

Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522-8220 (voice) or (808) 522-8226 (fax), at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: March 8, 2011.

Tracey L. Thompson,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2011-5697 Filed 3-11-11; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XA123

Marine Mammals; File No. 15616

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; issuance of permit.

SUMMARY: Notice is hereby given that Craig Matkin, North Gulf Oceanic Society, Homer, AK, has been issued a permit to conduct research on marine mammals.

ADDRESSES: The permit and related documents are available for review upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376; and Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907) 586-7221; fax (907) 586-7249.

FOR FURTHER INFORMATION CONTACT: Tammy Adams or Kristy Beard, (301) 713-2289.

SUPPLEMENTARY INFORMATION: On January 5, 2011, notice was published in the *Federal Register* (76 FR 542) that a request for a permit to conduct research on marine mammals had been submitted by the above-named applicant. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the regulations governing the taking and

importing of marine mammals (50 CFR part 216).

The permit allows harassment of marine mammals during conduct of research in Alaskan waters, including southeast Alaska, Prince William Sound, the Kenai Peninsula, the Eastern Aleutian Islands, and the Bering Sea. The purpose of the research is to maintain a long-term killer whale (*Orcinus orca*) monitoring program in Alaskan waters that was initiated over 25 years ago. In addition, the permit holder will examine movements of other non-endangered cetacean species along the North Gulf Coast of Alaska in relation to U.S. Navy testing activities. The research activities include photo-identification, passive acoustic recording, biopsy sampling, tagging with barbed darts and suction cups, and collecting samples of marine mammal carcasses from sites of killer whale predation.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Dated: March 9, 2011.

Tammy C. Adams,

Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2011-5849 Filed 3-11-11; 8:45 am]

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DEPARTMENT OF ENERGY

Notice of Availability of Draft Waste Incidental to Reprocessing Evaluation for the Vitrification Melter at the West Valley Demonstration Project for West Valley, New York

AGENCY: Office of Environmental Management, U.S. Department of Energy.

ACTION: Notice of availability.

SUMMARY: The Department of Energy (DOE) announces the availability of a draft evaluation which shows that the vitrification melter (used to vitrify waste from reprocessing of spent nuclear fuel and certain treatment material) at the West Valley Demonstration Project (WVDP), located at the Western New York Service Center in West Valley, New York, is waste incidental to reprocessing and thus is not high-level radioactive waste (HLW) and may be managed and disposed of offsite as low-level waste (LLW). DOE prepared the draft evaluation pursuant to DOE

Manual 435.1-1, *Radioactive Waste Management*. DOE is consulting with the Nuclear Regulatory Commission (NRC) before finalizing this evaluation. Although it is not required by DOE Manual 435.1-1, DOE is making the draft evaluation available for public and state review and comment during the NRC consultative review period. DOE will make its final evaluation and determination as to whether the vitrification melter is HLW, or is waste incidental to reprocessing which can be managed and disposed of as LLW, after consideration of any public, state, and NRC comments on this draft evaluation.

DATES: The comment period will end April 28, 2011. Comments received after that time will be considered to the extent practicable.

ADDRESSES: The draft waste evaluation is available on the Internet at <http://apps.em.doe.gov/wvdp/>, and is publicly available for review at the following locations: U.S. Department of Energy, Public Reading Room, 1000 Independence Avenue, SW., Washington, DC 20585, *phone:* (202) 586-5955, or *fax:* (202) 586-0575; and U.S. DOE, West Valley Demonstration Project Public Reading Room located at the Town of Concord Hulbert Library, 18 Chapel St., Springville, New York 14141, *phone:* (716) 592-7742. Written comments should be submitted to: Mr. Daniel Sullivan, U.S. Department of Energy, West Valley Demonstration Project, 10282 Rock Springs Road, West Valley, New York 14171-9799. Alternatively, comments may also be filed electronically by e-mail to melter@wv.doe.gov or by fax at (716) 942-4703.

FOR FURTHER INFORMATION CONTACT: For further information about this draft waste evaluation, please contact Mr. Daniel Sullivan at the mailing address or Web site listed above.

SUPPLEMENTARY INFORMATION: The vitrification melter is a box structure, approximately 10 feet on each side, with a stainless steel outer structure and an interior lined with refractory materials. It was used to solidify high-level waste which had been generated by commercial reprocessing of spent nuclear fuel at the Western New York Nuclear Service Center in West Valley, New York by Nuclear Fuel Services, Inc. from 1966 through 1972. DOE undertook the solidification activities pursuant to DOE's responsibilities under the West Valley Demonstration Project Act. To solidify the waste, DOE vitrified the waste (combined it at a high temperature with borosilicate glass) and transferred the molten glass-waste mixture into specially developed