes the Licensee to possess and use a self-shielded irradiator device and to possess and use sealed sources for the purposes of performing instrument calibration.

The Facility is situated on 35 acres (14 hectares) and consists of a main building comprised of office space and laboratories as well as several smaller buildings used for various purposes. The Facility is located in a mixed residential/commercial area. The Licensee's June 8, 2006, license amendment request specifically addressed the release of Building 7 of the Facility for unrestricted use. Building 7 was constructed of filled concrete block walls set on a concrete floor, and its dimensions were 30 feet (9.1 meters) long by 15 feet (4.6 meters) wide and 8 feet (2.4 meters) in height. The building had a filled concrete block wall down the center which separated the building into an East Room and a West Room. Each room had a separate entry door on the south side of the building. Within Building 7, licensed materials were confined to the East Room. The East Room was an area of approximately 15 feet (4.6 meters) by 13 feet (4 meters) and had been used by the Licensee for the storage of licensed materials.

On May 30, 2006, the Licensee ceased licensed activities in Building 7 and initiated a survey and decontamination of the East Room of Building 7. Based on the Licensee's historical knowledge of the site and the conditions of the East Room of Building 7, the Licensee

determined that only routine decontamination activities, in accordance with their radiation safety procedures, were required. The Licensee was not required to submit a decommissioning plan to the NRC. The Licensee conducted surveys of the East Room of Building 7 and provided information to the NRC to demonstrate that it meets the criteria in Subpart E of 10 CFR Part 20 for unrestricted release.

Need for the Proposed Action

The Licensee has ceased conducting licensed activities in Building 7 of the Facility and seeks the unrestricted use of Building 7.

Environmental Impacts of the Proposed Action

The historical review of licensed activities conducted at Building 7 of the Facility shows that such activities involved use of the following radionuclides with half-lives greater than 120 days: hydrogen-3, carbon-14, and calcium-45. Prior to performing the final status survey, the Licensee conducted decontamination activities, as necessary, in the areas of Building 7 affected by these radionuclides.

The Licensee conducted a final status survey during May-June 2006. This survey covered the East Room of Building 7. The final status survey report was attached to the Licensee's amendment request dated June 8, 2006. NRC regulation 10 CFR 20.1402, Radiological Criteria for Unrestricted Use, states in part that a site will be considered acceptable for unrestricted use if the residual radioactivity that is distinguishable from background radiation results in a total effective dose equivalent not to exceed 25 millirem per year (0.25 milliSieverts per year) to an average member of the critical group (the group of individuals reasonably expected to receive the greatest exposure to residual radioactivity for any applicable set of circumstances). The Licensee elected to demonstrate compliance with the radiological criteria for unrestricted release as specified in 10 CFR 20.1402 by referencing Regulatory Guide 1.86, Table 1, Acceptable Surface Contamination Levels, and NUREG-1556, Volume 11, Table S.5, Acceptable Surface Contamination Levels. Both tables provide a maximum contamination limit for uncontrolled release of facilities. Because these values were not dose-based calculations as required by the license termination rule in 10 CFR Part 20, they were compared to the screening values documented in NUREG-1757, Volume 1, Revision 1, Consolidated NMSS

¹ Copies of this order were sent this date by Internet e-mail transmission to counsel for (1) licensees Entergy Nuclear Vermont Yankee, L.L.C., and Entergy Nuclear Operations, Inc.; (2) intervenors Vermont Department of Public Service and New England Coalition of Brattleboro, Vermont; (3) the Staff and (4) the State of New Hampshire.