

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 16th day of February, 2006.

For the Nuclear Regulatory Commission.

**Mahesh Chawla,**

*Project Manager, Plant Licensing Branch III-1, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E6-2787 Filed 2-27-06; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 72-22]

### Private Fuel Storage, Limited Liability Company

#### Notice of Issuance of Materials License Snm-2513 for the Private Fuel Storage Facility

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Issuance of Materials License; Termination of NHPA Consultation.

#### FOR FURTHER INFORMATION CONTACT:

Stewart W. Brown, Senior Project Manager, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 415-8531; fax number: (301) 415-8555; e-mail: [swb1@nrc.gov](mailto:swb1@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The U.S. Nuclear Regulatory Commission (NRC or the Commission) has issued Materials License No. SNM-2513 to Private Fuel Storage, Limited Liability Company (PFS) for the receipt, possession, storage, and transfer of spent fuel at the Private Fuel Storage Facility (PFSF), to be located on the Reservation of the Skull Valley Band of Goshute Indians, in Tooele County, Utah.

In connection with its review of the PFS license application, the NRC, in coordination with three cooperating Federal agencies, developed a final environmental impact statement pursuant to the National Environmental Policy Act of 1969 (NEPA), which was published in December 2001. In addition, the NRC participated in consultations with the three cooperating agencies and other parties concerning the protection of historic and cultural properties which may be impacted by the agencies' proposed actions, in

accordance with the National Historic Preservation Act (NHPA) and regulations promulgated by the Advisory Council on Historic Preservation (ACHP). By letter dated November 22, 2005, the NRC notified the ACHP that it was terminating the NHPA consultation process for reasons described in the letter, pursuant to 36 CFR 800.7(a); notice of such termination was also provided to all parties involved in the consultation process. By letter dated January 9, 2006, the ACHP provided its comments in response to the NRC's letter of November 22, 2005. In accordance with 36 CFR 800.7(c)(4), the NRC has considered the ACHP's comments, as set forth in a letter to the ACHP dated February 10, 2006, and has determined that final action on the PFS license application is appropriate.

Accordingly, notice is hereby provided that the NRC has determined to grant the PFS license application, and to issue Materials License No. SNM-2513 to PFS for the PFSF. This Materials License is issued under the provisions of 10 CFR Part 72, and is effective as of the date of issuance. In accordance with 10 CFR Part 72, the PFSF license is issued for a term of 20 years, but the licensee may seek to renew the license prior to its expiration. The license authorizes PFS to provide interim storage in a dry cask storage system for up to 40,000 metric tons of uranium contained in intact spent fuel, damaged fuel assemblies, and fuel debris. The dry cask storage system authorized for use is a site-specific version of the HI-STORM 100 system designed by Holtec International, Inc., as more fully described in Materials License No. SNM-2513.

#### Background

Following receipt of PFS's application dated June 20, 1997, the NRC staff published a "Notice of Docketing, Notice of Proposed Action, and Notice of Opportunity for a Hearing for a Materials License for the PFSF in the **Federal Register** on July 31, 1997 (62 FR 41099). In conjunction with the issuance of this license, the staff and three cooperating Federal agencies (Bureau of Land Management, Bureau of Indian Affairs, and Surface Transportation Board) published the "Final Environmental Impact Statement for the Construction and Operation of an Independent Spent Fuel Storage Installation on the Reservation of the Skull Valley Band of Goshute Indians and the Related Transportation Facility in Tooele County, Utah," NUREG-1714 (December 2001) (FEIS). The FEIS considered the impacts of the construction, operation and

decommissioning of the proposed ISFSI at the Skull Valley site and the impacts of certain transportation facilities which had been proposed by PFS. The FEIS indicated that the NRC staff and the three Cooperating Agencies had concluded, in part, that the overall benefits of the proposed PFSF outweigh the disadvantages and cost, and that the measures required by other permitting authorities and the mitigation measures proposed in the FEIS would eliminate or ameliorate any potential adverse environmental impacts associated with the PFS license application.

The safety and security of the proposed PFSF were addressed in a Safety Evaluation Report (SER) issued in December 2000 and two amendments thereto, as reissued in a consolidated SER in March 2002. Evidentiary hearings on the proposed license application were held before an Atomic Safety and Licensing Board in 2000, 2002 and 2004, and final adjudicatory decisions have been issued with respect to all contested issues in the proceeding.

In sum, the NRC has completed its environmental and safety reviews of the PFSF license application. Based on its review of the application and other pertinent information, the NRC issued Materials License No. SNM-2513 for the PFSF on February 21, 2006.

Further details with respect to this action are provided in the application dated June 20, 1997, as amended; the staff's Final Environmental Impact Statement, dated December 2001; the staff's Consolidated Safety Evaluation Report, dated March 5, 2002; Materials License SNM-2513; the NRC's letter to the ACHP dated November 22, 2005; the ACHP's letter dated January 9, 2006; the NRC's letter to the ACHP dated February 10, 2006; and other related documents, which are publicly available in the records component of NRC's Agencywide Documents Access and Management System (ADAMS). These documents may be accessed through the NRC's Public Electronic Reading Room on the Internet at: <http://www.nrc.gov/reading-rm/adams.html>. These documents may also be viewed electronically on the public computers located at the NRC's Public Document Room (PDR), O1F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. 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). The PDR reproduction contractor will copy documents for a fee.

Dated at Rockville, Maryland, this 21st day of February, 2006.

For The Nuclear Regulatory Commission.

**Stewart W. Brown,**

*Senior Project Manager, Licensing Section,  
Spent Fuel Project Office, Office of Nuclear  
Material Safety and Safeguards.*

[FR Doc. E6-2792 Filed 2-27-06; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 040-00341]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for the Defense Logistics Agency, Defense National Stockpile Center Facility In Scotia, NY

**AGENCY:** Nuclear Regulatory  
Commission.

**ACTION:** Notice of Availability.

#### FOR FURTHER INFORMATION CONTACT:

Betsy Ullrich, Commercial and R&D  
Branch, Division of Nuclear Materials  
Safety, Region I, 475 Allendale Road,  
King of Prussia, Pennsylvania, 19406  
telephone (610) 337-5040, fax (610)  
337-5269; or by e-mail: [exu@nrc.gov](mailto:exu@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory  
Commission (NRC) is considering the  
issuance of a license amendment to  
Defense Logistics Agency, Defense  
National Stockpile Center (DLA/DNSC)  
for Materials License No. STC-133, to  
authorize release of its facility in Scotia,  
New York for unrestricted use. NRC has  
prepared an Environmental Assessment  
(EA) in support of this proposed action  
in accordance with the requirements of  
10 CFR Part 51. Based on the EA, the  
NRC has concluded that a Finding of No  
Significant Impact (FONSI) is  
appropriate. The amendment will be  
issued following the publication of this  
Notice.

##### II. EA Summary

The purpose of the proposed action is  
to authorize the release of the licensee's  
Scotia, New York facility for  
unrestricted use. DLA/DNSC was  
authorized by NRC from 1970 to use  
radioactive materials for storage and  
sampling purposes at the Scotia site. On  
January 8, 2005, DLA/DNSC requested  
that NRC release the facility for  
unrestricted use. DLA/DNSC has  
conducted surveys of the facility and  
provided information to the NRC to  
demonstrate that the site meets the  
license termination criteria in Subpart E

of 10 CFR Part 20 for unrestricted  
release.

The NRC staff has prepared an EA in  
support of the license amendment. The  
facility was remediated and surveyed  
prior to the licensee requesting the  
license amendment. The NRC staff has  
reviewed the information and final  
status survey submitted by DLA/DNSC.  
Based on its review, the staff has  
determined that there are no additional  
remediation activities necessary to  
complete the proposed action.  
Therefore, the staff considered the  
impact of the residual radioactivity at  
the facility and concluded that since the  
residual radioactivity meets the  
requirements in Subpart E of 10 CFR  
part 20, a Finding of No Significant  
Impact is appropriate.

##### III. Finding of No Significant Impact

The staff has prepared the EA  
(summarized above) in support of the  
license amendment to release the  
facility for unrestricted use. The NRC  
staff has evaluated DLA/DNSC's request  
and the results of the surveys and has  
concluded that the completed action  
complies with the criteria in Subpart E  
of 10 CFR part 20. The staff has found  
that the radiological environmental  
impacts from the action are bounded by  
the impacts evaluated by NUREG-1496,  
Volumes 1-3, "Generic Environmental  
Impact Statement in Support of  
Rulemaking on Radiological Criteria for  
License Termination of NRC-Licensed  
Facilities" (ML042310492,  
ML042320379, and ML042330385).  
Additionally, no non-radiological or  
cumulative impacts were identified. On  
the basis of the EA, the NRC has  
concluded that there are no significant  
environmental impacts from the  
proposed action, and has determined  
not to prepare an environmental impact  
statement for the proposed action.

##### IV. Further Information

Documents related to this action,  
including the application for the license  
amendment and supporting  
documentation, are available  
electronically at the NRC's Electronic  
Reading Room at [http://www.nrc.gov/  
reading-rm/adams.html](http://www.nrc.gov/reading-rm/adams.html). From this site,  
you can access the NRC's Agencywide  
Document Access and Management  
System (ADAMS), which provides text  
and image files of NRC's public  
documents. The ADAMS accession  
numbers for the documents related to  
this Notice are: Environmental  
Assessment [ML060520131]; Defense  
National Stockpile Center Final Status  
Survey Report, Scotia Depot, New York,  
Final, December 2004 [ADAMS  
Accession No. ML050340087]; letter

dated August 16, 2005 [ML052310209];  
and letter dated October 4, 2005  
[ML052910324]. 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 (800) 397-4209 or (301)  
415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Documents related to operations  
conducted under this license not  
specifically referenced in this Notice  
may not be electronically available and/  
or may not be publicly available.  
Persons who have an interest in  
reviewing these documents should  
submit a request to NRC under the  
Freedom of Information Act (FOIA).  
Instructions for submitting a FOIA  
request can be found on the NRC's Web  
site at [http://www.nrc.gov/reading-rm/  
foia/foia-privacy.html](http://www.nrc.gov/reading-rm/foia/foia-privacy.html).

Dated at King of Prussia, Pennsylvania, this  
21st day of February, 2006.

For the Nuclear Regulatory Commission.

**James P. Dwyer,**

*Chief, Commercial and R&D Branch, Division  
of Nuclear Materials Safety, Region I.*

[FR Doc. E6-2783 Filed 2-27-06; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-05222]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for The E. R. Squibb and Sons, Inc. Facility in Hamilton, NJ

**AGENCY:** Nuclear Regulatory  
Commission.

**ACTION:** Notice of availability.

#### FOR FURTHER INFORMATION CONTACT:

Betsy Ullrich, Commercial and R&D  
Branch, Division of Nuclear Materials  
Safety, Region I, 475 Allendale Road,  
King of Prussia, Pennsylvania 19406,  
telephone (610) 337-5040, fax (610)  
337-5269; or by e-mail: [exu@nrc.gov](mailto:exu@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory  
Commission (NRC) is considering the  
issuance of a license amendment to E.  
R. Squibb and Sons, Inc. (Squibb) for  
Materials License No. 29-00139-02, to  
authorize release of its facility in  
Hamilton, New Jersey, for unrestricted  
use. NRC has prepared an  
Environmental Assessment (EA) in  
support of this proposed action in  
accordance with the requirements of 10  
CFR part 51. Based on the EA, the NRC