

Further, implementation of this alternative will reduce unnecessary burden on the Armed Forces and enable them to more efficiently use these devices when conducting exercises and maneuvers. Additionally, this license exemption should improve staff efficiency and effectiveness by reducing the work load of NRC and MMLs inspectors, who are required to conduct a reactive inspection each time a device is reported lost.

*Alternative 3 (Rulemaking):* It is expected that the impact from the rulemaking alternative would be similar to the impact of the proposed action; however, a lengthy time frame and large expenditures of resources are associated with the rulemaking process. A long-term reliable impact assessment that would support a rulemaking may not be available for more than five years. A rulemaking would not, in this case, provide a timely response to the current need. By the time a rule making could be completed, the Armed Forces may have shifted to using non-radioactive detection devices or other emerging technologies. NRC anticipates that, with the passage of time, the use of sealed sources in detection and monitoring devices for chemical agents is likely to diminish.

### 3.2 Water, Geology, Soils, Air Quality, Demography, Biota, and Cultural and Historic Resources

The NRC staff has determined that the proposed licensing exemption (Alternative 2) will not impact the quality of water resources, since the radioactive source quantities are very small and are not soluble in water. The staff has determined that the proposed exemption will not significantly impact geology, soils, air quality, demography, biota, and cultural and historic resources, under normal and accident use scenarios. NRC staff has reviewed the historical performance of this type of detection device and the potential for future deployment and concluded that no significant cumulative impacts are anticipated.

NRC staff has determined that the proposed action will not affect listed or proposed threatened or endangered species or critical habitat. NRC staff has determined that the proposed action is not the type that has the potential to cause effects on historic properties. Therefore, no further consultation with the regulatory authority responsible for overseeing section 106 of the National Historic Preservation Act was found necessary.

Impacts on water, geology, soils, air quality, demography, biota, and historic resources of implementing Alternatives

1 and 3 (described in section 1.5) are expected to be similar to those in the proposed action. As discussed in section 3.1, Alternative 2 is being proposed because it is the more efficient and practical alternative, and reduces unnecessary regulatory burden on the concerned licensees.

#### 4.0 Conclusion

The NRC staff has determined that granting of this exemption will have no significant adverse effect on the public health and safety, or the environment. Based on its review, the NRC staff has determined that the environmental impacts associated with the proposed action do not warrant the preparation of an EIS.

#### 5.0 Agencies and Persons Contacted

NRC contacted the U.S. Navy and U.S. Air Force MML National Radiation Program Oversight Committees and the Appropriate U.S. Army Commands. The need to contact State government officials was considered; however, it was concluded that such consultation was not necessary, since the proposed limited exemption is limited to federally-controlled facilities and properties.

#### 6.0 References

1. U.S. Air Force Master Materials License No. 42-23539-01AF.
2. U.S. Department of Army License No. 12-00722-16.
3. U.S. Navy Master Materials License No. 45-23645-01NA.
4. U.S. Nuclear Regulatory Commission, Program-Specific Guidance About Master Materials Licenses, December 2000, NUREG-1556, Vol. 10.
5. U.S. Nuclear Regulatory Commission, Systematic Radiological Assessment of Exemptions for Source and Byproduct Materials, June 2001, NUREG-1717.

### III. Finding of No Significant Impact

The action that NRC is considering is to issue an exemption to the Armed Forces in the form of a license condition that would exempt them from the requirements contained in: (1) 10 CFR 20.1801, "Security of stored material," when the Armed Forces store these authorized radioactive sealed source devices for monitoring and detecting chemical warfare agents during military exercises or maneuvers on U.S. Government-controlled property; (2) 10 CFR 20.1802, "Control of material not in storage," when the Armed Forces employ these devices during exercises or maneuvers on U.S. Government-controlled property; and (3) 10 CFR

20.2201, "Reports of theft or loss of licensed byproduct material," when these devices are lost when they are stored or used during military exercises or maneuvers on U.S. Government-controlled property.

The exemption would not apply to: (1) Devices stored or used at other times, or lost under other conditions; (2) theft of the devices; or (3) devices lost in the U.S. public domain. Additionally, under this exemption, the Armed Forces licensees would continue to implement their established existing programs for tracking and controlling these devices, and would be required to keep records of losses and loss of control available onsite for review by the NRC Inspectors.

The Commission has prepared this EA in light of the proposed action. In the assessment, the Commission has concluded that environmental impacts associated with the proposed action would not be significant and do not warrant the preparation of an EIS. Accordingly, based on the environment impacts described in section II, the Commission is issuing a FONSI for this licensing action.

### IV. Further Information

Any questions about this action can be directed to Ujagar S. Bhachu at (301) 415-7894, or by e-mail at [usb@nrc.gov](mailto:usb@nrc.gov).

Dated at Rockville, Maryland, this 8th day of April, 2004.

For the Nuclear Regulatory Commission.

**Thomas H. Essig,**

*Chief, Materials Safety and Inspection Branch, Division of Industrial and Medical Nuclear Safety, NMSS.*

[FR Doc. 04-8550 Filed 4-14-04; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR WASTE TECHNICAL REVIEW BOARD

### Notice of Meeting

*Board Meeting:* May 18-19, 2004—Washington, DC: The U.S. Nuclear Waste Technical Review will meet with the DOE and interested parties to discuss the potential for localized corrosion during periods of above boiling temperatures in a repository planned for Yucca Mountain in Nevada.

Pursuant to its authority under section 5051 of Public Law 100-203, Nuclear Waste Policy Amendments Act of 1987, on Tuesday and Wednesday, May 18 and 19, 2004, the U.S. Nuclear Waste Technical Review Board (Board) will hold its spring meeting in Washington, DC. The Board has invited the U.S. Department of Energy (DOE) and several other interested parties—including the Nuclear Regulatory

Commission (NRC), the Electric Power Research Institute (EPRI), and the State of Nevada—to present their research and views on the potential for corrosion of waste packages during the “thermal pulse,” the period of approximately 1,000 years after closure when temperatures would be above boiling inside a repository for high-level radioactive waste planned for Yucca Mountain in Nevada. In a letter and a report to the DOE last fall, the Board concluded that, based on analyses of DOE and other data, all the conditions necessary for localized corrosion of waste packages will likely be present in repository tunnels during the thermal pulse.

The Board meeting will be held at the Embassy Suites Hotel; 1250 22nd Street, NW., Washington, DC 20037. The telephone number is 202-857-3388, and the fax number is 202-293-3173. The meeting is open to the public, and opportunities for public comment will be provided. The meeting sessions will begin at 8 a.m. on both days.

Tuesday’s session will begin with overviews of the status of program activities related to the Yucca Mountain project and updates on activities related to basic science, seismicity, and transportation of spent nuclear fuel and high-level radioactive waste. On Tuesday afternoon, representatives of the NRC, EPRI, and the State of Nevada will present their views and relevant research on the potential for corrosion on waste packages during the thermal pulse.

Most of the meeting on Wednesday will be devoted to presentations by the DOE and to discussion of DOE views, research, and analyses related to repository tunnel environments and the potential for localized corrosion during the thermal pulse. Meeting participants will have an opportunity to make brief wrap-up comments at the end of the day on Wednesday.

The meeting agenda will include time for public comment before adjournment on both days. Those wanting to speak during the public comment periods are encouraged to sign the “Public Comment Register” at the check-in table. A time limit may have to be set on individual remarks, but written comments of any length may be submitted for the record.

An agenda will be available approximately one week before the meeting. Copies of the agenda can be requested by telephone or obtained from the Board’s Web site: [www.nwtrb.gov](http://www.nwtrb.gov). Beginning on June 21, 2004, transcripts of the meeting will be available on the Board’s Web site, via e-mail, on computer disk, and on a library-loan

basis in paper format from Davonya Barnes of the Board staff.

A block of rooms has been reserved at the Embassy Suites Hotel. A meeting rate is available for reservations made by April 19, 2004. When making a reservation, please state that you are attending the Nuclear Waste Technical Review Board meeting. For more information, contact the NWTRB; Karyn Severson, External Affairs; 2300 Clarendon Boulevard, Suite 1300; Arlington, VA 22201-3367; (tel) 703-235-4473; (fax) 703-235-4495.

The Board was created by Congress in the Nuclear Waste Policy Amendments Act of 1987. The Board’s purpose is to evaluate the technical and scientific validity of activities undertaken by the Secretary of Energy related to managing the disposal of the nation’s spent nuclear fuel and high-level radioactive waste. In the same legislation, Congress directed the DOE to characterize the Yucca Mountain site to determine its suitability as the location of a potential repository for the permanent disposal of spent nuclear fuel and high-level radioactive waste.

Dated: April 5, 2004.

**William D. Barnard,**

*Executive Director, Nuclear Waste Technical Review Board.*

[FR Doc. 04-8532 Filed 4-14-04; 8:45 am]

**BILLING CODE 6820-AM-M**

## COMMISSION ON OCEAN POLICY

### Preliminary Report

**ACTION:** Notice of public availability and comment period.

**SUMMARY:** The U.S. Commission on Ocean Policy was established pursuant to the Oceans Act of 2000 to make recommendations to the President and Congress for a coordinated and comprehensive national ocean policy. The preliminary draft of the final report is being made available to the nation’s Governors and other interested parties for their review and comment.

**DATES:** The preliminary report will be available for public review on April 20, 2004. Comments on the report must be received in the Commission office no later than the close of business on May 21, 2004, e.t.

**ADDRESSES:** Send electronic comments (e-mail) to: [comments@oceancommission.gov](mailto:comments@oceancommission.gov). Comments may also be mailed to: U.S. Commission on Ocean Policy, 1120 20th Street, NW., Suite 200 North, Washington, DC 20036. Comments may be sent by facsimile to: 202-418-3475.

### FOR FURTHER INFORMATION CONTACT:

Michael Kearns, U.S. Commission on Ocean Policy, 1120 20th Street, NW., Washington, DC 20036, 202-418-3442, [kearns@oceancommission.gov](mailto:kearns@oceancommission.gov).

**SUPPLEMENTARY INFORMATION:** This notice is being issued pursuant to the Oceans Act 2000 (Pub. L. 106-256, sec. 3(g)(1)(A)). The report and detailed instructions for submitting comments will be available at the Commission’s Web site, [www.oceancommission.gov](http://www.oceancommission.gov), on April 20, 2004, when the report is released to the public. The report is also available for public review at the Commission’s office at 1120 20th Street, NW., Suite 200 North, Washington, DC 20036, from 2 p.m.–5 p.m. e.t. on April 20th and thereafter from 9 a.m.–5 p.m. e.t., Monday through Friday, during the remainder of the comment period. Comments sent by facsimile should include the words “Public Comment on Preliminary Report” on the coversheet. All public comments must include the individual’s name, institutional affiliation (optional), address, telephone number, and e-mail address. Comments should contain no attachments. All public comments received will be reviewed by the Commission and will become part of the official record of its work. Only comments received electronically will be acknowledged. Public comments will not be posted to the Web site. Sufficient time will be allowed for any needed changes to the report as a result of gubernatorial or other stakeholder comments. When such changes are made and the final report is approved by the Commission, it will be transmitted to the President and Congress.

Dated: April 9, 2004.

**Thomas R. Kitsos,**

*Executive Director.*

[FR Doc. 04-8546 Filed 4-14-04; 8:45 am]

**BILLING CODE 6820-WM-P**

## PENSION BENEFIT GUARANTY CORPORATION

**Required Interest Rate Assumption for Determining Variable-Rate Premium; Interest on Late Premium Payments; Interest on Underpayments and Overpayments of Single-Employer Plan Termination Liability and Multiemployer Withdrawal Liability; Interest Assumptions for Multiemployer Plan Valuations Following Mass Withdrawal**

**AGENCY:** Pension Benefit Guaranty Corporation.