

in the Generic Environmental Impact Statement for License Renewal, Supplement 24 regarding Nine Mile Point Nuclear Station, Units 1 and 2.

After weighing the environmental, economic, technical and other benefits of the facility against environmental costs and considering available alternatives, the Commission found that the adverse environmental impacts of license renewal are not so great that preserving the option of license renewal would be unreasonable. The Commission also has taken all practicable measures within its jurisdiction to avoid or minimize environmental harm in its decision to renew Operating License Nos. DPR-63 and NPF-69. No license conditions are imposed in connection with mitigation measures.

NMP, Units 1 and 2, are located on approximately 900 acres along the shore of Lake Ontario, Oswego County, New York. The site is approximately 5 miles north-northeast of the nearest boundary of the City of Oswego. The licensee's application for the renewed licenses complied with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations. As required by the Act and the Commission's regulations in 10 CFR Chapter I, the Commission has made appropriate findings, which are set forth in each license.

Prior public notice of the action involving the proposed issuance of the renewed licenses and of an opportunity for a hearing regarding the proposed issuance of the renewed licenses was published in the **Federal Register** on July 21, 2004 (69 FR 43633).

For further details with respect to this action, see (1) the Nine Mile Point Nuclear Station, LLC license renewal application for Nine Mile Point Nuclear Station, Units 1 and 2 dated May 26, 2004, as amended July 15, 2005; (2) the Commission's safety evaluation report (NUREG-1900), published in September 2006; and (3) the Commission's final environmental impact statement (NUREG-1437, Supplement 24), published in May 2006. These documents are available at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, and can be viewed from the NRC Public Electronic Reading Room at (<http://www.nrc.gov/reading-rm/adams.html>).

Copies of Renewed Facility Operating License Nos. DPR-63 and NPF-69 may be obtained by writing to the U.S. Nuclear Regulatory Commission, Washington, DC, 20555-0001, Attention: Director, Division of License

Renewal. Copies of the NMP, Units 1 and 2, Safety Evaluation Report (NUREG-1900) and the Final Environmental Impact Statement (NUREG-1437, Supplement 24) may be purchased from the National Technical Information Service, U.S. Department of Commerce, Springfield, VA 22161-0002 (<http://www.ntis.gov>), 703-605-6000, or the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 371954, Pittsburgh, PA, 15250-7954. (<http://www.gpoaccess.gov>), 202-512-1800. All orders should clearly identify the NRC publication number and the requester's Government Printing Office deposit account number or a VISA or MasterCard number and expiration date.

Dated at Rockville, Maryland, this 31st day of October, 2006.

For the Nuclear Regulatory Commission.

**Frank P. Gillespie,**

*Director, Division of License Renewal, Office of Nuclear Reactor Regulation.*

[FR Doc. E6-18627 Filed 11-3-06; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 52-009-ESP; ASLBP No. 04-823-03-ESP]

### Atomic Safety and Licensing Board; Before Administrative Judges: Lawrence G. McDade, Chairman, Nicholas G. Trikouras, Dr. Richard E. Wardwell; in the Matter of System Energy Resources, Inc.; Early Site Permit for Grand Gulf Site; Revised Notice of Hearing

October 31, 2006.

On October 6, 2006, this Atomic Safety and Licensing Board issued a Notice of Hearing,<sup>1</sup> which indicated that an evidentiary session would be convened beginning on Tuesday, November 14, 2006, to receive testimony and exhibits in the "mandatory hearing" portion of this proceeding regarding the October 16, 2003, application of System Energy Resources, Inc. (SERI) for a 10 CFR Part 52 early site permit (ESP), seeking approval of the site of the existing Grand Gulf Nuclear Station (GGNS) near Port Gibson in Claiborne County, Mississippi, for the possible future construction of a new nuclear power generation facility.<sup>2</sup> This mandatory hearing will concern safety and environmental matters relating to the proposed issuance of the requested ESP, as described in our October 6 Notice.

<sup>1</sup> See 71 FR 60,583 (Oct. 13, 2006).

<sup>2</sup> See 69 FR 2636 (Jan. 16, 2004).

The Board hereby gives notice that the mandatory hearing will now begin on Wednesday, November 29, 2006, and will continue day-to-day thereafter until concluded.

### A. Date, Time, and Location of Mandatory Hearing

*Date:* Wednesday, November 29, 2006.

*Time:* Beginning at 9 a.m. EST.

*Location:* ASLBP Hearing Room, Two White Flint North, Third Floor, 11545 Rockville Pike, Rockville, Maryland 20852-2738.

Any members of the public who plan to attend the mandatory hearing are advised that security measures will be employed at the entrance to the hearing facility, including searches of hand-carried items such as briefcases or backpacks. The public is further advised that, in accordance with 10 CFR 2.390, portions of the hearing sessions may be closed to the public because the matters at issue may involve the discussion of protected information.

### B. Scheduling Information Updates

Updated/revised scheduling information regarding the evidentiary hearing can be found on the NRC Web site at <http://www.nrc.gov/public-involve/public-meetings/index.cfm> or by calling (800) 368-5642, extension 5036, or (301) 415-5036.

*It is so ordered.*

Dated: Rockville, Maryland, October 31, 2006.

For the Atomic Safety and Licensing Board.<sup>3</sup>

**Lawrence G. McDade,**

*Chairman, Administrative Judge.*

[FR Doc. 06-9075 Filed 11-3-06; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 70-7004-ML, ASLBP No. 05-838-01-ML]

### Atomic Safety and Licensing Board, Before Administrative Judges: Lawrence G. McDade, Chairman, Dr. Peter S. Lam, Dr. Richard E. Wardwell; In the Matter of USEC, Inc. (American Centrifuge Plant); Notice of Opportunity To Make Oral or Written Limited Appearance Statements

October 31, 2006.

This proceeding involves the application of USEC, Inc. (USEC) for authorization to construct a facility and

<sup>3</sup> Copies of this Notice were sent this date by Internet e-mail transmission to counsel for (1) SERI; and (2) the NRC Staff.

to possess and use source, byproduct, and special nuclear material in order to enrich natural uranium to a maximum of ten percent uranium-235 (U<sup>235</sup>) by the gas centrifuge process. USEC proposes to do this at a facility—denominated the American Centrifuge Plant (ACP)—to be constructed near Piketon, Ohio.

More specifically, on August 23, 2004, USEC filed an application with the Nuclear Regulatory Commission (NRC) to obtain a thirty-year license under 10 CFR Parts 30, 40, and 70 to operate its proposed ACP. Thereafter a public interest group, the Portsmouth/Piketon Residents for Environmental Safety and Security (PRESS) and an individual, Geoffrey Sea (Sea), filed petitions to intervene. Based on the pleadings submitted, and after hearing argument from the putative intervenors, this Board determined that neither Petitioner had presented an admissible contention. LBP-05-28, 62 NRC 585 (2005). Both PRESS and Sea appealed the Board's Order and, on April 3, 2006, the Commission affirmed the Board's rulings as to both Petitioners. CLI-06-09, 63 NRC 433 (2006); CLI-06-10, 63 NRC 451 (2006). Therefore, the only matter remaining before this Board is satisfaction of the Mandatory Hearing requirement with regard to USEC's License Application (LA). 42 U.S.C. 2243(b)(1); 10 CFR 70.23a, 70.31(e).

This Atomic Safety and Licensing Board hereby gives notice that, in accordance with 10 CFR 2.315(a), the Board will entertain oral limited appearance statements from members of the public in connection with this proceeding at the date, time, and location specified below.

#### **A. Date, Time, and Location of Oral Limited Appearance Statement Session**

The session will be held on the following date at the specified location and time:

*Date:* Tuesday, December 12, 2006.

*Time:* 6 p.m. EST until 9 p.m. EST.

*Location:* Ohio State University Endeavor Center, Training Room 160, 1862 Shyville Road, Piketon, Ohio 45661.

#### **B. Participation Guidelines for Oral Limited Appearance Statements**

Any person not a party, or the representative of a party, to the proceeding will be permitted to make an oral statement setting forth his or her position on matters of concern relating to this proceeding. Although these statements do not constitute testimony or evidence in the proceeding, they nonetheless help the Board and/or the parties in their consideration of the issues.

Oral limited appearance statements will be entertained during the hours specified above, or such lesser time as might be necessary to accommodate the speakers who are present. In this regard, if all scheduled and unscheduled speakers present at the session have made a presentation, the Licensing Board reserves the right to terminate the session before the ending time listed above. During the limited appearance session no signs or banners will be permitted in the room.

In order to allow all interested persons an opportunity to address the Board, the time allotted for each statement normally will be no more than five (5) minutes, but may be limited, or expanded, depending on the number of written requests to make oral statements that are submitted in accordance with Section C below, and/or the number of persons present at the designated time. At the outset of each statement, the speaker should identify himself or herself by stating their name, city and state of residence, and stating whether they have any affiliation (such as employment, consultancy, or membership) with any of the parties (USEC or the NRC).

#### **C. Submitting a Request To Make an Oral Limited Appearance Statement**

Persons wishing to make an oral statement who have submitted a timely written request to do so will be given priority over those who have not filed such a request. To be considered timely, a written request to make an oral statement must either be mailed, faxed, or sent by e-mail so as to be received by 5 p.m. EST on December 5, 2006. Written requests to make an oral statement should be submitted to:

*Mail:* Office of the Secretary, Rulemakings and Adjudications Staff, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

*Fax:* (301) 415-1101 (verification) (301) 415-1966).

*E-mail:* [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov).

In addition, using the same method of service, a copy of the written request to make an oral statement should be sent to the Chairman of this Licensing Board as follows:

*Mail:* Administrative Judge Lawrence G. McDade, c/o: Debra Wolf, Esq. Law Clerk, Atomic Safety and Licensing Board Panel, Mail Stop T-3 F23, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

*Fax:* (301) 415-5599 (verification) (301) 415-6094).

*Email:* [daw1@nrc.gov](mailto:daw1@nrc.gov).

#### **D. Submitted Written Limited Appearance Statements**

A written limited appearance statement may be submitted to the Board regarding this proceeding at any time, either in lieu of or in addition to any oral statement. Such statements should be sent to the Office of the Secretary using the methods prescribed above, with a copy to the Licensing Board Chairman.

#### **E. Availability of Documentary Information Regarding the Proceeding**

Documents relating to this proceeding are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, or electronically from the publicly available records component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (Electronic Reading Room). 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).

#### **F. Scheduling Information Updates**

Updated/revised scheduling information regarding the limited appearance session can be found on the NRC Web site at <http://www.nrc.gov/public-involve/public-meetings/index.cfm> or by calling (800) 368-5642, extension 5036, or (301) 415-5036.

Dated: October 31, 2006.

For the Atomic Safety and Licensing Board.<sup>1</sup>

**Lawrence G. McDade, Chairman**  
*Administrative Judge.*

[FR Doc. 06-9076 Filed 11-3-06; 8:45 am]

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### **NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 50-259, 50-260, and 50-296]

#### **Tennessee Valley Authority, Browns Ferry Nuclear Plant, Units 1, 2 and 3; Draft Environmental Assessment and Finding of No Significant Impact Related to the Proposed License Amendment To Increase the Maximum Reactor Power Level**

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

<sup>1</sup> Copies of this Notice were sent this date by Internet electronic mail transmission to counsel for (1) USEC; and (2) the NRC Staff.