

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 04-122]

### Notice of Prospective Patent License

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of prospective patent license.

**SUMMARY:** NASA hereby gives notice that Kid Saver, Incorporated, of Fort Lauderdale, Florida, has applied for an exclusive license to practice the invention described and claimed in U.S. Patent No. 6,714,132 entitled "Self-Activating System and Method for Alerting When an Object or a Person is Left Unattended," and NASA Case No. LAR 16324-2 entitled "Self-Activating System and Method for Alerting When an Object or a Person is Left Unattended," both of which are assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. Written objections to the prospective grant of a license should be sent to NASA Langley Research Center. NASA has not yet made a determination to grant the requested license and may deny the requested license even if no objections are submitted within the comment period.

**DATES:** Responses to this notice must be received by November 29, 2004.

**FOR FURTHER INFORMATION CONTACT:** Helen Galus, Patent Attorney, Mail Stop 212, NASA Langley Research Center, Hampton, VA 23681-2199, (757) 864-3227; Fax 757-864-9190.

Dated: November 2, 2004.

**Keith T. Sefton,**

*Deputy General Counsel (Administration and Management).*

[FR Doc. 04-25121 Filed 11-10-04; 8:45 am]

**BILLING CODE 7510-13-P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 04-123]

### Notice of Prospective Patent Application License

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of prospective patent license.

**SUMMARY:** NASA hereby gives notice that Molecular NanoSystems Inc., of Palo Alto, CA, has applied for a co-exclusive license to practice the invention disclosed in NASA Case No. ARC-15173-1, entitled

"Nanoengineered Thermal Materials Using Carbon Nanotube Array Composites," for which a U.S. Patent Application was filed and assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. Written objections to the prospective grant of a license should be sent to Ames Research Center.

**DATES:** Responses to this notice must be received by December 13, 2004.

**FOR FURTHER INFORMATION CONTACT:** Robert Padilla, Chief Patent Counsel, NASA Ames Research Center, M/S 202A-4, Moffett Field, CA 94035-1000, (650) 604-5104.

Dated: November 2, 2004.

**Keith T. Sefton,**

*Deputy General Counsel, Administration and Management.*

[FR Doc. 04-25123 Filed 11-10-04; 8:45 am]

**BILLING CODE 7510-13-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 70-7005]

### In the Matter of Waste Control Specialists, LLC, Order Modifying Exemption From 10 CFR Part 70

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Issuance of order to modify Waste Control Specialists, LLC's exemption from requirements of 10 CFR part 70.

**FOR FURTHER INFORMATION CONTACT:** James Park, Environmental and Performance Assessment 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) 415-5835, fax number: (301) 415-5397; e-mail: [JRP@nrc.gov](mailto:JRP@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Introduction

Pursuant to 10 CFR 2.106, the Nuclear Regulatory Commission (NRC) is providing notice in the Matter of Waste Control Specialists, LLC (WCS) of the issuance of an order to modify WCS's exemption from the requirements of 10 CFR part 70.

#### II. Further Information

##### I

In letters dated August 6, 2003, and March 15, 2004, WCS requested a modification to its exemption from certain NRC regulations relative to the

possession of special nuclear material (SNM). A license pursuant to 10 CFR part 70 issued by NRC is required for quantities of SNM in excess of the limits in 10 CFR 150.11. WCS is requesting a modification to its exemption from licensing under part 70 for possession of greater than the part 150 SNM limits. The NRC issued the initial exemption to WCS in November 2001.

WCS operates a low-level waste (LLW) and mixed waste (MW) storage and treatment facility in Andrews County, Texas. The facility also disposes of hazardous waste. Texas is an Agreement State. This facility is licensed by the State of Texas Department of Health (TDH) under a 10 CFR part 30 equivalent radioactive materials license (RML). The facility is also licensed by the Texas Commission on Environmental Quality (TCEQ) to treat and dispose of hazardous waste. In 1997, WCS began accepting Resource Conservation and Recovery Act (RCRA) and Toxic Substance Control Act (TSCA) wastes for treatment, storage, and disposal. Later that year, WCS received a license from TDH for treatment and storage of MW and LLW. The MW and LLW streams may contain quantities of SNM.

##### II

Section 70.3 of 10 CFR part 70 requires persons who own, acquire, deliver, receive, possess, use, or transfer SNM to obtain a license pursuant to the requirements in 10 CFR part 70. The licensing requirements in 10 CFR part 70 apply to persons in Agreement States possessing greater than critical mass quantities as defined in 10 CFR 150.11.

Pursuant to 10 CFR 70.17(a), "the Commission may \* \* \* grant such exemptions from the requirements of the regulations in this part as it determines are authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest."

On November 21, 2001, the NRC transmitted an Order to WCS. The Order was published in the **Federal Register** on November 15, 2001 (66 FR 57489). The Order exempted WCS from certain NRC regulations and permitted WCS, under specified conditions, to possess waste containing SNM in greater quantities than specified in 10 CFR part 150, at WCS's storage and treatment facility in Andrews County, Texas, without obtaining an NRC license pursuant to 10 CFR part 70. The methodology used to establish these limits is discussed in the 2001 Safety Evaluation Report (SER) that supported the 2001 Order.