

- Minutes
  - Update on NSF Working Group on the Impact of Proposal and Award Management Mechanisms Study of Award Size, Duration and Proposal Success Rates
  - Status of NSF FY 2007 Budget Request
  - Status of NSF Strategic Plan, FY 2006–2011
- Committee on Programs and Plans (9:30 a.m.–10:30 a.m.)
- Approval of Minutes
  - Status Reports:
    - Task Force on Transformative Research
    - Task Force on Hurricane Science & Engineering
    - Subcommittee on Polar Issues
    - Task Force on International Science
  - Timing and Circumstances for Annual Board Reexamination of Priority Order of MREFC Candidates for New Start Projects: Dr. Ken Ford
  - Transmitting Director's Review Board Packages to the National Science Board: Review of Process
- Committee on Education and Human Resources (10:30 a.m.–12 p.m.)
- Approval of May 2006 Minutes
  - Science Mathematics and Research for Transformation (SMART) Program
  - Doctoral Completion Project
  - Ensuring America's Competitive Edge through Education and Research: The NSF Role
  - Subcommittee on Science and Engineering Indicators
  - Update on November 7, 2006 NSB Workshop: "Moving Forward to Improve Engineering Education"
  - NSB items

#### Closed

- Committee on Strategy and Budget  
Closed: (9:15 a.m.–9:30 a.m.)
- Status of NSF FY 2008 Budget Request

#### Plenary Sessions of the Board (1:15 p.m.–3 p.m.)

- Plenary Executive Closed (1:15 p.m.–1:20 p.m.)
- Approval of August 2006 Minutes
- Plenary Closed (1:20 p.m.–1:25 p.m.)
- Approval of August 2006 Minutes
  - Closed Committee Reports
- Plenary Open (1:25 p.m.–3 p.m.)
- Approval of August 2006 Minutes
  - Resolution to Close November 2006 Meeting
  - Chairman's Report
  - Director's Report
  - Open Committee Reports

#### Michael P. Crosby,

Executive Officer and NSB Office Director.

[FR Doc. 06–7914 Filed 9–18–06; 12:53 pm]

BILLING CODE 7555–01–P

## NUCLEAR REGULATORY COMMISSION

### Agency Information Collection Activities: Proposed Collection: Comment Request

**AGENCY:** U.S. Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment.

**SUMMARY:** The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. The title of the information collection: "General Licensee Registration," NRC Form 664.
  2. Current OMB approval number: 3150–0198.
  3. How often the collection is required: Annually.
  4. Who is required or asked to report: General Licensees of the NRC who possess devices subject to registration under 10 CFR 31.5.
  5. The estimated number of annual respondents: 1,000.
  6. The number of hours needed annually to complete the requirement or request: 333 hours annually (1,000 respondents × 20 minutes per form).
  7. Abstract: NRC Form 664 is used by NRC general licensees to make reports regarding certain generally licensed devices subject to registration. The registration program allows NRC to better track general licensees, so that they can be contacted or inspected as necessary, and to make sure that generally licensed devices can be identified even if lost or damaged, and to further ensure that general licensees are aware of and understand the requirements for the possession of devices containing byproduct material. Greater awareness helps to ensure that general licensees will comply with the requirements for proper handling and disposal of generally licensed devices and would reduce the potential for incidents that could result in unnecessary radiation exposure to the public and contamination of property.
- Submit, by November 20, 2006, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?
2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O–1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T–5 F52, Washington, DC 20555–0001, by telephone at 301–415–7233, or by Internet electronic mail to [INFOCOLLECTS@NRC.GOV](mailto:INFOCOLLECTS@NRC.GOV).

Dated at Rockville, Maryland, this 14th day of September 2006.

For the Nuclear Regulatory Commission.

**Brenda Jo. Shelton,**  
NRC Clearance Officer, Office of Information Services.

[FR Doc. E6–15577 Filed 9–19–06; 8:45 am]

BILLING CODE 7590–01–P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50–333]

### Notice of Acceptance for Docketing of the Application, Notice of Opportunity for Hearing and Notice of Intent To Prepare an Environmental Impact Statement and Conduct Scoping Process for Facility Operating License No. DPR–59 for an Additional 20-Year Period, Entergy Nuclear Operations, Inc., James A. Fitzpatrick Nuclear Power Plant

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering an application for the renewal of Operating License No. DPR–59, which authorizes Entergy Nuclear Operations, Inc. (Entergy), to operate the James A. FitzPatrick Nuclear Power Plant (JAFNPP) at 2536 megawatts thermal. The renewed license would authorize the applicant to operate the JAFNPP for an additional 20 years beyond the period specified in the current license. JAFNPP is located on Lake Ontario in Oswego County,

approximately seven miles northeast of the City of Oswego, New York. The current operating license for the JAFNPP expires on October 17, 2014.

On August 1, 2006, the Commission's staff received the application from Entergy, to renew the Operating License No. DPR-59 for JAFNPP, pursuant to 10 CFR part 54. A Notice of Receipt and Availability of the license renewal application (LRA) was published in the **Federal Register** on August 11, 2006 (71 FR 46245).

The Commission's staff has reviewed the LRA for its acceptability and has determined that Entergy has submitted sufficient information in accordance with 10 CFR 54.19, 54.21, 54.22, 54.23, and 51.53(c), and the application is acceptable for docketing. The current Docket No. 50-333 for Operating License No. DPR-59 will be retained. The docketing of the renewal application does not preclude requesting additional information as the review proceeds, nor does it predict whether the Commission will grant or deny the application.

Before issuance of each requested renewed license, the NRC will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. In accordance with 10 CFR 54.29, the NRC may issue a renewed license on the basis of its review if it finds that actions have been identified and have been or will be taken with respect to: (1) Managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified as requiring aging management review, and (2) time-limited aging analyses that have been identified as requiring review, such that there is reasonable assurance that the activities authorized by the renewed license will continue to be conducted in accordance with the current licensing basis (CLB), and that any changes made to the plant's CLB comply with the Act and the Commission's regulations. The Commission also must first find that the requirements of subpart A of 10 CFR 51 have been satisfied, and that matters raised under 10 CFR 2.335 have been addressed.

Within 60 days after the date of publication of this **Federal Register** Notice, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene with respect to the renewal of the license. Requests for a hearing and a

petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR part 2.

Interested persons should consult a current copy of 10 CFR 2.309, which is available at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852 and is accessible from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at <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's PDR reference staff by telephone at 1-800-397-4209, or 301-415-4737, or by e-mail at [pdr@nrc.gov](mailto:pdr@nrc.gov). If a request for a hearing/petition for leave to intervene is filed within the 60-day period, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel will rule on the request/petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order. In the event that no request for a hearing/petition for leave to intervene is filed within the 60-day period, the NRC may, upon completion of its evaluations and upon making the findings required under 10 CFR parts 51 and 54, renew the license without further notice.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding, taking into consideration the limited scope of matters that may be considered pursuant to 10 CFR parts 51 and 54. The petition must specifically, explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also set forth the specific contentions which the petitioner/requestor seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or

fact to be raised or controverted. In addition, the requestor/petitioner shall provide a brief explanation of the bases of each contention and a concise statement of the alleged facts or the expert opinion that supports the contention on which the requestor/petitioner intends to rely in proving the contention at the hearing. The requestor/petitioner must also provide references to those specific sources and documents of which the requestor/petitioner is aware and on which the requestor/petitioner intends to rely to establish those facts or expert opinion. The requestor/petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact.<sup>1</sup> Contentions shall be limited to matters within the scope of the action under consideration. The contention must be one that, if proven, would entitle the requestor/petitioner to relief. A requestor/petitioner who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

The Commission requests that each contention be given a separate numeric or alpha designation within one of the following groups: (1) Technical (primarily related to safety concerns); (2) environmental; or (3) miscellaneous.

As specified in 10 CFR 2.309, if two or more requestors/petitioners seek to co-sponsor a contention or propose substantially the same contention, the requestors/petitioners will be required to jointly designate a representative who shall have the authority to act for the requestors/petitioners with respect to that contention.

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. 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

<sup>1</sup> To the extent that the application contains attachments and supporting documents that are not publicly available because they are asserted to contain safeguards or proprietary information, petitions desired access to this information should contact the applicant or applicant's counsel to discuss the need for a protective order.

addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, *HEARINGDOCKET@NRC.GOV*; or (4) facsimile transmission addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC, Attention: Rulemaking and Adjudications Staff at 301-415-1101, verification number is 301-415-1966.<sup>2</sup> A copy of the request for hearing and petition for leave to intervene must 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*. A copy of the request for hearing and petition for leave to intervene should also be sent to the attorney for the applicant, Mr. Terrence A. Burke, Entergy Nuclear, 1340 Echelon Parkway, Mail Stop—ECH-62, Jackson, Mississippi 39213.

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

In addition, the purpose of this notice is to inform the public that the NRC will be preparing an environmental impact statement (EIS) related to the review of the LRA and to provide the public an opportunity to participate in the environmental scoping process, as defined in 10 CFR 51.29. In accordance with 10 CFR 51.95(c), the NRC will prepare an environmental impact statement that will be used as a supplement to the Commission's NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Power Plants" (GEIS), dated May 1996. Pursuant to 10 CFR 51.26, and as part of the environmental scoping process, the NRC staff intends to hold a public scoping meeting. In addition, as outlined in 36 CFR 800.8, "Coordination with the National Environmental Policy Act," the NRC plans to coordinate compliance with section 106 of the National Historic Preservation Act in meeting the requirements of the National Environmental Policy Act of 1969 (NEPA).

<sup>2</sup> If the request/petition is filed by e-mail or facsimile, an original and two copies of the document must be mailed within 2 (two) business days thereafter to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; Attention: Rulemaking and Adjudication Staff.

In accordance with 10 CFR 51.53(c) and 10 CFR 54.23, Entergy prepared and submitted the Environmental Report (ER) as part of the LRA. The LRA and the ER are publicly available at the NRC's PDR, located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, or from the NRC's ADAMS. The ADAMS Public Electronic Reading Room is accessible at <http://adamswebsearch.nrc.gov/dologin.htm>. The ADAMS Accession Numbers for the LRA and the ER are ML062160494 and ML062160557, respectively. Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the NRC's PDR reference staff by telephone at 1-800-397-4209, or 301-415-4737, or by e-mail at *pdr@nrc.gov*. The LRA and the ER may also be viewed on the Internet at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications/fitzpatrick.html>. In addition, the LRA and the ER are available for public inspection near the JAFNPP at the following public libraries: Penfield Library SUNY, 7060 State Route 104, Oswego, New York 13126; and Oswego Public Library, 140-142 East Second Street, Oswego, New York 13126.

Possible alternatives to the proposed action (license renewal) include no action and reasonable alternative energy sources. The NRC is required by 10 CFR 51.95 to prepare a supplement to the GEIS in connection with the renewal of an operating license. This notice is being published in accordance with 10 CFR 51.26.

The NRC staff will first conduct a scoping process for the supplement to the GEIS and, as soon as practicable thereafter, will prepare a draft supplement to the GEIS for public comment. Participation in the scoping process by members of the public and local, State, Tribal, and Federal government agencies are encouraged. As described in 10 CFR 51.29, the scoping process for the supplement to the GEIS will be used to accomplish the following:

- a. Define the proposed action which is to be the subject of the supplement to the GEIS.
- b. Determine the scope of the supplement to the GEIS and identify the significant issues to be analyzed in depth.
- c. Identify and eliminate from detailed study those issues that are peripheral or that are not significant.
- d. Identify any environmental assessments and other EISs that are being or will be prepared that are related to, but are not part of, the scope

of the supplement to the GEIS being considered.

e. Identify other environmental review and consultation requirements related to the proposed action.

f. Indicate the relationship between the timing of the preparation of the environmental analyses and the Commission's tentative planning and decision-making schedule.

g. Identify any cooperating agencies and, as appropriate, allocate assignments for preparation and schedules for completing the supplement to the GEIS to the NRC and any cooperating agencies.

h. Describe how the supplement to the GEIS will be prepared, and include any contractor assistance to be used.

The NRC invites the following entities to participate in scoping:

- a. The applicant, Entergy Nuclear Operations, Inc.
- b. Any Federal agency that has jurisdiction by law or special expertise with respect to any environmental impact involved, or that is authorized to develop and enforce relevant environmental standards.
- c. Affected State and local government agencies, including those authorized to develop and enforce relevant environmental standards.
- d. Any affected Indian tribe.
- e. Any person who requests or has requested an opportunity to participate in the scoping process.
- f. Any person who has petitioned or intends to petition for leave to intervene.

In accordance with 10 CFR 51.26, the scoping process for an EIS may include a public scoping meeting to help identify significant issues related to a proposed activity and to determine the scope of issues to be addressed in an EIS. The NRC will hold public meetings for the JAFNPP license renewal supplement to the GEIS, at the Town Municipal Building, 42 Creamery Road, Oswego, New York 13126, on Thursday, October 12, 2006. There will be two identical meetings to accommodate interested parties. The first meeting will convene at 1:30 p.m. and will continue until 4:30 p.m., as necessary. The second meeting will convene at 7 p.m. and will continue until 10 p.m., as necessary. Both meetings will be transcribed and will include: (1) An overview by the NRC staff of the NRC's license renewal review process; (2) an overview by the NRC staff of the NEPA environmental review process, the proposed scope of the supplement to the GEIS, and the proposed review schedule; and (3) the opportunity for interested government agencies, organizations, and individuals to submit

comments or suggestions on the environmental issues or the proposed scope of the supplement to the GEIS. Additionally, the NRC staff will host informal discussions one hour prior to the start of each session at the same location. No formal comments on the proposed scope of the supplement to the GEIS will be accepted during the informal discussions. To be considered, comments must be provided either at the transcribed public meetings or in writing, as discussed below. For more information about the proposed action, the scoping process, and the environmental impact statement, please contact the NRC Environmental Project Manager, Mr. Samuel Hernandez, at Mail Stop O-11F1, U.S. Nuclear Regulatory Commission, Washington, DC 20555, by telephone at 1-800-368-5642, extension 4049, or by e-mail at [shq@nrc.gov](mailto:shq@nrc.gov). Persons may register to attend or present oral comments at the meetings on the scope of the NEPA review by contacting Mr. Hernandez. Members of the public may also register to speak at the meeting within 15 minutes of the start of each meeting. Individual oral comments may be limited by the time available, depending on the number of persons who register. Members of the public who have not registered may also have an opportunity to speak, if time permits. Public comments will be considered in the scoping process for the supplement to the GEIS. Mr. Hernandez will need to be contacted no later than September 29, 2006, if special equipment or accommodations are needed to attend or present information at the public meeting, so that the NRC staff can determine whether the request can be accommodated.

Members of the public may send written comments on the environmental scope of the JAFNPP license renewal review to: Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, DC, 20555-0001, and should cite the publication date and page number of this **Federal Register** notice. Comments may also be delivered to the U.S. Nuclear Regulatory Commission, Mail Stop T-6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, 20852, from 7:30 a.m. to 4:15 p.m. during Federal workdays. To be considered in the scoping process, written comments should be postmarked by November 14, 2006. Electronic comments may be sent by e-mail to the NRC at [FitzPatrickEIS@nrc.gov](mailto:FitzPatrickEIS@nrc.gov), and should be sent no later than November 14, 2006,

to be considered in the scoping process. Comments will be available electronically and accessible through ADAMS.

Participation in the scoping process for the supplement to the GEIS does not entitle participants to become parties to the proceeding to which the supplement to the GEIS relates. Matters related to participation in any hearing are outside the scope of matters to be discussed at this public meeting.

At the conclusion of the scoping process, the NRC will prepare a concise summary of the determination and conclusions reached, including the significant issues identified, and will send a copy of the summary to each participant in the scoping process. The summary will also be available for viewing in ADAMS. The staff will then prepare and issue for comment the draft supplement to the GEIS, which will be the subject of separate notices and separate public meetings. Copies will be available for public viewing at the above-mentioned addresses, and one copy per request will be provided free of charge, to the extent of supply. After receipt and consideration of the comments, the NRC will prepare a final supplement to the GEIS, which will also be available for public viewing.

Information about the proposed action, the supplement to the GEIS, and the scoping process may be obtained from Mr. Hernandez at the aforementioned telephone number or e-mail address.

Dated at Rockville, Maryland, this 14th day of September 2006.

For the Nuclear Regulatory Commission.

**Eric J. Benner,**

*Acting Director, Division of License Renewal,  
Office of Nuclear Reactor Regulation.*

[FR Doc. 06-7974 Filed 9-19-06; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 50-275 And 50-323]**

### **Pacific Gas and Electric Company; Diablo Canyon Power Plant, Unit Nos. 1 and 2 Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an amendment to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.90 for Facility Operating Licenses, Nos. DPR-80 and DPR-82, issued to Pacific Gas and Electric Company (PG&E, the licensee) for operation of the Diablo Canyon Power Plant, Unit Nos. 1 and 2 (DCPP

or facility), located in San Luis Obispo County, California. Therefore, as required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

### **Environmental Assessment**

#### *Identification of the Proposed Action*

The proposed action would delete the antitrust license conditions from the licenses.

The proposed action is in accordance with the licensee's application dated January 19, 2006, as supplemented by letter dated June 20, 2006.

#### *The Need for the Proposed Action*

Circumstances have changed significantly from those that existed when the antitrust license conditions were first imposed 28 years ago. In particular, there have been recent developments in the law at both the Federal and State levels to ensure competition in the industry in California and elsewhere. Moreover, agreements binding PG&E related to the Stanislaus Commitments will continue to be in effect whether or not the antitrust conditions actually remain a part of the DCPD licenses, and competitors have voiced no opposition to the removal of the conditions. Finally, under the limited statutory authority granted to the NRC under Section 105 of the Atomic Energy Act of 1954, it appears that the NRC lacks the authority now to continue to impose the antitrust conditions against PG&E through the DCPD licenses. Accordingly, in consideration of all of the foregoing, the licensee has requested to remove the antitrust conditions from the licenses as the conditions are no longer necessary to serve the original intended purpose.

#### *Environmental Impacts of the Proposed Action*

The NRC has completed its safety evaluation of the proposed action and concludes that the proposed license amendment involves administrative actions which have no effect on plant equipment or operation.

The details of the staff's safety evaluation will be provided in the license amendment that will be issued as part of the letter to the licensee approving the license amendment.

The proposed action will not significantly increase the probability or consequences of accidents. No changes are being made in the types of effluents that may be released off site. There is no significant increase in the amount of any effluent released off site. There is no significant increase in occupational or public radiation exposure. Therefore,