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Comments and questions should be directed to the OMB reviewer listed below by June 27, 2005. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date. John Asalone, Office of Information and Regulatory Affairs (3150-0056), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be e-mailed to John_A._Asalone@omb.eop.gov or submitted by telephone at (202) 395-3087.

The NRC Clearance Officer is Brenda Jo. Shelton, 301-415-7233.

Dated at Rockville, Maryland, this 23rd day of May, 2005.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

NRC Clearance Officer, Office of the Chief Information Officer.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-334 AND 50-412 and License Nos. DPR-66 and NPF-73]

FirstEnergy Nuclear Operating Company (FENOC) Receipt of Request for Action Under 10 CFR 2.2206

Notice is hereby given that by petition dated April 12, 2005, Mr. David Lochbaum of the Union of Concerned Scientists requested that the Nuclear Regulatory Commission (NRC) take action with regard to Beaver Valley Power Station, Unit Nos. 1 and 2. The petitioner requests that the NRC take enforcement action against FENOC and impose a civil penalty of at least \$55,000.

As the basis for this request, the petitioner states that the licensee's February 9, 2005, license renewal submittal was not complete and accurate in all material respects and that this is a violation of 10 CFR 50.9, paragraph (a) which requires in part, that information provided to the Commission by a licensee shall be complete and accurate in all material respects.

The petition is being treated pursuant to 10 CFR 2.206 of the Commission's regulations. The petition has been referred to the Director of the Office of Nuclear Reactor Regulation. As provided by Section 2.206, appropriate action will be taken on this petition within a reasonable time. Mr. Lochbaum declined to meet with or participate in a telephone conference with the Petition Review Board on this matter stating that all pertinent facts were contained within his petition. Copies of the petition are available for inspection at the Commission's Public Document Room, located at One White Flint North, Public File Area O-1F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html> (Accession No. ML051100297). Persons who do not have access to ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209 or 301-415-4737, or by e-mail to pdr@nrc.gov.

For the Nuclear Regulatory Commission.

Dated at Rockville, Maryland this 20th day of May 2005.

J. E. Dyer,

Director, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-266 and 50-301]

Nuclear Management Company, LLC; Point Beach Nuclear Plant, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from Title 10 of the Code of Federal Regulations (10 CFR) Part 50, Appendix R, Section III.G.1.a for Facility Operating License Nos. DPR-24 and DPR-27, issued to Nuclear Management Company, LLC (NMC), the licensee, for operation of the Point Beach Nuclear Plant (PBNP), Units 1 and 2, located in Manitowoc County, Wisconsin. Therefore, as required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

Environmental Assessment

Identification of the Proposed Action

The proposed action would exempt 10 CFR Part 50, Appendix R, Section III.G.1.a as it applies to the PBNP, Unit 1 auxiliary and turbine buildings; and the PBNP, Unit 2 auxiliary and turbine buildings, and the control building. The exemption requested is from the requirement that, "one train of systems necessary to achieve and maintain hot shutdown from either the control room or emergency control station(s) is free of fire damage," as it applies to the PBNP, Unit 1 auxiliary and turbine buildings; the PBNP, Unit 2 auxiliary and turbine buildings, and the control building. Specifically, NMC has asked for a repair consisting of powering a dedicated air compressor from one of two pre-planned 480 volt power sources using pre-staged power cords and connecting the air compressor to nitrogen bottle manifolds on one or both reactor units using pre-staged pneumatic hose with quick connect fittings. The repair would be required no earlier than 8 hours into an event in which instrument air is disabled.

The proposed action is in accordance with the licensee's application dated March 5, 2004, as supplemented by letter dated November 8, 2004.

The Need for the Proposed Action

Appendix R, Section III.G.1.a of 10 CFR Part 50 requires that, "one train of systems necessary to achieve and maintain hot shutdown conditions from either the control room or emergency control station(s) is free of fire damage." Appendix R, Section III.L.1 of 10 CFR Part 50 requires that an alternative or dedicated shutdown capability shall be able to, among other things, "(c) achieve and maintain hot standby conditions for a pressurized water reactor (PWR)"; and "(d) achieve cold shutdown conditions within 72 hours." NRC Inspection Report 50-266/2003-007; 50-301/2003-007, dated February 4, 2004, documents a Non-Cited Violation of Appendix R, Section III.L.1.c, in that NMC, "failed to ensure, without the need for 'hot standby repairs,' adequate control air to the speed controllers for the charging pumps during a postulated fire requiring an alternative shutdown method." The installed backup nitrogen gas bottle bank (for the charging pump speed controllers) meets the requirements of the regulation, with the exception that it is of limited capacity. This means that the hot shutdown conditions could not be maintained indefinitely while relying only on the installed bottle bank. However, the 8 to 14 hour capacity of the bottle banks is