

shall review this information and determine when testing is required to provide additional information in assuring compliance with the Conditions. EnergySolutions shall retain this information as required by the State of Utah to permit independent review.

#### At Receipt

EnergySolutions shall require generators of SNM waste to provide a written certification with each waste manifest that states that the SNM concentrations reported on the manifest do not exceed the limits in Condition 1, that the measurement uncertainty does not exceed the uncertainty value in Condition 1, and that the waste meets Conditions 2 through 4.

7. Sampling and radiological testing of waste containing SNM must be performed in accordance with the following: One sample for each of the first ten shipments of a waste stream; or one sample for each of the first 100 cubic yards of waste up to 1,000 cubic yards of a waste stream, and one sample for each additional 500 cubic yards of waste following the first ten shipments or following the first 1,000 cubic yards of a waste stream. Sampling and radiological testing of debris waste containing SNM (that is exempted from sampling by the State of Utah) can be eliminated if the SNM concentration is lower than one tenth of the limits in Condition 1. EnergySolutions shall verify the percent enrichment by appropriate analytical methods. The percent enrichment determination shall be made by taking into account the most conservative values based on the measurement uncertainties for the analytical methods chosen.

8. EnergySolutions shall notify the NRC, Region IV office within 24 hours if any of the above conditions are not met, including if a batch during a treatment process exceeds the SNM concentrations of Condition 1. A written notification of the event must be provided within 7 days.

9. EnergySolutions shall obtain NRC approval prior to changing any activities associated with the above conditions.

Based on the staff's evaluation, the Commission has determined, pursuant to 10 CFR 70.17(a), that the exemption of above activities at the EnergySolutions disposal facility is authorized by law, and will not endanger life or property or the common defense and security and is otherwise in the public interest. Accordingly, by this Order, the Commission grants an exemption subject to the stated conditions. The exemption will become effective after the State of Utah has incorporated the above conditions into

EnergySolutions' radioactive materials license. In addition, at that time, the Order published on August 1, 2005 will no longer be effective.

Pursuant to the requirements in 10 CFR part 51, the Commission has determined that an Environmental Assessment is not required as the proposed action (change in company name) is administrative and therefore falls within the categorical exclusion provisions of 10 CFR 51.22(c)(11).

#### IV. Availability of Documents

Documents related to this action, including the application for amendment and supporting documentation, will be available electronically at the NRC's Electronic Reading Room at <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 number for the document related to this notice is: EnergySolutions' March 3, 2006 request (ML060740549).

If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

These documents may also be viewed electronically on the public computers located at the NRC's PDR, O 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Rockville, Maryland this 30th day of May, 2006.

For the Nuclear Regulatory Commission.

**Jack R. Strosnider,**

*Director, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. E6-9247 Filed 6-12-06; 8:45 am]

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#### NUCLEAR REGULATORY COMMISSION

[Docket No. 50-293-LR; ASLBP No. 06-848-02-LR]

#### Entergy Nuclear Operations, Inc.; Establishment of Atomic Safety and Licensing Board

Pursuant to delegation by the Commission dated December 29, 1972, published in the **Federal Register**, 37 FR 28,710 (1972), and the Commission's regulations, *see* 10 CFR 2.104, 2.300, 2.303, 2.309, 2.311, 2.318, and 2.321, notice is hereby given that an Atomic

Safety and Licensing Board is being established to preside over the following proceeding: Entergy Nuclear Operations, Inc. (Pilgrim Nuclear Power Station).

A Licensing Board is being established pursuant to a March 21, 2006 notice of opportunity for hearing (71 FR 6101 (March 27, 2006)) to consider the respective May 25 and May 26, 2006 requests of Pilgrim Watch and the Massachusetts Attorney General challenging the January 25, 2006 application for renewal of Operating License No. DPR-35, which authorizes Entergy Nuclear Operations, Inc. (Entergy), to operate the Pilgrim Nuclear Power Station at 2028 megawatts (Mwt) thermal. The Entergy Nuclear Operations, Inc. renewal application seeks to extend the current operating license for the facility, which expires on June 8, 2012, for an additional twenty years.

The Board is comprised of the following administrative judges:

Ann Marshall Young, Chair, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Richard F. Cole, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Nicholas G. Trikouros, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

All correspondence, documents, and other materials shall be filed with the administrative judges in accordance with 10 CFR 2.302.

Issued at Rockville, Maryland, this 7th day of June 2006.

**G. Paul Bollwerk, III,**

*Chief Administrative Judge, Atomic Safety and Licensing Board Panel.*

[FR Doc. E6-9180 Filed 6-12-06; 8:45 am]

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#### SECURITIES AND EXCHANGE COMMISSION

#### Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Extension:

Regulation S-P; OMB Control No. 3235-0537; and SEC File No. 270-480.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities