

Petitioner: Nowacki Coal Company.
Regulation Affected: 30 CFR 75.360.

Summary of Findings: Petitioner's proposal is to conduct a visual examination of each seal for physical damage from the slope gunboat during the pre-shift examination after an air quantity reading is taken just in by the intake portal. The petitioner further proposes to take an additional reading for methane, carbon dioxide, and oxygen deficiency at intake air split locations just off the slope in the gangway portion of the working section and record the results of these reading in a book that will be maintained on the surface of the mine and made available to all interested parties. This is considered an acceptable alternative method for the Nowacki Coal Company Slope Mine. MSHA grants the petition for modification to allow evaluation of the seals off the shaft, from the gunboat in the intake air haulage slope of the Nowacki Coal Company Slope Mine with conditions.

Docket No.: M-2003-045-C.

FR Notice: 68 FR 38393.

Petitioner: Nowacki Coal Company.

Regulation Affected: 30 CFR 75.364(b)(1), (b)(4), and (b)(5).

Summary of Findings: Petitioner's proposal is to (i) Preshift examine the intake haulage slope and primary escapeway areas from the gunboat/slope car with an alternative air quality evaluation at the section's intake gangway level; (ii) travel and thoroughly examine these areas for hazardous conditions once a month; and (iii) have the examiner place the dates, times, and his/her initials at appropriate locations and maintain records of the examinations on the surface of the mine. MSHA grants the petition for modification of 30 CFR 75.364(b)(4) for the petitioner to conduct examinations of the seals along the return and bleeder air courses from the ladder on a weekly basis instead of on a monthly basis as requested for the Nowacki Slope Mine with conditions.

Docket No.: M-2003-049-C.

FR Notice: 68 FR 40701.

Petitioner: Drummond Company, Inc.

Regulation Affected: 30 CFR 75.507.

Summary of Findings: Petitioner's proposal is to use 4,160-volt, three-phase, alternating current deepwell submersible pumps in boreholes in the Shoal Creek Mine. This is considered an acceptable alternative method for the Mine. MSHA grants the petition for modification for use at the Shoal Creek Mine with conditions.

Docket No.: M-2003-054-C.

FR Notice: 68 FR 47945.

Petitioner: Jim Walter Resources, Inc.

Regulation Affected: 30 CFR 75.503 (Schedule 2G, 30 CFR 18.35).

Summary of Findings: Petitioner's proposal is to use extended length cables to power 2,400-volt continuous mining machines. This is considered an acceptable alternative method to apply only to trailing cables that supply 2,400-volt, three-phase, alternating current to continuous mining machines at the Jim Walter Resources, Inc., No. 4 Mine. The trailing cables will have a 90-degree insulation rating. MSHA grants the petition for modification for the Jim Walter Resources, Inc., No. 4 Mine with conditions.

Docket No.: M-2003-055-C.

FR Notice: 68 FR 47945.

Petitioner: Jim Walter Resources, Inc.

Regulation Affected: 30 CFR 75.1002.

Summary of Findings: Petitioner's proposal is to use 2,400-volt trailing cable to power a continuous miner in by the last open crosscut and within 150 feet of pillar workings. This is considered an acceptable alternative method for the Jim Walter Resources, Inc., No. 4 Mine. MSHA grants the petition for modification for the Jim Walter Resources, Inc., No. 4 Mine with conditions.

Docket No.: M-2003-073-C.

FR Notice: 68 FR 61701.

Petitioner: Bowie Resources, Ltd.

Regulation Affected: 30 CFR 75.1909(b)(6).

Summary of Findings: Petitioner's proposal is to use an alternative method in lieu of using front wheel brakes on the Caterpillar 120 G Diesel Roadbuilder Serial No. 4HDO1844 used at the Bowie #3 Mine, and limit the speed of the grader to 10 to 12 miles per hour (mph) by permanently blocking higher gear ratios, and train the grader operators to drop the grader blade to provide additional stopping capability in emergency situations. This is considered an acceptable alternative method for the Bowie #3 Mine. MSHA grants the petition for modification for use of the Caterpillar 120 G (Serial No. 4HDO1844), Six-wheel diesel graders (Roadbuilder) at the Bowie #3 Mine with conditions.

Docket No.: M-2003-074-C.

FR Notice: 68 FR 61701.

Petitioner: Newtown Energy Incorporated.

Regulation Affected: 30 CFR 75.1002.

Summary of Findings: Petitioner's proposal is to operate a 2,400-volt Joy 12CM27 continuous mining machine at the Coalburg #1 Mine. This is considered an acceptable alternative method for the Coalburg #1 Mine. MSHA grants the petition for modification for the Coalburg #1 Mine with conditions.

Docket No.: M-2003-004-M.

FR Notice: 68 FR 57933.

Petitioner: Dynatec Mining Corporation.

Regulation Affected: 30 CFR 57.22606(a) and (c).

Summary of Findings: Petitioner's proposal is to use electric detonators to initiate blasts but requests modification of the existing standard to allow the use of nonel detonators to detonate the explosives in the blast holes. This is considered an acceptable alternative method for the FMC No. 9 Ventilation Shaft Project. MSHA grants the petition for modification for the FMC No. 9 Ventilation Shaft Project Mine with conditions.

[FR Doc. 04-18359 Filed 8-10-04; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 030-05004]

Notice of Consideration of Amendment Request to Decommission Northern States Power Company D.B.A. Xcel Energy Pathfinder Site at Sioux Falls, SD, and Opportunity To Provide Comments and Request a Hearing; Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of a license amendment request and opportunity to provide public comments and request a hearing. Notice of public meeting; correction.

SUMMARY: This document corrects a notice appearing in the **Federal Register** on August 4, 2004 (69 FR 47185), to request the decommission of Northern States Power Company D.B.A. Xcel Energy Pathfinder Site at Sioux Falls, South Dakota, and opportunity to provide comments and request a hearing. This action is necessary to add contact information that was previously omitted.

EFFECTIVE DATE: August 11, 2004.

FOR FURTHER INFORMATION CONTACT: Chad Glenn, Project Manager, Decommissioning Directorate, Division of Waste Management and Environmental Protection, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone (301) 415-6722; fax (301) 415-5398; or e-mail at cjg1@nrc.gov.

SUPPLEMENTARY INFORMATION: On page 47186, center column, the fourth complete paragraph, remove "[Insert Contact and Contact Information]" and insert "Bruce Colt, Xcel Energy, Suite 2900, 800 Nicollet Mall, Minneapolis, NM 55402".

Dated at Rockville, Maryland, this 5th day of August 2004.

For the Nuclear Regulatory Commission.

Chad Glenn,

Project Manager, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 04-18312 Filed 8-10-04; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-220 and 50-410]

Constellation Energy Group; Nine Mile Point Nuclear Station, Units 1 and 2; Notice of Intent To Prepare an Environmental Impact Statement and Conduct Scoping Process

Constellation Energy Group, Inc., (Constellation) has submitted applications for renewal of Facility Operating Licenses, DPR-63 and NPF-69 for an additional 20 years of operation at the Nine Mile Point Nuclear Station, Units 1 and 2 (NMP). NMP is located on the southeastern shore of Lake Ontario in the town of Scriba, Oswego County, New York. The operating licenses for NMP, Units 1 and 2, expire on August 22, 2009, and October 31, 2026, respectively. The applications for renewal were received on May 26, 2004, pursuant to Title 10 of the Code of Federal Regulations Part 54 (10 CFR). A notice of receipt and availability of the applications, which included the environmental report (ER), was published in the **Federal Register** on June 8, 2004 (69 FR 32069). A notice of acceptance for docketing of the applications for renewal of the facility operating license was published in the **Federal Register** on July 21, 2004, (69 FR 43631). The purpose of this notice is to inform the public that the U.S. Nuclear Regulatory Commission (NRC) will be preparing an environmental impact statement (EIS) in support of the review of the license renewal applications and to provide the public an opportunity to participate in the environmental scoping process, as defined in 10 CFR 51.29. 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).

In accordance with 10 CFR 51.53(c) and 10 CFR 54.23, Constellation submitted the ER as part of the applications. The ER was prepared pursuant to 10 CFR Part 51 and is available for public inspection at the

NRC Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland 20852, or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible at <http://www.nrc.gov/reading-rm/adams.html>, which provides access through the NRC's Electronic Reading Room link. 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 at 1-800-397-4209, or 301-415-4737, or by e-mail to pdr@nrc.gov. The applications may also be viewed on the Internet at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications.html>. In addition, the Penfield Library, located at State University of New York, Oswego, NY 13126, has agreed to make the ER available for public inspection.

This notice advises the public that the NRC intends to gather the information necessary to prepare a plant-specific supplement to the Commission's "Generic Environmental Impact Statement (GEIS) for License Renewal of Nuclear Plants," (NUREG-1437) in support of the review of the applications for renewal of the NMP operating licenses for an additional 20 years. 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 the National Environmental Policy Act of 1969 (NEPA) and the NRC's regulations found in 10 CFR Part 51.

The NRC 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 is encouraged. The scoping process for the supplement to the GEIS will be used to accomplish the following:

- Define the proposed action which is to be the subject of the supplement to the GEIS.
- Determine the scope of the supplement to the GEIS and identify the significant issues to be analyzed in depth.
- Identify and eliminate from detailed study those issues that are peripheral or that are not significant.
- 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, Constellation Energy Group.

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 has decided to hold public meetings for the NMP license renewal supplement to the GEIS. The scoping meetings will be held at the Town of Scriba Conference Room, 42 Creamery Road, Oswego, New York 13126, on Tuesday, September 21, 2004. There will be two sessions to accommodate interested parties. The first session will convene at 1:30 p.m. and will continue until 4:30 p.m., as necessary. The second session will convene at 7 p.m. with a repeat of the overview portions of the meeting 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 NEPA environmental review process, the proposed scope of the supplement to the GEIS, and the proposed review