

specified in 10 CFR 20.1402. 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 this Environmental Assessment to the State of New York's Department of Environmental Conservation for review on December 27, 2006. On January 29, 2007, New York State responded by electronic mail. The State agreed with the conclusions of the EA, and otherwise had no comments.

The NRC staff has determined that the proposed action is of a procedural nature, and will not affect listed species or critical habitat. Therefore, no further 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 Preservation 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. NUREG-1757, "Consolidated NMSS Decommissioning Guidance;"

2. Title 10 Code of Federal Regulations, Part 20, Subpart E, "Radiological Criteria for License Termination;"

3. Title 10, Code of Federal Regulations, Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions;"

4. NUREG-1496, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities;"

5. "Radiological Historical Site Assessment Report, Defense National Stockpile Center, Binghamton Depot, Binghamton, NY" dated February 2006 [ML060730408];

6. "Final Status Survey Plan, DNSC, Binghamton Depot, Binghamton, NY" dated February 2006 [ML060730389];

7. "Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment to Source Materials License No. STC-133 Authorizing the Use of Site-Specific Derived Concentration Guideline Levels for Unrestricted Release of the Defense Logistics Agency, Defense Nuclear Supply Center Depot in Binghamton, NY" published in the **Federal Register** Volume 71, Number 162 on August 22, 2006, pages 48952 and 48953;

8. Defense Logistics Agency, Submittal of Final Status Survey Report for the Defense National Stockpile, Binghamton, NY Depot dated October 16, 2006 [ML062970211];

9. Defense Logistics Agency, Deficiency Response Letter dated December 19, 2006 [ML063540612]; and

10. Defense Logistics Agency, Deficiency Response Facsimile dated January 3, 2007 [ML070040099].

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 [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 Region 1, 475 Allendale Road, King of Prussia, this 5th day of February 2007.

For the Nuclear Regulatory Commission.

**James P. Dwyer,**

*Chief, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region 1.*

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#### **NUCLEAR REGULATORY COMMISSION**

##### **Advisory Committee on Reactor Safeguards (ACRS); Subcommittee Meeting on Thermal-Hydraulic Phenomena; Revised**

The ACRS Subcommittee meeting on Thermal-Hydraulic Phenomena scheduled for Monday, February 26 and Tuesday, February 27, 2007, 11545 Rockville Pike, Rockville, Maryland in Room T-2B3 has been *rescheduled for a one day meeting on Tuesday, February 27, 2007*. All other items pertaining to this meeting remain the same as published previously in the **Federal Register** on Tuesday, January 30, 2007 (72 FR 4303).

*For Future Information Contact:* Mr. Ralph Caruso, cognizant ACRS staff engineer (Telephone: 301-415-8065) between 7:30 a.m. and 4:15 p.m. (ET) or by e-mail [rxo@nrc.gov](mailto:rxo@nrc.gov).

Dated: February 8, 2007.

**David C. Fischer,**

*Acting Branch Chief, ACRS/ACNW.*

[FR Doc. E7-2603 Filed 2-14-07; 8:45 am]

**BILLING CODE 7590-01-P**

#### **NUCLEAR REGULATORY COMMISSION**

##### **Advisory Committee on Reactor Safeguards (ACRS); Subcommittee Meeting on Materials, Metallurgy, and Reactor Fuels; Postponed**

The ACRS Subcommittee meeting on Materials, Metallurgy, and Reactor Fuels scheduled to be held on February 22, 2007, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland has been postponed. Notice of this meeting was published on Wednesday, January 31, 2007 (72 FR 4537). Rescheduling of this meeting will be announced in a future **Federal Register** Notice.

*For future information contact:* Mr. Ralph Caruso, cognizant ACRS staff engineer (telephone 301/415-8065) between 7:15 a.m. and 5 p.m. (ET) or by e-mail [rxo@nrc.gov](mailto:rxo@nrc.gov).

Dated: February 8, 2007.

**David C. Fischer,**

*Acting Branch Chief, ACRS/ACNW.*

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