

given to comments received after this date.

John A. Asalone, Office of Information and Regulatory Affairs (3150-0039), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be e-mailed to [John\\_A.\\_Asalone@omb.eop.gov](mailto:John_A._Asalone@omb.eop.gov) or submitted by telephone at (202) 395-4650.

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

Dated at Rockville, Maryland, this 22nd day of June, 2006.

For the Nuclear Regulatory Commission.

**Brenda Jo. Shelton,**

*NRC Clearance Officer, Office of Information Services.*

[FR Doc. E6-10264 Filed 6-28-06; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

**AGENCY:** U.S. Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of the OMB review of information collection and solicitation of public comment.

**SUMMARY:** The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a current valid OMB control number.

1. *Type of submission, new, revision, or extension:* Revision.

2. *The title of the information collection:* 10 CFR part 150, "Exemptions and Continued Regulatory Authority in Agreement States and in Offshore Waters under Section 274."

3. *The form number if applicable:* Not applicable.

4. *How often the collection is required:* 10 CFR 150.16(b), 150.17(c), and 150.19(c) require the submission of reports following specified events, such as the theft or unlawful diversion of licensed radioactive material. The source material inventory reports required under 10 CFR 150.17(b) must be submitted annually by certain licensees.

5. *Who is required or asked to report:* Agreement State licensees authorized to

possess source or special nuclear material at certain types of facilities, or at any one time and location in greater than specified amounts. In addition, persons engaging in activities in non-Agreement States, in areas of exclusive Federal jurisdiction within Agreement States, or in offshore waters.

6. *An estimate of the number of responses:* 12.

7. *The estimated number of annual respondents:* 10.

8. *The number of hours needed annually to complete the requirement or request:* 35 hours.

9. *An indication of whether section 3507(d), Public Law 104-13 applies:* Not applicable.

10. *Abstract:* 10 CFR part 150 provides certain exemptions from NRC regulations for persons in Agreement States. Part 150 also defines activities in Agreement States and in offshore waters over which NRC regulatory authority continues, including certain information collection requirements. The information is needed to permit NRC to make reports to other governments and the International Atomic Energy Agency in accordance with international agreements. The information is also used to carry out NRC's safeguards and inspection programs.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by July 31, 2006. 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.

OMB Desk Officer, Office of Information and Regulatory Affairs (3150-0032), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be 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 June 2006.

For the Nuclear Regulatory Commission.

**Brenda Jo. Shelton,**

*NRC Clearance Officer, Office of the Chief Information Officer.*

[FR Doc. E6-10266 Filed 6-28-06; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-06839]

### Hawaii Agriculture Research Center, Kunia Substation, Kunia, HI: Issuance of Environmental Assessment and Finding of No Significant Impact for License Amendment

**AGENCY:** Nuclear Regulatory Commission.

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

**FOR FURTHER INFORMATION CONTACT:** D. Blair Spitzberg, Ph.D., Chief, Fuel Cycle and Decommissioning Branch, Division of Nuclear Materials Safety, Region IV, U.S. Nuclear Regulatory Commission, 611 Ryan Plaza Drive, Suite 400, Arlington, TX 76011. Telephone: (817) 860-8100; e-mail: [dbs@nrc.gov](mailto:dbs@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of an amendment to Material License No. 53-00515-01, as requested by the Hawaii Agriculture Research Center (the Licensee), to authorize release of the Kunia Substation at Kunia, Hawaii, for unrestricted use. The Licensee is authorized to possess radioactive material for conducting tracer studies in plants and soils and for laboratory analysis of samples. On December 2, 2005, the Licensee requested that NRC release the facility for unrestricted use. The Licensee conducted radiological surveys of the facility to demonstrate that the site meets the license termination criteria specified in Subpart E to 10 CFR part 20 for unrestricted release.

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 Regulations (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 to the Licensee following the publication of this FONSI and EA in the **Federal Register**.

## II. Environmental Assessment

*Identification of Proposed Action:* The proposed action is to remove the Kunia Substation from License Condition 10 as a location of use. Once the building is removed from the license, the licensee will be free to use the building in any manner without NRC restriction.

*The Need for the Proposed Action:* The licensee no longer conducts licensed activities in this building and desires to release the building for unrestricted use. If the site is properly decommissioned, the licensee would then be in compliance with the Timeliness Rule requirements of 10 CFR 30.36, "Expiration and Termination of Licenses and Decommissioning of Sites and Separate Buildings or Outdoor Areas."

*Environmental Impacts of the Proposed Action:* The Kunia Substation is a 4,000 ft<sup>2</sup> (372 m<sup>2</sup>) building that housed a 300 ft<sup>2</sup> (28 m<sup>2</sup>) radiologically restricted area. The licensee used carbon-14, a long-lived low energy beta radiation emitter, at this location between 1975–1998. The licensee possessed a total of 11.5 millicuries (4.26E+8 becquerels) of carbon-14 for experiments. At the conclusion of these experiments, the contaminated soil and plant material were either radiologically sampled and free-released or shipped offsite for disposal.

By letter dated December 2, 2005, the licensee requested amendment of its license to remove Kunia Substation as a location of use. Attached to the request was a report of a final status survey that was conducted during 2005. The survey included scan surveys for fixed/total contamination and swipe sampling for removable contamination. The response and operability of the instrumentation used were verified using carbon-14 check sources. Scan survey results were indistinguishable from background levels. Most swipe sample results were below the instrument's minimum detectable activity level of 17.3 disintegrations per minute (0.288 becquerels per minute) per swipe sample. The highest sample result was 24 disintegrations per minute per swipe (0.4 becquerels per minute per swipe).

Regulation 10 CFR 20.1402, Radiological Criteria for Unrestricted Use, states in part that a site will be considered acceptable for unrestricted use if the residual radioactivity that is distinguishable from background radiation results in a total effective dose equivalent not to exceed 25 millirems (0.25 mSv) per year to an average member of the critical group. The NRC's NUREG-1757, Volume 1, Revision 1, "Consolidated NMSS Decommissioning

Guidance," Table B.1 provides screening values for building surface contamination that are equivalent to 25 millirems (0.25 mSv) per year. The NRC-approved screening value for carbon-14 is 3.7E+6 disintegrations per minute (6.18E+4 becquerels)/100 cm<sup>2</sup>. Assuming a loose/removable contamination fraction of 10-percent, the removable surface contamination screening value is 3.7E+5 disintegrations per minute (6.18E+3 becquerels)/100 cm<sup>2</sup>. In summary, the licensee's final status survey results were well below the NRC-approved screening values.

A second method to demonstrate compliance with 10 CFR 20.1402 is the use of dose modeling. The licensee conducted dose modeling to estimate potential doses to members of the public from carbon-14 radioactivity in soil. The licensee conservatively assumed that all 11.5 millicuries (4.26E+8 becquerels) of carbon-14 were dispersed into the area soil resulting in a soil activity of 26 picocuries (57.7 becquerels) per gram. Using Version 6.3 of the RESRAD modeling code with all default parameters, including the default carbon-14 activity of 100 picocuries (222 becquerels) per gram, the model calculated a peak dose of 132 millirems (1.32 mSv) per year. The peak dose occurs at 4.28 years. The licensee discontinued use of carbon-14 at Kunia Substation in 1998. Dose modeling further demonstrates that by the seventh year (2005), the annual dose drops to below 0.03 millirems (3E-4 mSv) per year. Through dose modeling of potential soil contamination, the licensee conservatively demonstrated that the annual total effective dose equivalent is currently less than the 25-millirem (0.25 mSv) regulatory limit.

The NRC staff reviewed docket file records to identify any radiological or non-radiological hazards that may have impacted the environment. Records indicate that two plots of land located at the Kunia Substation were previously used for land application of radioactive material. In the first instance, an activity of approximately 10 millicuries (3.7E+8 becquerels) of a carbon-14 labeled compound was applied to a 3750 ft<sup>2</sup> (348 m<sup>2</sup>) plot during 1984. This plot was decommissioned, and the NRC released the property from the license in May 1993. In the second instance, on two occasions (1979 and 1982), seeds treated with a carbon-14 compound were planted in a 1600 ft<sup>2</sup> (149 m<sup>2</sup>) plot. This plot was also decommissioned, and the NRC released the property from the license in April 1996. No incidences involving spills or releases of

radioactive material were documented to have occurred at Kunia Substation.

*Environmental Impacts of the Alternatives to the Proposed Action:* The licensee seeks NRC approval of the amendment request. The alternatives to the proposed action are: (1) The no-action alternative, or (2) to deny the amendment request and require the licensee to take some alternate action.

1. *No-Action Alternative:* One alternative available to the NRC is to take no action by denying the amendment request. The no-action alternative is not feasible because it conflicts with the NRC's Timeliness Rule (10 CFR 30.36) which requires licensees to decommission their facilities when licensed activities cease.

2. *Environmental Impacts of Alternative 2:* A second alternative is to deny the licensee's request in favor of alternate release criteria as allowed by § 20.1403 (criteria for restricted use) or § 20.1404 (alternate release criteria). However, the NRC's analysis of the final status survey data confirmed that the survey results and dose modeling meet the § 20.1402 radiological criteria for unrestricted use, which is the preferred alternative.

Accordingly, the NRC has determined that the second alternative is not reasonable, and this alternative action is eliminated from further consideration.

*Conclusion:* Based on its review, the NRC staff concludes that the environmental impacts associated with the proposed action do not warrant denial of the license amendment request. The staff finds that the proposed action will result in no significant environmental impacts. The staff has determined that approval of the license amendment is the appropriate alternative for selection.

*Agencies and Persons Contacted:* The NRC staff did not consult with the Hawaii State Historic Preservation Officer or the local U.S. Fish & Wildlife Service because licensed activities being considered by this EA occurred only within the confines of the Kunia Substation. Other than the two land applications that were previously reviewed and released by the NRC, no other use or release of radioactive material outside of the building was identified. Accordingly, there were no identified impacts to the cultural resources, endangered species, or critical habitats. The Hawaii Department of Health was consulted about this EA. The State informed the NRC by letter dated May 30, 2006, that it had no objections to the draft EA or to the use of the EA for NRC decisionmaking.

### III. Finding of No Significant Impact

The NRC staff has prepared an EA in support of the proposed license amendment to release Kunia Substation for unrestricted use. On the basis of this EA, NRC has concluded that no significant environmental impacts will result from the proposed action, and the license amendment does not warrant the preparation of an environmental impact statement. Accordingly, it has been determined that a Finding of No Significant Impact is appropriate.

### 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:

1. Whalen, Stephanie, Hawaii Agriculture Research Center, Response to NRC Information Notice 96-47, October 31, 1996 (ML060890606).
2. NRC, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities," NUREG-1496, July 1997 (ML042310492, ML042320379, and ML042330385).
3. NRC, "Consolidated NMSS Decommissioning Guidance," NUREG-1757, Volume 1, Revision 1, September 2003 (ML053260027).
4. Whalen, Stephanie A., Hawaii Agriculture Research Center, License Amendment Request, December 2, 2005 (ML060120252).
5. Takata, Russell, S., Response to Request for Comments on Draft Environmental Assessment for Decommissioning of Kunia Substation at Hawaii Agriculture Research Center, May 30, 2006 (ML061630274).

If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdrc@nrc.gov](mailto:pdrc@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 Arlington, Texas this 16th day of June 2006.

For the Nuclear Regulatory Commission.

**D. Blair Spitzberg,**

*Chief, Fuel Cycle & Decommissioning Branch,  
Division of Nuclear Materials Safety, Region IV.*

[FR Doc. E6-10265 Filed 6-28-06; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 70-0036]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact Related to Issuance of Amendment No. 52 to Materials License No. SNM-00033, Westinghouse Electric Company, LLC Hematite Former Fuel Fabrication Facility Located in Festus, MO, Site (TAC No. L52641)

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

**ACTION:** Notice of Availability of Environmental Assessment and Finding of No Significant Impact.

#### FOR FURTHER INFORMATION CONTACT:

Amy M. Snyder, Senior Project Manager, Decommissioning Directorate, Division of Waste Management and Environmental Protection, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, M.S. T7 E-18, Rockville, MD, 20852-2738. Telephone: (301) 415-8580; Fax number: (301) 415-5398; e-mail: [ams3@nrc.gov](mailto:ams3@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering amending Nuclear Materials License Number SNM-00033 issued to Westinghouse Electric Company, LLC (WEC) to authorize the dismantlement and demolition of Buildings 101, 110, 115, 120, 230, 231, 235, 240, 245, 252, 253, 254, 255, 256, 260, and 261 down to building slabs and foundations at grade at the WEC Hematite Former Fuel Fabrication Facility in Festus, Missouri. This consideration is being supported by this Environmental Assessment (EA) and a separate Safety Evaluation Report (SER). In a letter dated October 5, 2004 (ML042860234), WEC submitted a request to NRC to amend Materials License Number SNM-00033 to obtain authorization to dismantle and demolish Buildings 101, 110, 115, 120, 230, 231, 235, 240, 245, 252, 253, 254, 255, 256, 260, and 261 down to building slabs and foundations at grade. In its request, WEC noted that it wants the

flexibility to not demolish all the non-process buildings, if it later decides to keep these buildings for reuse. The licensee's October 5, 2004, license amendment request (ML051310063) was noticed in the **Federal Register** on November 16, 2004 (69 FR 67187). That **Federal Register** notice also provided an opportunity for a hearing on this licensing action, and no hearing requests were submitted. NRC has prepared this EA in support of its consideration of the amendment request and in accordance with the requirements of 10 CFR part 51. This EA evaluates the potential environmental impacts of WEC's request. Based on this EA, the staff has concluded that a Finding of No Significant Impact (FONSI) is appropriate.

## II. Environmental Assessment

### Background

From the mid 1950s until 2001, the Hematite site was involved in production and manufacturing of nuclear fuel. The majority of the buildings were constructed during 1956 through 1974 with final construction in 1989. There are currently no fuel manufacturing activities at the site. Building 101 (Tile Barn) housed the former Emergency Operations Center during plant operations and was later used for the storage of both clean and contaminated equipment. Building 110 houses the security and some administrative office spaces. Building 115 housed the plant diesel emergency generator and fire pumps. Building 120 (Wood Barn) was used for storing both clean and contaminated equipment. Building 230 was used for the fuel assembly operations. The building surfaces have no known levels of contamination above the level for unrestricted use. Building 230 currently houses administrative offices. Building 231 was used as a warehouse to store shipping containers. Building 235 was used as a vault to store depleted, natural, and enriched uranium. Building 240 contained a laboratory and maintenance area, a recycle recovery area, and a waste incinerator. Past operations in this building also included the conversion of high enriched uranium using a wet conversion process and recovery. A portion of the building was used for recycle and recovery operations and high-enriched material operations. Another portion of the building was used for the incinerator and housed low-enriched powder operations, including ammonium diuranate and oxidation/reduction furnaces. Building 245 (Well House) was used for treating