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Signed at Washington, DC, This 17th Day of July 2002.

Carl J. Poleskey,

Chief, Branch of Construction Wage Determinations.

[FR Doc. 02-18523 Filed 7-25-02; 8:45 am]

BILLING CODE 4510-27-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 02-092]

NASA Advisory Council, Aerospace Technology Advisory Committee, Aviation Safety Reporting System Subcommittee; Meeting

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Public

Law 92-463, as amended, the National Aeronautics and Space Administration announces a NASA Advisory (NAC) Council, Aerospace Technology Advisory Committee (ATAC), Aviation Safety Reporting System Subcommittee meeting (ASRSS).

DATES: Wednesday, September 25, 2002, 9 a.m. to 5 p.m.

ADDRESSES: General Aviation Manufacturers Association, 1400 K Street NW., Suite 801, Washington, DC 20005.

FOR FURTHER INFORMATION CONTACT: Ms. Linda Connell, National Aeronautics and Space Administration, Ames Research Center, Moffett Field, CA 94035, 650/960-6059.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public up to the seating capacity of the room. Agenda topics for the meeting are as follows:

- Report on Aviation Safety Reporting System
- Future Planning for ASRS

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitors register.

Dated: July 22, 2002.

Sylvia K. Kraemer,

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

[FR Doc. 02-19015 Filed 7-25-02; 8:45 am]

BILLING CODE 7510-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 150-00004-CivP (EA 01-271), and ASLBP No. 02-802-01-CivP]

Decisive Testing, Inc.; 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 Sections 2.205, 2.700, 2.702, 2.714, 2.714a, 2.717, 2.721, and 2.772(j) of the Commission's Regulations, all as amended, an Atomic Safety and Licensing Board is being established to preside over the following proceeding: Decisive Testing, Inc., San Diego, California, Order Imposing Civil Monetary Penalty.

This Board is being established pursuant to the request of Decisive Testing, Inc., for a hearing regarding an order issued by the NRC staff, dated June 11, 2002, entitled "Order Imposing Civil Monetary Penalty" (67 FR 41,741 (June 19, 2002)).

The Board is comprised of the following administrative judges:

Ivan Smith, Chairman, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001;
Dr. Peter S. Lam, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001;
Thomas D. Murphy, 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 Panel Judges in accordance with 10 CFR § 2.701.

Issued at Rockville, Maryland, this 22nd day of July, 2002.

G. Paul Bollwerk III,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 02-18969 Filed 7-25-02; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 72-25]

Foster Wheeler Environmental Corporation's Proposed Idaho Spent Fuel Facility; Notice of Intent To Prepare an Environmental Impact Statement and Conduct Scoping Process

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of Intent (NOI).

SUMMARY: Foster Wheeler Environmental Corporation (FWENC) submitted a license application on November 19, 2001 (67 FR 43358, June 27, 2002) for the receipt, possession, storage and transfer of spent nuclear fuel (SNF) and other radioactive materials associated with SNF at its proposed Idaho Spent Fuel Facility, an independent spent fuel storage installation (ISFSI), to be located on the Idaho National Engineering and Environmental Laboratory (INEEL) site in Butte County, Idaho. The license application will be considered under the provisions of NRC regulations at 10 CFR part 72. If granted, the license will authorize the applicant to store SNF in a dry storage system at the applicant's Idaho Spent Fuel Facility site.

Additionally, in accordance with Nuclear Regulatory Commission (NRC) regulations at 10 CFR part 51 and the National Environmental Policy Act (NEPA), an environmental impact statement (EIS) is being prepared to

examine the potential environmental impacts of the proposed licensing action (*i.e.* to construct and operate an ISFSI, including transfer of certain SNF from wet storage to dry interim storage pending its final transfer to a geologic repository).

At this time, the NRC is soliciting public comments on the scope of this EIS. Scoping is an early and open process designed to determine the range of actions, alternatives, and potential impacts to be considered in the EIS, and to identify the significant issues related to the proposed action. It is intended to solicit input from the public and other agencies so that the analysis can be more clearly focused on issues of genuine concern. Please see supplementary information for more details.

DATES: The public scoping process required by NEPA begins with publication of this NOI in the **Federal Register** and continues until September 16, 2002. Written comments submitted by mail should be postmarked by that date to ensure consideration. Comments mailed after that date will be considered to the extent practical. Comments will also be accepted by electronic or facsimile submission.

ADDRESSES: Members of the public are invited and encouraged to submit comments to the Chief, Rules and Directives Branch, Mail Stop T6-D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Please note Docket No. 72-25 when submitting comments. Due to the current mail situation in the Washington, DC area, commentors are encouraged to send comments electronically to isffacility@nrc.gov or by facsimile to (301) 415-5398, ATTN: Matt Blevins.

FOR FURTHER INFORMATION CONTACT: For environmental review questions, please contact Matt Blevins at (301) 415-7684, e-mail: mxsb6@nrc.gov. For questions related to the safety review or licensing of the Idaho Spent Fuel Facility, please contact Randall Hall at (301) 415-1336.

Availability of Documents for Review: Information and documents associated with the Idaho Spent Fuel Facility project, including the Environmental Report submitted on November 19, 2001, and the License Application, may be obtained from the Internet on NRC's Idaho Spent Fuel Facility Web page: <http://www.nrc.gov/waste/spent-fuel-storage.html> (case sensitive). In addition, documents are available for public review through our electronic reading room: <http://www.nrc.gov/reading-rm.html>. Documents may also be obtained from NRC's Public Document Room located at U.S. Nuclear

Regulatory Commission Headquarters, 11555 Rockville Pike (first floor), Rockville, Maryland.

SUPPLEMENTARY INFORMATION:

1.0 Background

During the last 40 years, the U.S. Department of Energy (DOE) and its predecessor agencies have generated, transported, received, stored, and reprocessed SNF at DOE facilities nationwide. Part of this SNF originated from non-DOE domestic, licensed facilities, including training, research, and test reactors at universities, commercial reactors, and government-owned installations for which DOE has contractual obligations to accept SNF. Most of this SNF is in wet storage at a site that overlies the Snake River Plain Aquifer, a major water source for the region. Among the SNF stored by DOE at the INEEL is SNF resulting from operation of the Peach Bottom Unit 1 nuclear power reactor, which was licensed by the Atomic Energy Commission and operated between 1966 and 1974. A Settlement Agreement dated October 17, 1995, between the DOE, the U.S. Navy, and the State of Idaho requires the transfer and dry storage of this SNF until it can be removed from Idaho. As part of its compliance with the Settlement Agreement, the DOE contracted with FWENC to design, license, construct, and operate the Idaho Spent Fuel Facility ISFSI at the INEEL to provide interim dry storage for a portion of the SNF covered by the Settlement Agreement.

DOE has previously issued a Record of Decision (60 FR 28680) pertaining to its SNF management program. DOE's decisions were based in part on the information and analyses contained in the final Environmental Impact Statement, "*Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs Environmental Impact Statement, DOE/EIS-0203-F*." Volume 2 of the DOE EIS evaluates the potential impacts of the SNF management program at the INEEL (Appendix C of the DOE EIS contains additional information on foreseeable projects, including the Idaho Spent Fuel Facility ISFSI).

Previous to this application, NRC issued a license to DOE in 1998 for the construction and operation of another ISFSI at the INEEL for the storage of SNF from the Three Mile Island—Unit 2 reactor (TMI-2). This license was supported, in part, by the document, "*Final Environmental Impact Statement for the Construction and Operation of*

an Independent Spent Fuel Storage Installation to Store the Three Mile Island Unit 2 Spent Fuel at the Idaho National Engineering and Environmental Laboratory." The TMI-2 ISFSI is located adjacent to the proposed site of the Idaho Spent Fuel Facility.

Therefore, it is conceivable that many of the environmental impacts have been previously reviewed. The NRC and its contractor, Argonne National Laboratory, are currently reviewing appropriate documents to ensure efficiency and to make decisions regarding their use (*i.e.* supplementing, tiering, or adoption) in preparation of the Idaho Spent Fuel Facility EIS.

2.0 Idaho Spent Fuel Facility at INEEL

The Idaho Spent Fuel Facility is designed to provide safe interim dry storage for three basic kinds of SNF currently stored at the INEEL. The facility will primarily be used for storage of SNF from the Peach Bottom Unit 1 reactor but it will also be used for storage of SNF from the Shippingport reactor and SNF from the Training, Research, Isotope reactors built by General Atomics (TRIGA reactors). The Peach Bottom Unit 1 and Shippingport reactors ceased operation in 1974 and 1983, respectively. Because of the lengthy cooling period since final operation, these fuels produce relatively low decay heat compared to typical commercial SNF. The TRIGA reactor SNF originated from TRIGA research reactors worldwide. Although the age of the TRIGA reactor SNF varies, it also generates very low decay heat because of the design and operational characteristics of the TRIGA research reactors.

The Idaho Spent Fuel Facility will provide for receipt and repackaging of the SNF into sealed storage canisters. The canisters provide the primary confinement boundary for the SNF. These canisters are designed to ensure ready retrievability of the SNF and facilitate transfer of the SNF to a repository for eventual permanent disposal without the need for further direct handling or repackaging. The loaded and sealed canisters will be stored in individual storage tubes that have a bolted lid with double metallic O-ring seals. The storage tubes provide a redundant confinement boundary for the SNF. The storage area provides radiological shielding, passive natural convection air-cooling, and easily retrievable storage capability for the canisters. When a high-level waste geologic repository becomes available, the canisters may then be removed from the Idaho Spent Fuel Facility, loaded

into a transportation cask (to be certified in accordance with 10 CFR part 71), and transported off-site.

3.0 Purpose and Need for Agency Action

The proposed action to build the Idaho Spent Fuel Facility is intended to satisfy the requirements of a Settlement Agreement dated October 17, 1995, between the DOE, the U.S. Navy, and the State of Idaho that requires the transfer and dry storage of SNF until the SNF can be removed from Idaho.

4.0 Alternatives To Be Evaluated

Note that NRC is limited to issuing, issuing with conditions, or denying the materials license for the Idaho Spent Fuel Facility ISFSI at the INEEL. The DOE has already decided to pursue the "regionalization by fuel type" and the "modified 10-year plan" (which includes dry storage upgrades) approaches for management of SNF (60 FR 28680; June, 1, 1995). These decisions will not be revisited by NRC. Other alternatives not listed here may be identified through the scoping process.

4.1 Proposed Action

The proposed action involves the construction and operation of the Idaho Spent Fuel Facility ISFSI at the INEEL. The applicant would be issued an NRC license under the provisions of 10 CFR Part 72 that would authorize the applicant to transfer, repackage, and place into dry storage, certain types of spent nuclear fuel.

4.2 No Action: Do Not Issue License

The no-action alternative would be not to build the proposed Idaho Spent Fuel Facility. Under the no-action alternative, NRC would not approve the license application to construct and operate the proposed Idaho Spent Fuel Facility ISFSI and DOE would continue to store the SNF in its current location on the INEEL in spent fuel pools.

5.0 Environmental Impact Areas To Be Analyzed

The following areas have been tentatively identified for analysis in the EIS. This list is not intended to be all inclusive, nor is it a predetermination of potential environmental impacts. The list is presented to facilitate comments on the scope of the EIS. Additions to or deletions from this list may occur as a result of the public scoping process.

—*Health and Safety*: potential public and occupational consequences from construction, routine operation, transportation, and credible accident scenarios;

—*Waste Management*: types of wastes expected to be generated, handled, and stored; and the potential consequences to public safety and the environment;

—*Water Resources*: surface and groundwater hydrology, water use and quality, and the potential for degradation;

—*Air Quality*: meteorological conditions, ambient background, pollutant sources, and the potential for degradation;

—*Earth Resources*: physical geography, topography, geology and soil characteristics;

—*Ecological Resources*: wetlands, aquatic and terrestrial resources, economically and recreationally important species, and threatened and endangered species;

—*Socioeconomic*: demography, economic base, labor pool, housing, transportation, utilities, public services/facilities, education, recreation, and cultural resources;

—*Natural Disasters*: floods, hurricanes, tornadoes, and seismic events;

—*Cumulative Effects*: impacts from past, present and reasonably foreseeable actions at and near the site(s);

—*Indirect Effects*: transportation to the Idaho Spent Fuel Facility;

—*Unavoidable Adverse Impacts*; and
—*Environmental Justice*: any potential disproportionately high and adverse impacts to minority and low-income populations.

Alternatives other than those presented in this document may warrant examination, and new issues may be identified for evaluation.

6.0 Scoping Comment Period

One purpose of this NOI is to encourage public involvement in the EIS process, and to solicit public comments on the proposed scope and content of the EIS. The NRC invites the following entities to participate in the scoping process:

- a. The applicant, Foster Wheeler Environmental Corporation.
- b. Any Federal agency that has jurisdiction by law or special expertise with respect to any environmental impact involved, or that is authorized to develop and enforce relevant environmental standards.
- c. Affected State and local government agencies, including those authorized to develop and enforce relevant environmental standards.
- d. Any affected Indian tribe.
- e. Any person who requests or has requested an opportunity to participate in the scoping process.
- f. Any person who intends to petition for leave to intervene.

Scoping is an early and open process designed to determine the range of actions, alternatives, and potential impacts to be considered in the EIS, and to identify the significant issues related to the proposed action. It is intended to solicit input from the public and other agencies so that the analysis can be more clearly focused on issues of genuine concern. The principal goals of the scoping process are to:

- a. Ensure that concerns are identified early and are properly studied;
- b. Identify alternatives that will be examined;
- c. Identify significant issues that need to be analyzed;
- d. Eliminate unimportant issues;
- e. Identify and reference issues that have been previously analyzed; and
- f. Identify public concerns.

7.0 Scoping Comments

Written comments should be mailed to: Michael T. Lesar, Chief, U.S. Nuclear Regulatory Commission, Rules & Directives Branch, Division of Administrative Services, Office of Administration, Mail Stop T6D59, Washington, DC 20555-0001. Please note Docket No. 72-25 when submitting comments.

Comments will also be accepted by e-mail. Interested parties may e-mail their comments to isffacility@nrc.gov. Comments will also be accepted by fax at 301-415-5398, ATTN: Matt Blevins.

The NRC will make the scoping summaries and project-related materials available for public review through our electronic reading room: <http://www.nrc.gov/reading-rm.html>. The scoping meeting summaries and project-related materials will also be available on the NRC's Idaho Spent Fuel Facility Web page <http://www.nrc.gov/waste/spent-fuel-storage.html> (case sensitive).

8.0 The NEPA Process

The EIS for the Idaho Spent Fuel Facility will be prepared according to the National Environmental Policy Act (NEPA) of 1969 and NRC's NEPA Regulations (10 CFR part 51).

The draft EIS is scheduled to be published in May 2003. A 45-day comment period on the draft EIS is planned, and public meetings to receive comments will be held approximately three weeks after distribution of the draft EIS. Availability of the draft EIS, the dates of the public comment period, and information about the public meetings will be announced in the **Federal Register**, on NRC's Idaho Spent Fuel Facility Web page, and in the local news media when the draft EIS is distributed. The final EIS, which will incorporate public comments received

on the draft EIS, is expected in December 2003.

Dated at Rockville, Maryland, this 19th day of July, 2002.

For the Nuclear Regulatory Commission.

Cheryl Trottier,

Chief, Environmental and Performance Assessment Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 02-18967 Filed 7-25-02; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Licensing Support Network; Advisory Review Panel

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of public meeting.

SUMMARY: The Licensing Support Network Advisory Review Panel (LSNARP) will hold its next meeting on Wednesday and Thursday, September 18-19, 2002, at the Alexis Park, located at 375 East Harmon, Las Vegas, Nevada 89109. The meeting will be open to the public pursuant to the Federal Advisory Committee Act (Pub. L. 94-463, 86 Stat. 770-776).

AGENDA: The meeting will be held from 8:30 a.m. to 5:00 p.m. on Wednesday, September 18 and from 8:30 to close of business on Thursday, September, 2001. The preliminary agenda is as follows:

Wednesday, September 18

- 8:30 am-8:45—LSNARP Chairman's Opening Remarks
- 8:45 am-9:30—LSN Administrator Progress Report on Status of LSN; Panel Discussion; Questions and Answers
- 9:30 am-10:00—LSN Project Manager Report on Status of Integration Efforts and Results of System Security Risk Assessment Performed by NSA
- 10 am-10:15—Break
- 10:15 am-10:45—Experience of Local Government in Setting Up Web site to make documents available To LSN (Lincoln County—Tentative)
- 10:45 am-11:15—Identification of participant training needs expectations for use of the LSN; training strategies and approaches; points of contact for coordination of training efforts; Discussion
- 11:15 am-12—Lessons Learned from Private Fuel Storage Hearings
- 12 pm-1:15—Lunch
- 1:15 pm-2—Revised Topical Guidelines 3.69
- 2 pm-2:45—Recapitulation of June 25-26 NRC/DOE Technical Meeting on

“Electronic Submission” of Large Documents

- 2:45 pm-3—Break
- 3 pm-3:30—Review of Relevancy; Discussion
- 3:30 pm-4—Role of a rural county in the licensing—(distinction between party with standing, interested governmental party, etc.)
- 4 pm-4:30—Explain the importance of participation in the Licensing Support Network as a prerequisite for being a participant in the licensing process
- 4:30 pm—Open Discussion and Public Comments on Wednesday Topics

Thursday, September 19, 2001

- 9 am-10—Demonstration of Production Version 2.0 of the LSN
- 10 am-10:30—System Upgrade Prior to License Application
- 10:30 am-10:45—Break
- 10:45 am-11:15—Public Access via NRC & DOE reading rooms and Nevada libraries
- 11:15 am-12—Overview of NRC plans for the digital courtroom environment
- 12-1—Lunch
- 1-1:30—Impact of Homeland Security Reviews on Document Access via the LSN
- 1:30 pm-2—Open Discussion and Public Comments on Thursday Topics
- Adjourn

SUPPLEMENTARY INFORMATION: The LSN is an internet based electronic discovery database being developed to aid the NRC in complying with the schedule for decision on the construction authorization for the high-level waste repository contained in Section 114(d) of the Nuclear Waste Policy Act of 1982, as amended. In 1998, the NRC Rules of Practice in 10 CFR Part 2, Subpart J, were modified to provide for the creation and operation of the LSN, an internet-based technological solution to the submission and management of records and documents relating to the licensing of a geologic repository for the disposal of high-level radioactive waste. (63 FR 71729.) Pursuant to 10 CFR 2.1011(d), the agency has chartered the LSNARP, an advisory committee that provides advice to the NRC on fundamental issues relating to LSN design, operation, maintenance, and compliance monitoring.

FOR FURTHER INFORMATION CONTACT: U.S. Nuclear Regulatory Commission, Office of the Secretary, Mail Stop O-16 C1, Washington, DC 20555-0001; Attn: Andrew Bates (telephone 301-415-1963; e-mail ALB@NRC.GOV) or Atomic Safety and Licensing Board Panel, Mail Stop T-3 F23, Attn: Jack G. Whetstone (telephone 301-415-7391; e-mail JGW@NRC.GOV).

Public Participation: Interested persons may make oral presentations to the LSNARP or file written statements. An oral presentations request should be made to one of the contact persons listed above as far in advance as practicable so that appropriate arrangements can be made.

Dated: July 22, 2002.

Andrew L. Bates,

Advisory Committee Management Officer.

[FR Doc. 02-18970 Filed 7-25-02; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Draft Regulatory Guide; Issuance, Availability

The Nuclear Regulatory Commission has issued for public comment a draft of a new guide in its Regulatory Guide Series. Regulatory Guides are developed to describe and make available to the public such information as methods acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques used by the staff in evaluating specific problems or postulated accidents, and data needed by the staff in its review of applications for permits and licenses.

This draft guide, temporarily identified by its task number, DG-3021 (which should be mentioned in all correspondence concerning this draft guide), is “Site Evaluations and Determination of Design Earthquake Ground Motion for Seismic Design of Independent Spent Fuel Storage Installations and Monitored Retrievable Storage Installations.” This draft guide is being developed to provide guidance on methods acceptable to the NRC staff on (1) identifying and characterizing capable tectonic sources and seismicogenic sources, (2) conducting investigations to identify and characterize uncertainty in seismic sources important for the probabilistic seismic hazard analysis, (3) conducting probabilistic seismic hazard analyses for the site, and (4) determining the design earthquake ground motion for independent spent fuel storage installations and monitored retrievable storage installations.

This draft guide has not received complete staff approval and does not represent an official NRC staff position.

Comments may be accompanied by relevant information or supporting data. Written comments may be submitted to the Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Copies of comments received