Mexico uranium mill site. The purpose of this amendment is to revise several current ground water protection standards based on a more extensive data set (temporal and spacial) of background water quality in the upper most (alluvial) aquifer. In addition, this amendment will include establishing new ground water protection standards for several constituents in the alluvial aquifer; the Upper, Middle, and Lower Chinle non-mixing zones; and the Chinle mixing zone. Presently, three alluvial aquifer monitor wells have been designated as point of compliance wells for existing ground water protection standards. Designation of additional point of compliance wells for the alluvial aquifer and the Chinle non-mixing and mixing zones will be addressed in a revised Corrective Action Plan, to be submitted by HMC no later than December 31, 2006. NRC has prepared an Environmental Assessment (EA) in support of this amendment 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 staff has prepared the EA in support of the proposed license amendment. Since this action relates to ground water, the primary focus of the evaluation of potential environmental impacts relates to ground water. For several of the constituents of interest, including uranium and selenium, the proposed ground water quality standards are higher than the existing standards. With respect to uranium and selenium, both the current and proposed ground water protection standards exceed their respective Safe Drinking Water Act maximum contaminant levels; therefore, post-restoration treatment to meet Federal potable water quality limits will be necessary. Since the proposed standards are higher, the cost of post-restoration treatment to meet Federal water quality limits under the proposed amendment may be higher. However, it is recognized that the proposed ground water quality standards represent the ambient (background) chemical quality of the ground water flowing into (and eventually downgradient) of the mill site from upgradient areas and these higher background levels are not related to milling activities. In addition, staff has concluded that there would be no effect to the following resources: visual resources, vegetation and soils, ambient air quality, and transportation. Staff has also determined that the proposed action is not the type of activity that has the potential to cause effects on cultural or historic resources.

III. Finding of No Significant Impact

On the basis of the EA, NRC has concluded that there are no significant environmental impacts from the proposed amendment and has determined not to prepare an environmental impact statement.

IV. Further Information

Documents related to this action, including the application for amendment and supporting documentation, are 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 numbers for the documents related to this notice are as follows:

Document	ADAMS Accession No.	Date
Environmental Restoration Group Statistical Evaluation of Alluvial Ground Water Quality Upgradient of the Homestake Site Near Grants, New Mexico.	ML020080071 ML020080076 ML020080104 ML020350348	12/31/01
Environmental Restoration Group Statistical Evaluation of the Chinle Aquifer Quality at Homestake Site Near Grants, New Mexico.	ML033140226	10/31/03
Homestake Mining Company and Hydro-Engineering Background Water Quality Evaluation of Chinle Aquifers.	ML033140212 ML033140215 ML033140218 ML033140223 ML033160201 ML033160203 ML033160207 ML033160213	10/31/03
Homestake Mining Company—HMC's response to New Mexico Environment Department Comments	ML060790062	6/9/05
Homestake Mining Company—Revised Ground Water Protection Standards	ML060250273	1/19/06
NRC's EA for Homestake's Proposed Revisions to Ground Water Protection Standards	ML061450327	6/06/06

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.*

These documents may also be viewed electronically on the public computers located at the NRC's PDR, O1 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 16th day of June, 2006.

For the Nuclear Regulatory Commission.

Ron Linton,

Project Manager, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards.

[FR Doc. E6–9851 Filed 6–21–06; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 040–07455]

Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment to Source Materials License No. Sma–1018, Approving the Final Status Survey Plan for Section 2 of the Whittaker Corporation's Facility in Transfer, PA

AGENCY: Nuclear Regulatory Commission.

ACTION: Issuance of Environmental Assessment and Finding of No Significant Impact for License Amendment.

FOR FURTHER INFORMATION CONTACT: Marjorie McLaughlin, Health Physicist, Decommissioning Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406–1415; telephone (610) 337–5240; fax number (610) 337–5269; or by e-mail: *mmm3@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to Source Materials License No. SMA–1018. This license is held by Whittaker Corporation (the Licensee), for its Whittaker facility (the Facility), located at 99 Crestview Drive in Transfer, Pennsylvania. Issuance of the amendment would approve a Final Status Survey Plan (FSSP) for Section 2 of the Facility. The Licensee requested this action in a letter dated October 5, 2005. The NRC has prepared an Environmental Assessment (EA) in support of this proposed action in accordance with the requirements of Title 10 Code of Federal Regulation (CFR), part 51 (10 CFR part 51). Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate with respect to the proposed action. The amendment will be issued following the publication of this FONSI and EA in the **Federal Register**.

II. Environmental Assessment

Identification of Proposed Action

The proposed action would grant the Licensee's October 5, 2005, license amendment request, thereby approving the FSSP for Section 2 of the Facility. Specifically, the FSSP describes the Licensee's methods and procedures for determining whether that portion of the site currently meets the radiological criteria for release for unrestricted use specified in Subpart E of 10 CFR part 20, or if additional remediation is required. NRC approval of the FSSP does not constitute termination of the license or release of the site for unrestricted use. Instead, it would allow the Licensee to obtain the information required by the NRC in support of any later request to release the Facility (or a portion of the Facility) for unrestricted use.

License No. SMA–1018 was issued on December 15, 1969, pursuant to 10 CFR part 40, and has been amended periodically since that time. The license authorized the possession and use of unsealed source material (natural thorium and natural uranium) contained in ores used for minerals processing and as a contaminant that was isolated by the processing of scrap metal. The Facility originally consisted of a plant and a slag waste storage area. In 1974, the Licensee ceased licensed operations at the Facility, and initiated decommissioning of plant equipment and buildings. Waste slag, raw materials, feed-metal scrap, and contaminated building materials that were generated from the decontamination activities were placed in the slag storage area. The portion of the property housing the plant was released for unrestricted use in 1975, following the performance of a confirmatory survey by the NRC. An additional plant building was decommissioned in 1983 and released for unrestricted use in 1985. The plant is an active facility under a new owner (Greenville Metals), who is not associated with the Licensee. Greenville Metals processes and refines scrap and other metals to produce metal alloys and conversion products. Greenville Metals does not utilize NRC-licensed radioactive material, and is separated from the Whittaker property by metal fencing.

The Facility that the Licensee plans to decommission consists of the slag area, located on a 5.9 acre strip of land, that is characterized by four sections according to topography and site use. Section 2 is in the center, bordered by Section 3 to the north, the boundary fence with the Greenville Metals plant to the west, a ravine to the south, and floodplain and the Shenango River to the east. Section 2 contained the highest-activity slag, most of which has now been excavated and disposed in accordance with the Licensee's procedures that were approved by NRC in the license amendment dated June 10, 1999. The Facility is located within an industrial park. There are no buildings remaining at the Facility (with the exception of temporary trailers supplied by the decommissioning contractor), and the surrounding area is primarily rural.

In July 2004, the Licensee initiated excavation and survey of the slag and waste materials in Section 2 of the Facility. On September 12, 2005, the Licensee commenced shipping the material to an authorized radioactive waste disposal site. The proposed action is to approve the Licensee's plan for conducting a radiological survey of Section 2 of the Facility. The Licensee will perform the survey to determine if Section 2 meets the site-specific Derived Concentration Guideline Levels (DCGLs), approved by the NRC on September 20, 2005 (70 FR 54779). These DCGLs describe the maximum amount of residual radioactivity on building surfaces, equipment, materials, and soils that will satisfy the NRC requirements in Subpart E of 10 CFR part 20 for unrestricted release of the Facility.

Need for the Proposed Action

The Licensee is no longer using licensed materials at the Facility. In accordance with the requirements of 10 CFR 40.42(h), the Licensee must complete decommissioning of the site no later than 24 months following the initiation of decommissioning. The Licensee will use the proposed FSSP to determine if Section 2 of the Facility meets the NRC criteria for release for unrestricted use, or if additional decommissioning activities are required.

Environmental Impacts of the Proposed Action

The survey described in the proposed Section 2 FSSP follows the guidance contained in NUREG–1575, Rev 1, ''Multi-Agency Radiation Survey and Site Investigation Manual'' (MARSSIM). The proposed FSSP divides Section 2 into Class 1 and Class 2 survey units, based on the expected remaining radioactive contamination. Under the proposed action, each survey unit will receive a walkover radiation survey of the soil surface (one-hundred percent of the area for the Class 1 units and a minimum of ten percent of the area for the Class 2 units). The walkover surveys will be performed using a two-inch by two-inch (2″ x 2″) Sodium-Iodide (NAI) radiation detector. The proposed FSSP also provides for obtaining 11 discrete soil samples from each survey unit. The sample locations would be determined using a random-start grid pattern, in accordance with the MARSSIM guidance. The samples would consist of filling one-gallon bags with soil from the remediated area, and having the soil analyzed by gamma spectroscopy to determine the radiological composition. In addition, the proposed FSSP includes the performance of exposure rate measurements at each soil sample location at a height of one meter (m).

The proposed action would have minimal effect on environmental resources because it involves passive surveys and the removal of only a small amount of soil from an area that was previously-impacted by licensed operations. The proposed action would not result in the release of radioactivity to the air or water. The proposed action

also would not authorize release of Section 2 of the Facility for unrestricted use. Based on its review, the NRC staff has determined that the proposed FSSP is in compliance with approved NRC standards, as described in NUREG–1575, Rev.1.

Area groundwater is chemically contaminated with trichloroethylene (TCE). The origin of this contamination is being investigated by the Pennsylvania Department of Environmental Protection (PADEP). PADEP has indicated that it believes the contamination is being leached onto the Facility property from surrounding industrial sites. The Licensee is working with PADEP and the surrounding industries to identify and remediate the TCE source and the contamination. The proposed action will not result in the release of TCE to the environment. The NRC staff has found no other radiological or non-radiological activities in the area that could result in cumulative environmental impacts. Based on its review, the staff concluded that the proposed action will not have a significant effect on the quality of the human environment.

Environmental Impacts of the Alternatives to the Proposed Action

The only alternative to the proposed action is the no-action alternative, under which the staff would deny the amendment request for the proposed FSSP. This alternative would result in no environmental impacts, but would prohibit the performance of a FSS for Section 2 of the Facility. This no-action alternative is not feasible because it conflicts with 10 CFR 20.1402, requiring licensees to verify that residual radioactivity meets the radiological unrestricted release criteria. The Licensee cannot demonstrate that the site meets the decommissioning criteria without performing the FSS. The licensee must verify that the decommissioning criteria are met before it can request release of Section 2 of the Facility for unrestricted use. Additionally, denying the amendment request would prevent the Licensee from completing decommissioning in the timeframe required by 10 CFR 40.42(h). The environmental impacts of the proposed action are minimal, and the no-action alternative is accordingly not further considered.

Conclusion

The NRC staff has concluded that the proposed action is consistent with NRC guidance and regulations. Because the proposed action will not significantly impact the quality of the human environment, the NRC staff concludes that the proposed action is the preferred alternative.

Agencies and Persons Consulted

NRC provided a draft of the EA to PADEP on January 24, 2006. On February 15, 2006, PADEP responded by e-mail. The State agreed with the conclusions of the EA, and provided some typographical comments on the EA document, and two specific comments on the FSSP:

Comment 1: PADEP asked whether the contractor, NRC, will use to perform a confirmatory survey of Section 2 of the Facility will review and comment on the FSSP.

Resolution: NRC provided the proposed FSSP to the NRC contractor for review and comment on February 21, 2006. Comments were received on March 2, 2006. NRC provided the comments to the Licensee in a Request for Additional Information on March 29, 2006. The Licensee revised the proposed FSSP in response to the comments, and provided the revised FSSP in a letter dated May 15, 2006. The staff reviewed the revised FSSP for the preparation of this EA.

Comment 2: PADEP asked how the Licensee has verified the belief stated in the proposed FSSP that Section 2 of the Facility has been excavated to native soil, and that there is not additional contamination at a greater depth.

Resolution: NRC discussed the comment with the Licensee and PADEP. The bottom of the excavation is characterized by foundry sand in most locations, and by river rock and coarse soil in others. The Licensee believes, and NRC concurs that the river rock and coarse soil is native soil. In areas exposing foundry sand, the Licensee will perform surveys to verify that contamination is not present at greater depths. PADEP indicated that they are satisfied with this response.

The NRC staff has determined that the proposed action has minimal environmental impacts, and will not affect listed species or critical habitat. Therefore, no consultation is required under Section 7 of the Endangered Species Act. The NRC staff has also determined that the proposed action is not the type of activity that has the potential to cause effects on historic properties. Therefore, no further consultation is required under Section 106 of the National Historic reservation Act.

III. Finding of No Significant Impact

The NRC staff has prepared this EA in support of the proposed action. On the basis of this EA, the NRC finds that there are no significant environmental impacts from the proposed action, and that preparation of an environmental impact statement is not warranted. Accordingly, the NRC has determined that a Finding of No Significant Impact is appropriate.

IV. Further Information

Documents related to this action, including the application for license amendment and supporting documentation, are 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 documents related to this action are listed below, along with their ADAMS accession numbers.

1. Initial Amendment Request with Final Status Survey Plan, dated October 5, 2005 (ML052900082);
2. Request for Additional Information (RAI), dated October 18, 2005 (ML052910472);
3. Section 2 FSSP, Revision 1, dated November 14, 2005 (ML053190091);
4. Additional RAI, dated January 9, 2006 (ML060090311);
5. Section 2 FSSP, Revision 2, dated January 31, 2006 (ML060300532);
6. Comments on the Section 2 FSSP from the Oak Ridge Institute for Science and Education, dated March 2, 2006 (ML060690388);
7. Telephone Log, dated March 22, 2006 (ML060810706);
8. Additional RAI, dated March 29, 2006 (ML060880199);
9. Section 2 FSSP, Revision 3, dated May 15, 2006 (ML061420467);
10. Title 10 Code of Federal Regulations, Part 20, Subpart E, ''Radiological Criteria for License Termination;''
11. Title 10 Code of Federal Regulations, Part 40. 42, ''Expiration and Termination of Licenses and Decommissioning of Sites and Separate Buildings or Outdoor Areas;''
12. Title 10 Code of Federal Regulations, Part 51, ''Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions;''
13. NUREG–1575, Rev 1, ''Multi-Agency Radiation Survey and Site Investigation Manual''

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. 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 King of Prussia, Pennsylvania this 15th day of June, 2006.

For the Nuclear Regulatory Commission.

Marie Miller,

Chief, Decommissioning Branch, Division of Nuclear Materials Safety, Region I.

[FR Doc. E6–9850 Filed 6–21–06; 8:45 am]

BILLING CODE 7590–01–P

PENSION BENEFIT GUARANTY CORPORATION

Required Interest Rate Assumption for Determining Variable-Rate Premium for Single-Employer Plans; Interest Assumptions for Multiemployer Plan Valuations Following Mass Withdrawal

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of interest rates and assumptions; correction.

SUMMARY: The Pension Benefit Guaranty Corporation published in the **Federal Register** of June 15, 2006, a notice informing the public of the interest rates and assumptions to be used under certain Pension Benefit Guaranty Corporation regulations. This document corrects an inadvertent error in that notice.

FOR FURTHER INFORMATION CONTACT: Catherine B. Klion, Attorney, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005, 202–326–4024. (TTY/TDD users may call the Federal relay service toll-free at 1–800–877–8339 and ask to be connected to 202–326–4024.)

SUPPLEMENTARY INFORMATION: The Pension Benefit Guaranty Corporation published a document in the June 15, 2006, **Federal Register** (71 FR 34645), informing the public of the interest rates and assumptions to be used under certain Pension Benefit Guaranty Corporation regulations. This document corrects an inadvertent error in that notice.

In FR Doc. E6–9346, published on June 15, 2006 (70 FR 34645), make the following correction. On page 34646, in the second column, in the last line of the table, remove ''2005'' and add, in its place, ''2006''.

Issued in Washington, DC, on this 19th day of June 2006.

Vincent K. Snowbarger,

Acting Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. E6–9881 Filed 6–21–06; 8:45 am]

BILLING CODE 7709–01–P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

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

Extension: Rule 6c–7; SEC File No. 270–269; OMB Control No. 3235–0276.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (the ''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit these existing collections of information to the Office of Management and Budget (''OMB'') for extension and approval.

Rule 6c–7 (17 CFR 270.6c–7) under the Investment Company Act of 1940 (15 U.S.C. 80a–1 *et seq.*) (''1940 Act'') provides exemption from certain provisions of sections 22(e) and 27 of the 1940 Act for registered separate accounts offering variable annuity contracts to certain employees of Texas institutions of higher education participating in the Texas Optional Retirement Program. There are approximately 80 registrants governed by Rule 6c–7. The burden of compliance with Rule 6c–7, in connection with the registrants obtaining from a purchaser, prior to or at the time of purchase, a signed document acknowledging the restrictions on redeemability imposed by Texas law, is estimated to be approximately 3 minutes of professional time per response for each of approximately 2600 purchasers annually (at an estimated $70 per hour), for a total annual burden of 130 hours (at a total annual cost of $9,100).

The estimate of average burden hours is made solely for the purposes of the Paperwork Reduction Act, and is not derived from a comprehensive or even a representative survey or study of the costs of Commission rules or forms. The Commission does not include in the estimate of average burden hours the time preparing registration statements and sales literature disclosure regarding the restrictions on redeemability imposed by Texas law. The estimate of burden hours for completing the relevant registration statements are reported on the separate PRA submissions for those statements. (See the separate PRA submissions for Form N–3 (17 CFR 274.11b) and Form N–4 (17 CFR 274.11c).

The Commission requests written comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to R. Corey Both, Director/Chief Information Officer, Securities and Exchange Commission, C/O Shirley Martinson 6432 General Green Way, Alexandria, Virginia 22312; or send an e-mail to: *PRA_Mailbox@sec.gov.*

Dated: June 15, 2006.

Nancy M. Morris,

Secretary.

[FR Doc. E6–9833 Filed 6–21–06; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–54001; File No. 4–429]

Joint Industry Plan; Notice of Filing of Joint Amendment No. 19 to the Intermarket Option Linkage Plan To Modify the Manner in Which the Participation Fee Applicable to New Participants Is Calculated

June 15, 2006.

Pursuant to section 11A of the Securities Exchange Act of 1934 (the ''Act'') [1] and Rule 608 thereunder,[2] notice is hereby given that on February 17, 2006, March 16, 2006, April 12, 2006, April 18, 2006, May 2, 2006, and May 22, 2006, International Securities Exchange, Inc. (''ISE''), Philadelphia Stock Exchange, Inc. (''Phlx''), Chicago Board Options Exchange, Incorporated

[1] 15 U.S.C. 78k–1.

[2] 17 CFR 242.608.