

Declassification Act of 2000 (Pub. L. 106-567, title VII, December 27, 2000, 114 Stat. 2856), announcement is made for the following committee meeting:

DATES: July 8, 2009.

Time: 9:30 a.m. to 12:30 p.m.

ADDRESSES: National Archives and Records Administration, 700 Pennsylvania Avenue, NW., Room 105, Washington, DC 20408.

FOR FURTHER INFORMATION CONTACT: Julie A. Agurkis, PIDB Staff, Information Security Oversight Office, National Archives Building, 700 Pennsylvania Avenue, NW., Washington, DC 20408, telephone number (202) 357-5308.

SUPPLEMENTARY INFORMATION: To solicit public input concerning recommendations and proposed revisions to the classification and declassification policies found in Executive Order 12958, as amended, "Classified National Security Information" (the Order). This action is being taken at the request of the National Security Advisor and in support of the ongoing review of the Order directed by the President on May 27, 2009.

This meeting will be open to the public. To ensure that the Board may hear from all interested parties, individuals interested in addressing the Board may be limited to 10 minutes. Due to space limitations and access procedures, the name and telephone number of individuals planning to attend must be submitted to the Information Security Oversight Office (ISOO) via e-mail, PIDB@nara.gov, no later than July 2, 2009. ISOO will provide additional instructions for gaining access to the location of the meeting.

Dated: June 11, 2009.

Mary Ann Hadyka,

Committee Management Officer.

[FR Doc. E9-14691 Filed 6-22-09; 8:45 am]

BILLING CODE 7515-01-P

NATIONAL SCIENCE FOUNDATION

National Science Board; Committee on Programs and Plans; Sunshine Act Meetings; Notice

The National Science Board's Committee on Strategy and Budget, pursuant to NSF regulations (45 CFR Part 614), the National Science Foundation Act, as amended (42 U.S.C. 1862n-5), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of meetings for the transaction of National Science Board business and other matters specified, as follows:

DATE AND TIME: Friday, June 26, 2009 at 2 p.m.

SUBJECT MATTER: Discussion of future NSF budgets.

STATUS: Closed.

This meeting will be held by teleconference originating at the National Science Board Office, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Please refer to the National Science Board Web site (<http://www.nsf.gov/nsb>) for information or schedule updates, or contact: Jennie Moehlmann, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: (703) 292-7000.

Ann Ferrante,

Writer-Editor.

[FR Doc. E9-14914 Filed 6-19-09; 4:15 pm]

BILLING CODE 7555-01-P

NUCLEAR REGULATORY COMMISSION

[NRC-2009-0255; Docket No. 030-06652]

Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment to Byproduct Materials License No. 47-00260-02, for Termination of the License and Unrestricted Release of Two Union Carbide Corporation Facilities Located in South Charleston, WV

AGENCY: Nuclear Regulatory Commission.

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

FOR FURTHER INFORMATION CONTACT:

Steve Hammann, Health Physicist, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania; telephone 610-337-5399; fax number 610-337-5269; or by e-mail: stephen.hammann@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to Byproduct Materials License No. 47-00260-02. This license is held by Union Carbide Corporation (the Licensee) for its South Charleston Technology Park and South Charleston Plant located, respectively, at 3200 Kanawha Turnpike in South Charleston, West Virginia, and at 437 MacCorkle Avenue in South Charleston, West Virginia (the

Facilities). Issuance of the amendment would authorize release of the Facilities for unrestricted use and termination of the NRC license. The Licensee requested this action in a letter dated March 7, 2008. 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 would approve the Licensee's March 7, 2008, license amendment request, resulting in release of the Facilities for unrestricted use and the termination of its NRC materials license. License No. 47-00260-02 was issued on August 15, 1956, pursuant to 10 CFR part 30, and has been amended periodically since that time. This license authorized the Licensee to use sealed and unsealed byproduct material for purposes of conducting research and development activities, sample analysis and instrument calibration.

The Facilities are situated on approximately 850 acres of land and consists of undeveloped land and numerous buildings used for a variety of purposes, including office space and laboratories, storage, and manufacturing. The Facilities are located in a mixed commercial and industrial area. Within the Facilities, use of licensed materials was confined to Buildings 701, 707, 712, 720, 722, 725, 727, 740, 741, 747, 770, 771, 773, 776, 777, 778, and 785.

In April, 2008, the Licensee ceased licensed activities and initiated a survey and decontamination of the Facilities. Based on the Licensee's historical knowledge of the sites and the condition of the Facilities, the Licensee determined that only routine decontamination activities, in accordance with their NRC-approved, operating radiation safety procedures, were required. The Licensee was not required to submit a decommissioning plan to the NRC because worker cleanup activities and procedures are consistent with those approved for routine operations. The Licensee conducted surveys of the Facilities and provided information to the NRC to demonstrate that it meets the criteria in subpart E of

10 CFR part 20 for unrestricted release and for license termination.

Need for the Proposed Action

The Licensee has ceased conducting licensed activities at the Facilities, and seeks the unrestricted use of its Facilities and the termination of its NRC materials license. Termination of its license would end the Licensee's obligation to pay annual license fees to the NRC.

Environmental Impacts of the Proposed Action

The historical review of licensed activities conducted at the Facilities show that such activities involved use of the following radionuclides with half-lives greater than 120 days: hydrogen-3, carbon-14, iron-55, cobalt-60, nickel-63, strontium-90, cadmium-109, cesium-137, and polonium-210. Prior to performing the final status survey, the Licensee conducted decontamination activities, as necessary, in the areas of the Facilities affected by these radionuclides.

The Licensee finished conducting a final status survey on November 17, 2008. This survey covered all buildings which used unsealed materials. The final status survey report was attached to the Licensee's amendment request dated March 7, 2008. The Licensee elected to demonstrate compliance with the radiological criteria for unrestricted release as specified in 10 CFR 20.1402 by using the screening approach described in NUREG-1757, "Consolidated NMSS Decommissioning Guidance," Volume 2. The Licensee used the radionuclide-specific derived concentration guideline levels (DCGLs), developed there by the NRC, which comply with the dose criteria in 10 CFR 20.1402. These DCGLs define the maximum amount of residual radioactivity on building surfaces, equipment, and materials, and in soils that will satisfy the NRC requirements in subpart E of 10 CFR part 20 for unrestricted release. The Licensee's final status survey results were below these DCGLs and are in compliance with the As Low As Reasonably Achievable (ALARA) requirement of 10 CFR 20.1402. The NRC thus finds that the Licensee's final status survey results are acceptable.

Based on its review, the staff has determined that the affected environment and any environmental impacts associated with the proposed action are bounded by the impacts evaluated by the "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-

Licensed Nuclear Facilities" (NUREG-1496) Volumes 1-3 (ML042310492, ML042320379, and ML042330385). The staff finds there were no significant environmental impacts from the use of radioactive material at the Facilities. The NRC staff reviewed the docket file records and the final status survey report to identify any non-radiological hazards that may have impacted the environment surrounding the Facilities. No such hazards or impacts to the environment were identified. The NRC has identified no other radiological or non-radiological activities in the area that could result in cumulative environmental impacts.

The NRC staff finds that the proposed release of the Facilities for unrestricted use and the termination of the NRC materials license is in compliance with 10 CFR 20. Based on its review, the staff considered the impact of the residual radioactivity at the Facilities and concluded that the proposed action will not have a significant effect on the quality of the human environment.

Environmental Impacts of the Alternatives to the Proposed Action

Due to the largely administrative nature of the proposed action, its environmental impacts are small. Therefore, the only alternative the staff considered is the no-action alternative, under which the staff would leave things as they are by simply denying the amendment request. This no-action alternative is not feasible because it conflicts with 10 CFR 30.36(d), requiring that decommissioning of byproduct material facilities be completed and approved by the NRC after licensed activities cease. The NRC's analysis of the Licensee's final status survey data confirmed that the Facilities meets the requirements of 10 CFR 20.1402 for unrestricted release and for license termination. Additionally, denying the amendment request would result in no change in current environmental impacts. The environmental impacts of the proposed action and the no-action alternative are therefore similar, and the no-action alternative is accordingly not further considered.

Conclusion

The NRC staff has concluded that the proposed action is consistent with the NRC's unrestricted release criteria 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 West Virginia Office of Environmental Health Services for review on April 9, 2009. On June 4, 2009, the State responded by telephone. 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 Documents 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. Termination Request Letter dated March 7, 2008 (ML083520561);

6. Request For Additional Information dated April 30, 2008 (ML081260393); and

7. Deficiency Response Letter dated December 11, 2008 (ML083520561).

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. 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 I, 475 Allendale Road, King of Prussia, Pennsylvania this 15th day of June 2009.

For the Nuclear Regulatory Commission.

James P. Dwyer,

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

[FR Doc. E9-14684 Filed 6-22-09; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-302; NRC-2009-0256]

Crystal River Unit 3; 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 No. DPR-72 issued to Florida Power Corporation, *et al* (the licensee) for operation of the Crystal River Unit No. 3 Nuclear Generating Plant, located in Citrus County, Florida.

The proposed amendment would revise the Crystal River Unit 3 (CR-3) Final Safety Analysis Report (FSAR) Sections 5.4.3, "Structural Design Criteria" and 5.4.5.3, "Missile Analysis," to include a statement regarding the design of the east wall of the CR-3 Auxiliary Building. The amendment would change the methodology used to qualify the east wall of the Auxiliary Building. The current methodology used the methods in American Concrete Institute (ACI) standard 318-63, "Building Code Requirements for Reinforced Concrete," June 1963. The proposed methodology is based on ACI 349-97, "Code Requirements for Nuclear Safety Related Concrete Structures," as endorsed by

the Standard Review Plan (NUREG 0800), Revision 2—March 2007, Section 3.8.4 "Other Seismic Category 1 Structures."

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 not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed LAR will revise the methodology used to qualify the east wall of the CR-3 Auxiliary Building for all expected and postulated loads including tornado wind and missile loading. The Yield Line Theory methodology is an industry standard that is used for the design and analysis of concrete slabs and is applied to CR-3 in accordance with American Concrete Institute (ACI) 349-97, "Code Requirements for Nuclear Safety Related Concrete Structures." A change in the methodology of an analysis used to verify qualification of an existing structure will not have any impact on the probability of accidents previously evaluated.

The analysis performed demonstrates that the CR-3 Auxiliary Building east wall will remain structurally intact following the worst case loadings assumed in the calculation. Therefore, this proposed change does not involve a significant increase in the probability or consequences previously evaluated.

2. Does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The function of the CR-3 Auxiliary Building wall is to house and protect the equipment that is important to safety from damage during normal operation, transients, and design basis accidents. The use of ACI 349-97 for qualifying the east wall of the CR-3 Auxiliary Building has no impact on the capability of the structure. A calculation that uses the Yield Line Theory methodology demonstrated that the structure meets required design criteria. This ensures that the wall is capable of performing its design basis

function without alteration or compensatory actions of any kind. No changes to any plant system, structure, or component (SSC) are proposed. No changes to any plant operating practices, procedures, computer firmware/software will occur.

Therefore, the proposed change will not create the possibility of new or different type of accident from any previously evaluated.

3. Does not involve a significant reduction in a margin of safety.

The design basis of the plant requires structures to be capable of withstanding normal and accident loads including those from a design basis tornado. The requirements of ACI 349-97, as applied in an approved plant calculation, demonstrated that the east wall of the CR-3 Auxiliary Building is capable of performing its design function. There is a slight reduction in conservatism between the method used for the remaining Class 1 structures, ACI 318-63 and ACI 349-97, but the calculation performed validates the requirement that the east wall of the Auxiliary Building will protect the important to safety systems, structures, and components located in proximity to the wall from damage.

Therefore, the proposed change does not involve a significant reduction in the 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 Commission make a final No Significant Hazards Consideration Determination, any hearing will take place after