BIA, USACE, Caltrans, and Sonoma County as cooperating agencies. Due to a change in project alternatives, the NIGC released a supplemental NOI (**Federal Register** September 29, 2005) and Scoping Report (January 2006).

A NOA for the Draft Environmental Impact Statement (DEIS) was published in the **Federal Register** on March 9, 2007. The DEIS addressed the issues and concerns summarized within the scoping reports, to the extent required by NEPA. Seven alternatives were evaluated in detail in the DEIS, including development on one of three alternatives sites (Wilfred, Stony Point, and Lakeville) and a no action alternative. The proposed project/action (Alternative A) includes a casino/hotel resort on a site west of Rohnert Park (the Wilfred site). The casino/hotel resort would include restaurants, a hotel, an entertainment venue, gaming space, banquet/meeting space, and a pool and spa. In addition to the casino/hotel facility, the proposed development would also include on-site parking and an on-site tertiary wastewater treatment plant.

Alternative B consists of the development of a casino/hotel resort nearly identical to that proposed under Alternative A, but located on the northwest corner of an adjacent site, slightly further west of Rohnert Park (the Stony Point site). Alternative C also consists of the development of a casino/hotel resort nearly identical to that proposed under Alternative A. However, the Alternative C casino/hotel resort would be located on the northeast corner of the Stony Point site. Alternative D consists of a smaller-scale version of Alternative B. Alternative E consists of a business park development located on the northwest corner of the Stony Point site. Alternative F consists of the development of a casino/hotel resort nearly identical to that proposed under Alternative A but located on a different site in southern Sonoma County near the intersection of State Route 37 and the Lakeville Highway (the Lakeville site). Alternative G is the no project/action alternative, under which the NIGC would not approve the management contract.

The DEIS was available for public comment from March 9, 2007 to June 5, 2007. The DEIS was available for an 88-day review and comment period, 43 days longer than what is required by NEPA, and 28 days longer than what is recommended in the NIGC NEPA Procedures Manual. Two public hearings were held on the Draft EIS, April 4, 2007 at the Spreckles Performing Arts Center, Rohnert Park, CA and April 5, 2007 at the Wells Fargo Performing Arts Center, Santa Rosa, CA.

Eight alternatives are evaluated in detail in the FEIS, including development on one of three alternatives sites (Wilfred, Stony Point, and Lakeville) and a no action alternative. Based on comments received by cooperating agencies and at the request of the Tribe, a full, detailed analysis of an eighth alternative (Alternative H) has been added to the FEIS analysis. Alternative H is a reduced intensity casino alternative with the same components as the reduced intensity Alternative D but located on the Wilfred Site.

The Clean Air Act requires federal agencies to assure that their actions conform to applicable implementation plans for achieving and maintaining the National Ambient Air Quality Standards for criteria air pollutants. The NIGC prepared a FCD for the proposed action/project described above. The FCD is included in Appendix W of the FEIS.

Authority: This notice is published in accordance with Sections 1506.6 of the Council of Environmental Quality Regulations 40 CFR, Parts 1500 through 1508 implementing the procedural requirements of the NEPA of 1969, as amended 42 U.S.C. 4371 *et seq.* This notice is also published in accordance with 40 CFR 93.155, which provides reporting requirements for conformity determinations.

Dated: February 13, 2009.

Philip N. Hogen,

Chairman.

[FR Doc. E9–4263 Filed 2–26–09; 8:45 am]

BILLING CODE 7565–01–P

NATIONAL SCIENCE FOUNDATION

Astronomy and Astrophysics Advisory Committee #13883; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Astronomy and Astrophysics Advisory Committee (#13883).

Date and Time: March 5, 2009, 2 p.m.–4 p.m. EDT.

Place: Teleconference.

National Science Foundation, Room 1060, Stafford I Building, 4201 Wilson Blvd., Arlington, VA, 22230.

Type of Meeting: Open.

Contact Person: Dr. Craig B. Foltz, Acting Division Director, Division of Astronomical Sciences, Suite 1045, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: 703–292–4908.

Reason for Late Notice: Due to scheduling complications. At the last meeting, February 19, it was decided that another meeting via teleconference was required to review the draft annual report before the March 15 submission.

Purpose of Meeting: To provide advice and recommendations to the National Science Foundation (NSF), the National Aeronautics and Space Administration (NASA) and the U.S. Department of Energy (DOE) on issues within the field of astronomy and astrophysics that are of mutual interest and concern to the agencies.

Agenda: To discuss the Committee's draft annual report due 15 March 2009.

Dated: February 24, 2009.

Susanne E. Bolton,

Committee Management Officer.

[FR Doc. E9–4188 Filed 2–26–09; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Proposal Review Panel in Earth Sciences; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Earth Sciences Proposal Review Panel (1569).

Date & Time: April 1–3, 2009; 8:30 a.m.–5 p.m. each day.

Place: Stafford I Conference Center, National Science Foundation, 4201 Wilson Blvd., Room 770, Arlington, VA 22230.

Type of Meeting: Part-Open—see Agenda, below.

Contact Person: Dr. David Lambert, Program Director, Instrumentation & Facilities Program, Division of Earth Sciences, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 292–8558.

Purpose of Meeting: To carry out review of IRIS management and leadership as stipulated in cooperative agreement EAR–0552316.

Agenda

Closed:

April 1 from 8:30 a.m.–9:30 a.m.: Organization meeting, introductions, review of charge to review panel, discussion of COI; and 1 p.m.–5 p.m.: panel discussion, write up of summary of findings and recommendations.

April 2 from 8:30 a.m.–5 p.m.: Write up of summary of findings and recommendations;

April 3 from 8:30 a.m.–5 p.m.: Complete panel summary and recommendations.

Open:

April 1 from 9:30 a.m.–12 a.m.: Presentation by IRIS management and Q&A between panel and IRIS.

Reason for Closing: During the closed sessions, the panel will be reviewing information of a proprietary or confidential nature, including technical information, financial data such as salaries, and personal information that could harm individuals if they are disclosed. If discussions were open to the public, these matters that are exempt

under 5 U.S.C. 552b(c)(4) and (6) of the Government in the Sunshine Act would be improperly disclosed.

Dated: February 24, 2009.

Susanne Bolton,

Committee Management Officer.

[FR Doc. E9–4187 Filed 2–26–09; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–369 and 50–370; NRC–2009–0081]

Duke Energy Carolinas, LLC; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License Nos. NPF–9 and NPF–17 issued to Duke Energy Carolinas, LLC (the licensee), for operation of the McGuire Nuclear Station, Units 1 and 2, located in Mecklenburg County, North Carolina.

The proposed amendments revise the McGuire Nuclear Station, Units 1 and 2, licensing basis by adopting the alternative source term (AST) radiological analysis methodology as allowed by Title 10 of the *Code of Federal Regulations*, Part 50, Section 50.67, ''Accident Source Term, for the Loss of Coolant Accident.'' This amendment request represents full scope implementation of the AST as described in NRC Regulatory Guide 1.183, ''Alternative Radiological Source Terms for Evaluating Design Basis Accidents at Nuclear Power Reactors, Revision 0.''

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in Title 10 of the Code of Federal Regulations (10 CFR), Section 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

No. AST is an updated methodology used to evaluate the dose consequences of the Loss of Coolant Accident (LOCA). This type of change is analytical, thus, does not increase the probability of an accident previously evaluated. It has been demonstrated that the dose consequences of the re-analyzed accident remain within the dose limits of 10 CFR 50.67 and Regulatory Guide 1.183.

This proposed change assumes an increase in the amount of unfiltered air in-leakage into the control room. The current Technical Information Document (TID) based McGuire dose consequence analysis for the LOCA assumed control room unfiltered in-leakage of 10 scfm. Tracer gas testing performed at McGuire revealed that unfiltered in-leakage into the control room exceeded this amount by as much as 167 scfm as discussed in McGuire's response to NRC GL 2003–01 dated February 19, 2004. Use of the AST methodology can accommodate a larger control room pressurization unfiltered in-leakage rate without exceeding any regulatory dose limits.

A comparison of the AST analysis results and the TID values (UFSAR Table 15–12) shows that the EAB and LPZ (off-site) doses decrease while the control room dose increases. The new AST based analysis not only implements changes which affect both off-site and control room doses, such as the change in source term methodology, it also includes changes to the LOCA model which only impact the control room dose, and are responsible for the increased result. These new attributes include a control room in-leakage model that reflects the control room tracer gas testing results and a recomputed control room shine component of the post LOCA control room dose. The dose consequences of the revised analysis, however, are below the 10 CFR 50.67 acceptance criteria for both off-site and control room doses and are not considered a significant increase.

AST radiological methodology does not adversely affect accident initiators or precursors. Nor will it alter or prevent the ability of structures, systems, and components from performing their intended function to mitigate the consequences of an accident.

Therefore, this LAR will not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the LAR create the possibility of a new or different kind of accident from any accident previously evaluated?

No. AST is an updated methodology that was used to re-evaluate the dose consequences of the McGuire UFSAR previously analyzed accidents. This new analysis does not cause any change in the post accident operation of any plant system, structure, or component.

This LAR does not involve an addition or modification to any plant system, structure, or component. This change does not affect the post accident operation of any plant system, structure, or component as directed in plant procedures. New or modified equipment or personnel failure modes that might initiate a new or different type accident are not created as a result of the proposed change.

Therefore, no new or different accident is created by changing to the AST methodology prescribed in Regulatory Guide 1.183.

3. Does this LAR involve a significant reduction in a margin of safety?

No. Margin of safety is related to the confidence in the ability of the fission product barriers to perform their design functions during and following accident conditions. These barriers include the fuel cladding, the reactor coolant system, and the containment system. The proposed re-analysis of the LOCA dose consequences using AST will have no affect on the performance of these barriers. This LAR does not involve an addition or modification to any plant system, structure, or component. This change will not affect the post accident operation of any plant system, structure, or component as directed in plant procedures.

Therefore, the proposed LAR will not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. Should the