The medical events were reported to two authorized users and three referring physicians. Notification of the medical event was provided to nine of the patients or patients' responsible guardians and they were subsequently provided a copy of the report pertinent to that patient. The authorized user does not anticipate any change in the patient's condition from the additional exposure. The licensee's authorized users noted that these doses are still within the published literature. During the notifications it was discovered that one of the patients had died as a result of the patient's disease. The licensee's authorized users stated that this patient was given palliative treatment for four metastatic lesions that were not close to any critical structure. The patient died approximately 2 months after the treatment, which was the typical period of life expectancy for a patient with this type and stage of disease.

Cause or Causes—The State was not able to identify how the calibration date was changed in the treatment planning software physics protocol file. However, it is the licensee's responsibility, through an effective quality management program, to ensure that the treatment is administered with high confidence as directed by the authorized user.

Actions Taken To Prevent Recurrence

Licensee—The licensee has revised its quality management program to include additional daily checks to verify that the expected dose rate agrees with the dose rate shown on the treatment planning software physics protocol output to within 1%. The gamma knife manufacturer issued a notice dated November 4, 2002, to all customers utilizing the treatment planning system specific to the gamma knife used to treat these patients. The notice requested customers to check the physics protocol and to run tests to verify dose calibration factors after any treatment planning system service or software reinstallation.

State Agency—The State conducted an onsite investigation that included interviews with licensee personnel involved and a representative from the device's manufacturer on November 12–13, 2002. In the licensee's medical event report, the licensee indicated the device manufacturer installed a peripheral printer on August 26, 2002. The licensee's report also indicated that on this date the source calibration information was changed. During the investigation the manufacturer stated that it was unable to recreate the occurrence. Telephone interviews were conducted with service personnel from the device manufacturer. The State also consulted with an independently contracted physicist with experience specific to the gamma knife and its treatment planning system to determine the state of the equipment. It was determined that the licensee's quality management program did not routinely verify calibration information as compared to treatment planning dose rates. State actions for this case are still pending.

This event is closed for the purpose of this report.

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Dated at Rockville, Maryland this 28th day of April 2004.

For the Nuclear Regulatory Commission

Annette L. Vietti-Cook,

Secretary of the Commission.

[FR Doc. 04–10045 Filed 5–3–04; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–029]

Yankee Atomic Power Company, Yankee Atomic Power Station (Rowe); Notice of Receipt and Availability for Comment of License Termination Plan

The Nuclear Regulatory Commission (NRC) is in receipt of and is making available for public inspection and comment the License Termination Plan (LTP) for the Yankee (Rowe) Atomic Power Station (Yankee-Rowe) located in Franklin County, Massachusetts.

Yankee Atomic Electric Company (YAEC, or the licensee) informed the NRC by letter dated February 27, 1992, that Yankee-Rowe was permanently shut down and that decommissioning would commence. YAEC submitted a decommission plan on December 20, 1993, which included an environmental report. The decommissioning plan was approved by Order on February 14, 1995, and the plant is undergoing dismantlement under 10 CFR 50.59.

In accordance with 10 CFR 50.82(a)(9), all power reactor licensees must submit an application for termination of their license. The application for termination of license must be accompanied or preceded by an LTP to be submitted for NRC approval. If found acceptable by the NRC staff, the LTP is approved by license amendment, subject to such conditions and limitations as the NRC staff deems appropriate and necessary. YAEC submitted the proposed LTP for Yankee-Rowe by applications dated November 24, 2003, December 10, 2003, December 16, 2003, January 19, 2004, January 20, 2004, February 2, 2004, February 10, 2004, and March 4, 2004. In accordance with 10 CFR 20.1405 and 10 CFR 50.82(a)(9)(iii), the NRC is providing notice to individuals in the vicinity of the site that the NRC is in receipt of the Yankee-Rowe LTP, and will accept comments from affected parties.

An electronic version of the Yankee-Rowe LTP may be viewed through the NRC ADAMS system at accession numbers ML033450398, ML033530147, ML041110261, ML040280024, ML040280028, ML040280031, ML040280036, ML040280140, ML040330777, ML040420388, ML041100639, and ML040690034, or at the Yankee Atomic Power Company site closure Web site, *http://www.yankee.com/siteclosure/index.htm*.

Comments regarding the Yankee-Rowe LTP may be submitted in writing and addressed to Mr. John B. Hickman, Mail Stop T–7–F27, Decommissioning Directorate, Division of Waste Management and Environmental Protection, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone (301) 415–3017 or e-mail *jbh@nrc.gov*.

Dated in Rockville, Maryland, this 22nd day of April, 2004.

For the Nuclear Regulatory Commission.

Claudia Craig,

Chief, Reactor Decommissioning Section, Decommissioning Directorate, Division of Waste Management and Environmental Protection, Office of Nuclear Material Safety and Safeguards.

[FR Doc. E4–997 Filed 5–3–04; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Sunshine Act Meeting

DATES: Weeks of May 3, 10, 17, 24, 31, June 7, 2004.

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

STATUS: Public and closed.

MATTERS TO BE CONSIDERED:

Week of May 3, 2004

Tuesday, May 4, 2004

9:30 a.m.—Briefing on Results of the Agency Action Review Meeting (Public Meeting). (Contact: Bob Pascarelli, (301) 415–1245).

This meeting will be webcast live at the Web address, *http://www.nrc.gov*.