

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

Nontimely requests and/or petitions and contentions will not be entertained absent a determination by the Commission or the presiding officer of the Atomic Safety and Licensing Board that the petition, request and/or the contentions should be granted based on a balancing of the factors specified in 10 CFR 2.309(c)(1)(i)-(viii).

A request for a hearing or a petition for leave to intervene must be filed by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; (2) courier, express mail, and expedited delivery services: Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff; (3) E-mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, [HEARINGDOCKET@NRC.GOV](mailto:HEARINGDOCKET@NRC.GOV); or (4) facsimile transmission addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC, Attention: Rulemakings and Adjudications Staff at (301) 415-1101, verification number is (301) 415-1966. A copy of the request for hearing and petition for leave to intervene should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and it is requested that copies be transmitted either by means of facsimile transmission to 301-415-3725 or by e-mail to [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov). A copy of the request for hearing and petition for leave to intervene should also be sent to Mr. Brad Fewell, Assistant

General Counsel, Exelon Generation Company, LLC, 4300 Winfield Road, Warrenville, IL 60555, attorney for the licensee.

For further details with respect to this action, see the application for amendment dated March 6, 2007, which is available for public inspection at the Commission's PDR, located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. 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 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 17th day of July 2007.

For the Nuclear Regulatory Commission.

**John Hughey,**

*Project Manager, Plant Licensing Branch 1-2, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E7-14250 Filed 7-23-07; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 70-3098-MLA; ASLBP No. 07-856-02-MLA-BD01]

### Shaw Areva Mox Services (Mixed Oxide Fuel Fabrication Facility); Notice of Reconstitution

Pursuant to 10 CFR 2.321, the Atomic Safety and Licensing Board in the above captioned *Shaw Areva Mox Services* proceeding is hereby reconstituted by appointing Administrative Judge Lawrence G. McDade in place of Administrative Judge William M. Murphy, whose circumstances have rendered him unavailable to participate in this proceeding (10 CFR 2.313(c)).

In accordance with 10 CFR 2.302, henceforth all correspondence, documents, and other material relating to any matter in this proceeding over which this Licensing Board has jurisdiction should be served on Administrative Judge McDade as follows: Administrative Judge Lawrence G. McDade, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Issued at Rockville, Maryland, this 18th day of July 2007.

**E. Roy Hawkens,**

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

[FR Doc. E7-14255 Filed 7-23-07; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

### Notice of Intent to Prepare a Generic Environmental Impact Statement for Uranium Milling Facilities

**AGENCY:** United States Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of Intent (NOI).

**SUMMARY:** The NRC announces its intent to prepare a Generic Environmental Impact Statement (GEIS) in accordance with the National Environmental Policy Act (NEPA) and NRC's NEPA implementing regulations contained in 10 CFR Part 51. The GEIS will assess the potential environmental impacts associated with uranium recovery at milling facilities employing the in-situ leach (ISL) process. The GEIS may also assess the potential environmental impacts of alternative methods of uranium recovery (including the conventional milling process).

**DATES:** The public scoping process required by NEPA begins with publication of this NOI and continues until September 4, 2007. Written comments submitted by mail should be postmarked by that date to ensure consideration. Comments mailed after that date will be considered to the extent possible.

NRC will conduct two public meetings to assist in defining the appropriate scope of the GEIS, including the significant environmental issues to be addressed. The meeting dates, times and locations are listed below:

*Meeting Date:* August 7, 2007, 7 p.m. to 9:30 p.m.

*Meeting Location:* Parkway Plaza Hotel and Convention Center, 123 West E Street, Casper, WY 82601, Phone (307) 235-1777.

*Meeting Date:* August 9, 2007, 7 p.m. to 9:30 p.m.

*Meeting Location:* Hilton Albuquerque, 1901 University Boulevard, NE., Albuquerque, New Mexico, 87102, Phone: (505) 884-2500.

For both meetings, members of the NRC staff will be available for informal discussions with members of the public from 6 p.m. to 7 p.m. The formal meeting and associated NRC presentation will begin at 7 p.m. For planning purposes, those who wish to

present oral comments at the meeting are encouraged to pre-register by contacting Carol Walls of the NRC by telephone at 1-800-368-5642, Extension 8028, or by e-mail at [CAW@nrc.gov](mailto:CAW@nrc.gov) no later than August 3, 2007. Interested persons may also register to speak at the meetings. Depending on the number of speakers, each speaker may be limited in the amount of time allocated for their comments so that all speakers will have an opportunity to offer comments.

**ADDRESSES:** Members of the public and interested parties are invited and encouraged to submit comments to the Chief, Rules Review and Directives Branch, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Due to the current mail situation in the Washington, DC area, the NRC encourages comments to be submitted electronically to [nrcprep@nrc.gov](mailto:nrcprep@nrc.gov). Please refer to the "Uranium Recovery GEIS" when submitting comments.

**FOR FURTHER INFORMATION CONTACT:** For general information on the NRC NEPA process, or the environmental review process related to this GEIS, please contact: James Park, Environmental Project Manager, Division of Waste Management and Environmental Protection (DWMEP), Mail Stop T-8F5, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by phone at 1-800-368-5642, Extension 6935, or by e-mail at [JRP@nrc.gov](mailto:JRP@nrc.gov). For general or technical information associated with the safety and licensing of uranium milling facilities, please contact: William Von Till Environmental, Branch Chief, Uranium Recovery Branch, DWMEP, Mail Stop T-8F5, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by phone at 1-800-368-5642, Extension 0598, or by e-mail at [RWV@nrc.gov](mailto:RWV@nrc.gov).

Information and documents associated with the GEIS are available for public review through the NRC electronic reading room: <http://www.nrc.gov/reading-rm/adams.html>. Documents may also be obtained from the NRC Public Document Room at U.S. Nuclear Regulatory Commission Headquarters, 11555 Rockville Pike (first floor), Rockville, Maryland, 20852-2738.

#### SUPPLEMENTARY INFORMATION:

##### 1.0 Background

The NRC is expecting numerous license applications for in-situ leach (ISL) uranium milling facilities in the coming 2-3 years. This GEIS is intended to address the common issues associated with environmental reviews

of such milling facilities located in the western United States. Because there are environmental issues common to ISL milling facilities, the NRC staff will be addressing these common issues generically to aid in a more efficient environmental review for each separate license application, if and when these applications are submitted.

ISL milling facilities recover uranium from low grade ores that may not be economically recoverable by other methods. In this process, a leaching agent, such as oxygen with sodium bicarbonate, is added to native ground water for injection through wells into the subsurface ore body to dissolve the uranium. The leach solution, containing the dissolved uranium, is pumped back to the surface and sent to the processing plant, where ion exchange is used to separate the uranium from the solution. The underground leaching of the uranium also frees other metals and minerals from the host rock. Operators of ISL facilities are required to restore the ground water affected by the leaching operations. The milling process concentrates the recovered uranium into the product known as "yellowcake" (U<sub>3</sub>O<sub>8</sub>). This yellowcake is then shipped to uranium conversion facilities for further processing in the overall uranium fuel cycle.

One alternative to ISL milling is the conventional uranium milling process that extracts uranium from mined ore. At conventional mills, the ore arrives via truck and is crushed, ground, and leached. In most cases, sulfuric acid is the leaching agent, but alkaline leaching can also be done. The leaching agent not only extracts uranium from the ore but also several other constituents (e.g., vanadium, selenium, iron, lead, and arsenic). Conventional mills extract 90 to 95 percent of the uranium from the ore. These mills are typically in areas of low population density, and they typically process ores from mines within 50 kilometers (30 miles). Conventional mills may also produce significant quantities of waste materials, known as mill tailings, from the ore processing. These tailings are contained in impoundments which can be as large as 250 to 300 acres in extent. It is estimated that roughly 95% of the incoming ore ends as mill tailings. These mill tailings contain most of the radioactive progeny of uranium and may be a significant source of radon and radon progeny releases to the environment.

The GEIS will focus on the construction, operation, and decommissioning of ISL mills and also assess alternative methods of uranium recovery. It is noted that the hardrock

mining associated with conventional uranium milling is regulated by other entities (e.g., the U.S. Bureau of Land Management, and various state agencies).

For more information on the uranium fuel cycle, please see Regulating Nuclear Fuel, NUREG/BR-0280, Rev. 1, (which can be found online at: <http://www.nrc.gov/reading-rm/doc-collections/nuregs/brochures/br0280/>).

##### 2.0 Alternatives To Be Evaluated

*No action*—The no-action alternative would be to not build nor license potential uranium milling facilities. Under this alternative the NRC would not approve future license applications. This alternative serves as a baseline for comparison of the potential environmental impacts.

*Proposed action*—The proposed action is the construction, operation, and decommissioning of an ISL uranium mill. Implementation of the proposed action would require the issuance of an NRC license under the provisions of 10 CFR Part 40.

*Alternatives*—The conventional milling process is one alternative. Other alternatives not listed in this notice may be identified through the scoping process.

##### 3.0 Environmental Impact Areas To Be Analyzed

The following resource areas have been tentatively identified for analysis in the GEIS:

- Public and Occupational Health:* Addressing the potential public and occupational consequences from construction, routine operation, transportation, and credible accident scenarios (including natural events), and decommissioning;
- Waste Management:* Addressing the types of wastes expected to be generated, handled, stored and subject to re-use or disposal;
- Land Use:* Addressing land use plans, policies and controls;
- Transportation:* Addressing the transportation modes, routes, quantities, and risk estimates;
- Geology and Soils:* Addressing the physical geography, topography, geology and soil characteristics;
- Water Resources:* Addressing the surface and ground water hydrology, water use and quality, and the potential for degradation;
- Ecology:* Addressing wetlands, aquatic, terrestrial, economically and recreationally important species, and threatened and endangered species;
- Air Quality:* Addressing meteorological conditions, ambient

background, pollutant sources, and the potential for degradation;

- Noise*: Addressing ambient noises, sources, and sensitive receptors;
- Historical and Cultural Resources*: Addressing historical, archaeological, and traditional cultural resources;
- Visual and Scenic Resources*: Addressing landscape characteristics, man-made features and viewshed;
- Socioeconomics*: Addressing the demography, economic base, labor pool, housing, transportation, utilities, public services/facilities, education, recreation, and cultural resources;
- Environmental Justice*: Addressing the potential disproportionately high and adverse impacts to minority and low-income populations; and
- Cumulative Effects*: Addressing the impacts from past, present, and reasonably foreseeable actions at and near the site.

The examples under each resource area are not intended to be all inclusive, nor is this list an indication that environmental impacts will occur. The list is presented to facilitate comments on the scope of the GEIS. Additions to, or deletions from, this list may occur as a result of the public scoping process.

#### 4.0 Scoping Meetings

This NOI is to encourage public involvement in the GEIS process and to solicit public comments on the proposed scope and content of the GEIS. NRC will hold public scoping meetings as described above to solicit both oral and written comments from interested parties.

Scoping is an early and open process designed to determine the range of actions, alternatives, and potential impacts to be considered in the GEIS, and to identify the significant issues related to the proposed action. Scoping is intended to solicit input from the public and other agencies so that the analysis can be more clearly focused on issues of genuine concern. The principal goals of the scoping process are to:

- Identify public concerns;
- Ensure that concerns are identified early and are properly studied;
- Identify alternatives that will be examined;
- Identify significant issues that need to be analyzed; and
- Eliminate unimportant issues.

The scoping meetings will begin with NRC staff providing a description of NRC's role and mission followed by a brief overview of NRC's environmental review process and goals of the scoping meeting. The bulk of the meeting will be allotted for attendees to make oral comments.

#### 5.0 Scoping Comments

Written comments should be mailed to the address listed above in the **ADDRESSES** section. The NRC staff will prepare a scoping summary report in which it will summarize public comments. The NRC will make the scoping summary report and project-related materials available for public review through its electronic reading room: <http://www.nrc.gov/reading-rm/adams.html>. Further, an NRC Web site will be established in the near future to keep the public abreast of the current schedule and to post important documents.

#### 6.0 The NEPA Process

The GEIS will be prepared according to NEPA and NRC's NEPA implementing regulations contained in 10 CFR part 51.

After the scoping process is complete, the NRC will prepare a draft GEIS. The draft GEIS is scheduled to be published by April 2008. A 45-day comment period on the draft GEIS is planned, and a public meeting(s) to receive comments will be held approximately three weeks after publication of the draft GEIS. Availability of the draft GEIS, the dates of the public comment period, and information about the public meeting will be announced in the **Federal Register**, on NRC's Web page, and in the local news media. The final GEIS is expected to be published in January 2009 and will incorporate, as appropriate, public comments received on the draft GEIS.

Dated at Rockville, Maryland, this 20th day of July, 2007.

For the Nuclear Regulatory Commission,  
**Gregory F. Suber**,  
*Branch Chief, Environmental Review Branch, Environmental Protection and Performance Assessment Directorate, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs.*  
 [FR Doc. E7-14362 Filed 7-23-07; 8:45 am]  
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### NUCLEAR REGULATORY COMMISSION

#### Notice of Sunshine Act Meetings

**DATE:** Weeks of July 23, 30, August 6, 13, 20, 27, 2007.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and closed.

**MATTERS TO BE CONSIDERED:**

#### Week of July 23, 2007

*Tuesday, July 24, 2007*

- 9:30 a.m. Preparation for the 2008 Convention on Nuclear Safety (closed—ex. 9).
- 1:55 p.m. Affirmation Session (Public Meeting) (Tentative).
- a. Request for Reconsideration of the Wording of 10 CRF Sec. 26.205(D)(4) as Affirmed on April 17, 2007 (Tentative).

This meeting will be webcast live at the Web address, <http://www.nrc.gov>.

- 2 p.m. Briefing on Palo Verde Nuclear Generating Station (Public Meeting). (Contact: Michael Markley, (301) 415-5723).

This meeting will be webcast live at the Web address, <http://www.nrc.gov>.

*Wednesday, July 25, 2007*

- 9:30 a.m. Continuation of Discussion of Security Issues (closed—ex. 1 & 3) held Wednesday, July 18, 2007.
- 2 p.m. Discussion of Management Issues (closed—ex. 2).

#### Week of July 30, 2007—Tentative

*Thursday, August 2, 2007*

- 1:30 p.m. Briefing on Risk-Informed, Performance-Based Regulation (Public Meeting). (Contact: John Monninger, (301) 415-6189).

This meeting will be webcast live at the Web address, <http://www.nrc.gov>.

#### Week of August 6, 2007—Tentative

There are no meetings scheduled for the Week of August 6, 2007.

#### Week of August 13, 2007—Tentative

There are no meetings scheduled for the Week of August 13, 2007.

#### Week of August 20, 2007—Tentative

*Tuesday, August 21, 2007*

- 1:30 p.m. Meeting with OAS and CRCPD (Public Meeting). (Contact: Shawn Smith, (301) 415-2620).

This meeting will be webcast live at the Web address, <http://www.nrc.gov>.

*Wednesday, August 22, 2007*

- 9:30 a.m. Periodic Briefing on New Reactor Issues (Morning Session) (Public Meeting). (Contact: Donna Williams, (301) 415-1322).

This meeting will be webcast live at the Web address, <http://www.nrc.gov>.

- 1:30 p.m. Periodic Briefing on New Reactor Issues (Afternoon Session) (Public Meeting). (Contact: Donna Williams, (301) 415-1322).

This meeting will be webcast live at the Web address, <http://www.nrc.gov>.