

the same 24-month reference period. ETA uses only official unemployment estimates provided by the Bureau of Labor Statistics in making these classifications. The average unemployment rate for all states includes data for the Commonwealth of Puerto Rico. The LSA classification criteria stipulate a civil jurisdiction must have a “floor unemployment rate” of 6 percent or higher to be classified a LSA. Any civil jurisdiction that has a “ceiling unemployment rate” of 10 percent or higher is classified a LSA.

Civil jurisdictions are defined as follows:

1. A city of at least 25,000 population on the basis of the most recently available estimates from the Bureau of the Census; or
2. A town or township in the States of Michigan, New Jersey, New York, or Pennsylvania of 25,000 or more population and which possess powers and functions similar to those of cities; or
3. All counties, except for those counties which contain any type of civil jurisdictions defined in “1” or “2” above; or
4. A “balance of county” consisting of a county less any component cities and townships identified in “1” or “2” above; or
5. A county equivalent which is a town in the States of Connecticut, Massachusetts, and Rhode Island, or a municipio in the Commonwealth of Puerto Rico.

Procedures for Classifying Labor Surplus Areas

The Department of Labor (DOL) issues the LSA list on a fiscal year basis. The list becomes effective each October 1, and remains in effect through the following September 30. The reference period used in preparing the current list was January 2017 through December 2018. The national average unemployment rate (including Puerto Rico) during this period is rounded to 4.34 percent. Twenty percent higher than the national unemployment rate during this period is rounded to 5.21 percent. Since the calculated unemployment rate plus 20 percent (5.21 percent) is below the “floor” LSA unemployment rate of 6 percent, a civil jurisdiction must have a two-year unemployment rate of 6 percent or higher in order to be classified a LSA. To ensure that all areas classified as labor surplus meet the requirements, when a city is part of a county and meets the unemployment qualifier as a LSA, that city is identified in the LSA list, the balance of county, not the entire county, will be identified as a LSA if the

balance of county also meets the LSA unemployment criteria. The FY 2019 LSA list, statistical data on the current and previous years’ LSAs are available at <http://www.doleta.gov/programs/lsa.cfm>.

Petition for Exceptional Circumstance Consideration

The classification procedures also provide criteria for the designation of LSAs under exceptional circumstances criteria. These procedures permit the regular classification criteria to be waived when an area experiences a significant increase in unemployment which is not temporary or seasonal and which was not reflected in the data for the 2-year reference period. Under the program’s exceptional circumstance procedures, LSA classifications can be made for civil jurisdictions, Metropolitan Statistical Areas or Combined Statistical Areas, as defined by the U.S. Office of Management and Budget. In order for an area to be classified as a LSA under the exceptional circumstance criteria, the state workforce agency must submit a petition requesting such classification to the Department of Labor’s ETA. The current criteria for an exceptional circumstance classification are:

1. An area’s unemployment rate is at least 6 percent for each of the three most recent months;
2. A projected unemployment rate of at least 6 percent for each of the next 12 months because of an event; and
3. Documentation that the exceptional circumstance event has occurred. The state workforce agency may file petitions on behalf of civil jurisdictions, Metropolitan Statistical Areas, or Micropolitan Statistical Areas.

State Workforce Agencies may submit petitions in electronic format to wright.samuel.e@dol.gov, or in hard copy to the U.S. Department of Labor, Employment and Training Administration, Office of Workforce Investment, 200 Constitution Avenue NW, Room C-4514, Washington, DC 20210, Attention Samuel Wright. Data collection for the petition is approved under OMB 1205-0207, expiration date July 31, 2020.

Signed at Washington, DC,

John Pallasch,

Assistant Secretary for Employment and Training Administration.

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NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

National Council on the Arts 198th Meeting

AGENCY: National Endowment for the Arts.

ACTION: Notice of meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, as amended, notice is hereby given that a meeting of the National Council on the Arts will be held. Open to the public on a space available basis.

DATES: See the **SUPPLEMENTARY INFORMATION** section for meeting time and date. The meeting is Eastern time and the ending time is approximate.

ADDRESSES: The Phillips Collection Museum, 1600 21st Street NW, Washington, DC 20009.

FOR FURTHER INFORMATION CONTACT: Victoria Hutter, Office of Public Affairs, National Endowment for the Arts, Washington, DC 20506, at 202/682-5570.

SUPPLEMENTARY INFORMATION: If, in the course of the open session discussion, it becomes necessary for the Council to discuss non-public commercial or financial information of intrinsic value, the Council will go into closed session pursuant to subsection (c)(4) of the Government in the Sunshine Act, 5 U.S.C. 552b, and in accordance with the September 10, 2019 determination of the Chairman. Additionally, discussion concerning purely personal information about individuals, such as personal biographical and salary data or medical information, may be conducted by the Council in closed session in accordance with subsection (c) (6) of 5 U.S.C. 552b.

Any interested persons may attend, as observers, to Council discussions and reviews that are open to the public. If you need special accommodations due to a disability, please contact Beth Bienvenu, Office of Accessibility, National Endowment for the Arts, Constitution Center, 400 7th St. SW, Washington, DC 20506, 202/682-5733, Voice/T.T.Y. 202/682-5496, at least seven (7) days prior to the meeting.

The upcoming meeting is:

National Council on the Arts 198th Meeting

This meeting will be open.

Date and time: October 25, 2019; 9:30 a.m. to 12:00 p.m.

There will be opening remarks and voting on recommendations for grant funding and rejection, followed by

updates from the NEA Chairman and guest presentations.

Dated: October 3, 2019.

Sherry Hale,

Staff Assistant, National Endowment for the Arts.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-18 and 50-183; NRC-2019-0082]

GE Hitachi Nuclear Energy; Vallecitos Nuclear Center, Vallecitos Boiling Water Reactor and Empire State Atomic Development Agency; Vallecitos Experimental Superheat Reactor

AGENCY: Nuclear Regulatory Commission.

ACTION: Environmental assessment and finding of no significant impact; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing an environmental assessment (EA) and finding of no significant impact (FONSI) regarding a partial site release for license Nos. DPR-1 (Vallecitos Boiling Water Reactor) and DR-10 (Empire State Atomic Development Agency Vallecitos Experimental Superheat Reactor), issued to GE Hitachi Nuclear Energy at the Vallecitos Nuclear Center in Sunol, California.

DATES: The EA and FONSI set forth in this document is available on October 9, 2019.

ADDRESSES: Please refer to Docket ID NRC-2019-0082 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov/> and search for Docket ID NRC-2019-0082. Address questions about NRC docket IDs in *Regulations.gov* to Jennifer Borges; telephone: 301-287-9127; email: Jennifer.Borges@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select

“*Begin Web-based ADAMS Search.*” For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Jack Parrott, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-00001; telephone: 301-415-6634; email: Jack.Parrott@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC received, by letter dated December 14, 2018 (ADAMS Accession No. ML18348A425), a request from GE Hitachi Nuclear Energy (GEH or licensee) to approve a partial site release of a non-impacted portion of its Vallecitos Nuclear Center (VNC) site located at 6705 Vallecitos Road, Sunol, California. The December 14, 2018 letter transmitted a report, entitled “Evaluation for Unconditional Release of Route 84 Frontage of VNC Site,” prepared by GEH evaluating the proposed release. The information in the request letter was supplemented by information provided in a letter dated February 26, 2019 (ADAMS Accession No. ML19057A466).

The VNC site contains two shutdown power reactor units licensed under part 50, “Domestic Licensing of Production and Utilization Facilities,” of title 10 of the *Code of Federal Regulations* (10 CFR). These two units are the Vallecitos Boiling Water Reactor (VBWR), NRC License DPR-1, Docket 50-18, and the Empire State Atomic Development Agency Vallecitos Experimental Superheat Reactor (EVESR), NRC License DR-10, Docket 50-183. In accordance with 10 CFR 50.4(b)(8)-(9), the licensee has certified, pursuant to 10 CFR 50.82(a)(1), that both units have permanently ceased operation and that all nuclear fuel has been removed from the respective reactor vessels of both units. These units are presently in “SAFSTOR”¹ status awaiting the

¹ SAFSTOR is the decommissioning method in which a nuclear facility is placed and maintained in a condition that allows the safe storage of radioactive components of the nuclear plant and subsequent decontamination to levels that permit license termination.

termination of the power reactor licenses.

In accordance with 10 CFR 50.83, “Release of Part of a Power Reactor Facility or Site for Unrestricted Use,” the licensee requested release from the NRC licenses, for unrestricted use, an approximately 2.8-hectare (7-acre) irregularly shaped parcel along the southern edge of the VNC site. The licensee is declaring the parcel as a “non-impacted area,” which is defined in 10 CFR 50.2 to mean an area “with no reasonable potential for residual radioactivity in excess of natural background or fallout levels.” If approved, the 2.8-hectare (7-acre) parcel will no longer be considered part of the licensed site and thus, no longer under NRC jurisdiction. Once released, the 2.8-hectare (7-acre) parcel will be available for unrestricted use. In this regard, GEH intends to make this irregularly shaped parcel a construction easement along State Route 84 (Vallecitos Road) available to Alameda County Transportation Commission (ACTC) to support road development and widening of Vallecitos Road.

The NRC is considering approval of the requested partial site release for the VBWR and EVESR licenses at the VNC site. Therefore, in compliance with the National Environmental Policy Act, as amended, 42 U.S.C. 4321 *et seq.* (NEPA), and its NEPA implementing regulations in 10 CFR part 51, the NRC has prepared this environmental assessment (EA). In accordance with 10 CFR 50.83(b)(5), if an environmental impact statement (EIS) had been previously prepared, then the licensee would have been required to discuss whether the environmental impacts associated with the proposed partial site release were bounded by a previous EIS. If those impacts were bounded, then the preparation of an EA would not be necessary. However, because the VNC site was licensed prior to the enactment of NEPA, no EIS was prepared when the VNC site was first licensed, and there is no other appropriate EIS that could bound these impacts. Therefore, the NRC has prepared an EA for this proposed action. Based on the results of the EA that follows, the NRC has determined not to prepare an EIS for the partial site release and is issuing a finding of no significant impact (FONSI).

II. Environmental Assessment

Description of the Proposed Action

The proposed action would approve the release of a 2.8-hectare (7-acre), non-impacted parcel, located along the southern boundary of the VNC site, for