

### 3.4 Summary

Based upon the review of the licensee's exemption request to credit soluble boron during DSC loading, unloading, and handling in the CCNPP SFP, the NRC staff concludes that pursuant to 10 CFR 50.12(a)(2) the licensee's exemption request is acceptable. However, the NRC staff places the following limitations and/or conditions on the approval of this exemption:

1. This exemption is limited to the loading, unloading, and handling of the DSC for only the TN NUHOMS-32P® at CCNPP.

2. This exemption is limited to the loading, unloading, and handling in the DSC at CCNPP of Combustion Engineering 14x14 fuel assemblies that had maximum initial, unirradiated U-235 enrichments of 4.5 weight percent.

### 4.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Also, special circumstances are present. Therefore, the Commission hereby grants the licensee an exemption from the requirements of 10 CFR 50.68(b)(1) for the loading, unloading, and handling of the components of the Transnuclear NUHOMS-32P® dry cask storage system at CCNPP. However, since the licensee does not have an NRC-approved methodology for evaluating changes to the analyses or systems supporting this exemption request, the NRC staff's approval of the exemption is restricted to those specific design and operating conditions described in the licensee's December 21, 2004, exemption request. The licensee may not apply the 10 CFR 50.59 process for evaluating changes to specific exemptions. Any changes to the design or operation of (1) the dry cask storage system, (2) the SFP, (3) the fuel assemblies to be stored, (4) the boron dilution analyses, or (5) supporting procedures and controls, regardless of whether they are approved under the general Part 72 license or perceived to be conservative, will invalidate this exemption. Upon invalidation of the exemption, the licensee will be required to comply with NRC regulations prior to future cask loadings.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (70 FR 51853).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 2nd day of September, 2005.

For the Nuclear Regulatory Commission.

**Ledyard B. Marsh,**

*Director, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 05-18193 Filed 9-13-05; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-395]

### South Carolina Electric & Gas Company; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of South Carolina Electric & Gas Company (the licensee) to withdraw its January 14, 2003, application for proposed amendment to Facility Operating License No. NPF-12 for the Virgil C. Summer Nuclear Station, Unit No. 1, located in Fairfield County, South Carolina.

The proposed amendment would have revised the Technical Specifications pertaining to emergency core cooling systems (ECCS); exclusion of safety injection pumps from the requirement to vent ECCS pumps.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on March 4, 2003 (68 FR 10281). However, by letter dated June 22, 2005, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated January 14, 2003, and the licensee's letter dated June 22, 2005, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area 01 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams/html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in 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](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 8th day of September, 2005.

For the Nuclear Regulatory Commission.

**Robert E. Martin,**

*Senior Project Manager, Section 1, Project Directorate II, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 05-18195 Filed 9-13-05; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-244]

### R.E. Ginna Nuclear Power Plant, LLC; R.E. Ginna Nuclear Power Plant; Notice of Public Meeting To Obtain Comments on Request Regarding Proposed Release of Part of Site for Unrestricted Use

**AGENCY:** U.S. Nuclear Regulatory Commission.

**ACTION:** Notice of public meeting.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is conducting a meeting, pursuant to Section 50.83, "Release of part of a power reactor facility or site for unrestricted use," of Part 50 of Title 10 of the Code of Federal Regulations (10 CFR), for purpose of obtaining comments from the public on the proposed release of part of the R.E. Ginna Nuclear Power Plant (Ginna Plant) site, located in Wayne County, New York.

**DATES:** The public meeting will be held on Wednesday, September 28, 2005, from 6 p.m. to 8 p.m. at the Ginna Plant Training Center, 1517 Lake Road Ontario, NY 14519.

**Travel Information:** From Rochester, take Interstate I-590 towards RT-590. Road name changes to SR-590. At exit 10B, take Ramp (Right) onto SR-104 towards RT-104/Webster. Turn LEFT (North) onto CR-102 (Lakeside Road). Turn RIGHT (East) onto CR-101 (Lake Road). Follow Lake Road to the Ginna Information Center.

**Notification of Attendance:** It is strongly encouraged that prospective participants contact NRC prior to the meeting to ensure adequate accommodations and to expedite the required visitor processing. Contact Shannine DiMora, telephone: (315) 524-6935; e-mail: [sjd1@nrc.gov](mailto:sjd1@nrc.gov), and submit participant name and affiliated organization by September 23, 2005. Also, it is suggested that attendees limit the amount of personal items and electronic devices brought into the

building. Those needing accommodations under the Americans with Disabilities Act or having special concerns should contact Thomas Harding, Ginna LLC, in advance at (585) 771-3384.

**SUPPLEMENTARY INFORMATION:** The NRC has received, by letter dated May 20, 2005, an application filed by R.E. Ginna Nuclear Power Plant, LLC (Ginna LLC) requesting the release of a part of the site for unrestricted use at its Ginna Plant. Before approving the proposed partial site release, the NRC will need to determine that the licensee has met the criteria set forth in Section 50.83 of 10 CFR Part 50. The tract of land proposed for release consists of two adjacent parcels, comprising a total of approximately 15 acres located along the western edge of the Ginna Plant site boundary, and is entirely outside of the Exclusion Area.

The NRC had previously provided notice in the **Federal Register** on July 11, 2005 (70 FR 39802) to individuals in the vicinity of the facility that the NRC was in receipt of a proposed request release of the part of the site and would accept written comments concerning this proposal by August 10, 2005. Furthermore, the NRC stated that, before acting upon this request, it would also conduct a public meeting in the vicinity of the Ginna Plant for the purpose of obtaining public comments. The NRC will consider and, if appropriate, respond to these written and verbal comments, but such comments will not otherwise constitute part of the decisional record. Comments received after the public meeting will be considered if practicable to do so, but only those comments received on or before the public meeting can be assured consideration.

Documents related to this action, including the application for approval and supporting documentation, are available for public inspection at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will also be accessible electronically as text and image files from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

The PDR reproduction contractor will copy documents for a fee.

**FOR FURTHER INFORMATION CONTACT:** Patrick D. Milano, Senior Project Manager, Section 1, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: 301-415-1457; fax no: 301-415-2102; e-mail: [pdm@nrc.gov](mailto:pdm@nrc.gov).

Dated at Rockville, Maryland this 7th day of September, 2005.

For the Nuclear Regulatory Commission.

**Patrick D. Milano,**

*Senior Project Manager, Section 1, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 05-18194 Filed 9-13-05; 8:45 am]

**BILLING CODE 7590-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 27058; 812-12893]

### Eaton Vance Senior Income Trust, et al.; Notice of Application

September 7, 2005.

**AGENCY:** Securities and Exchange Commission ("Commission").

**ACTION:** Notice of an application for an order under section 12(d)(1)(J) of the Investment Company Act of 1940 ("Act") for an exemption from sections 12(d)(1)(A) and (B) of the Act, under sections 6(c) and 17(b) for an exemption from section 17(a) of the Act, and under section 17(d) of the Act and rule 17d-1 under the Act to permit certain joint transactions.

**SUMMARY OF APPLICATION:** Applicants request an order to permit certain registered management investment companies ("Investing Funds") to use cash collateral received in connection with a securities lending program ("Cash Collateral") to purchase shares of affiliated money market funds or an affiliated cash management vehicle that relies on section 3(c)(1) or 3(c)(7) of the Act.

**APPLICANTS:** Eaton Vance Senior Income Trust, Eaton Vance Floating-Rate Income Trust, Eaton Vance Short Duration Diversified Income Fund, Eaton Vance Enhanced Equity Income Fund, Eaton Vance Enhanced Equity Income Fund II, Eaton Vance California Municipal Income Trust, Eaton Vance Florida Municipal Income Trust, Eaton Vance Massachusetts Municipal Income Trust, Eaton Vance Michigan Municipal Income Trust, Eaton Vance Municipal

Income Trust, Eaton Vance New Jersey Municipal Income Trust, Eaton Vance New York Municipal Income Trust, Eaton Vance Ohio Municipal Income Trust, Eaton Vance Pennsylvania Municipal Income Trust, Eaton Vance Advisers Senior Floating-Rate Fund, Eaton Vance Prime Rate Reserves, EV Classic Senior Floating-Rate Fund, Eaton Vance Institutional Senior Floating-Rate Fund, Eaton Vance Growth Trust, Eaton Vance Investment Trust, Eaton Vance Municipals Trust, Eaton Vance Municipals Trust II, Eaton Vance Mutual Funds Trust, Eaton Vance Series Trust, Eaton Vance Series Trust II, Eaton Vance Special Investment Trust, Eaton Vance Variable Trust, Growth Portfolio, Global Growth Portfolio, Cash Management Portfolio, Government Obligations Portfolio, High Income Portfolio, Tax-Managed Growth Portfolio, Strategic Income Portfolio, Large-Cap Value Portfolio, Special Equities Portfolio, Utilities Portfolio, Senior Debt Portfolio, Floating-Rate Portfolio, Tax-Managed Small-Cap Growth Portfolio, Tax-Managed International Equity Portfolio, Tax-Managed Value Portfolio, Boston Income Portfolio, Tax-Managed Multi-Cap Opportunity Portfolio, Tax-Managed Mid-Cap Core Portfolio, Investment Grade Income Portfolio, Small-Cap Portfolio, Large-Cap Growth Portfolio, Large-Cap Core Portfolio, Small-Cap Growth Portfolio, Tax-Managed Small-Cap Value Portfolio, Eaton Vance Limited Duration Income Fund, Investment Portfolio, Capital Growth Portfolio, Eaton Vance Insured California Municipal Bond Fund, Eaton Vance Insured California Municipal Bond Fund II, Eaton Vance Insured Florida Municipal Bond Fund, Eaton Vance Insured Massachusetts Municipal Bond Fund, Eaton Vance Insured Michigan Municipal Bond Fund, Eaton Vance Insured Municipal Bond Fund, Eaton Vance Insured Municipal Bond Fund II, Eaton Vance Tax-Managed Buy-Write Income Fund, Eaton Vance Insured New Jersey Municipal Bond Fund, Eaton Vance Insured New York Municipal Bond Fund, Eaton Vance Insured New York Municipal Bond Fund II, Eaton Vance Insured Ohio Municipal Bond Fund, Eaton Vance Insured Pennsylvania Municipal Bond Fund, Eaton Vance Senior Floating-Rate Trust, Eaton Vance Tax-Advantaged Dividend Income Fund, Eaton Vance Tax-Advantaged Global Dividend Income Fund, Eaton Vance Tax-Advantaged Global Dividend Opportunities Fund, on behalf of themselves or their series (each, a "Fund," and collectively, the "Funds");