

### *Need for the Proposed Action*

The licensee has ceased conducting license activities at the Facility, and seeks the unrestricted use of the Facility.

### *Environmental Impacts of the Proposed Actions*

The licensee's historical review of past research activities determined that Hydrogen-3 was the only radionuclide used in the Facility. The final status survey of the Facility was performed during September 2009. The final status survey results were attached to the Licensee's amendment request dated September 29, 2009 (ML092730395). The NRC evaluated the licensee's compliance with the radiological criteria for unrestricted use as specified in 10 CFR 20.1402 by using the screening approach described in NUREG-1757, "Consolidated Decommissioning Guidance," Volume 1. The NRC NUREG specifies radionuclide-specific Derived Concentration Guideline Levels (DCGLs), developed by the NRC, which comply with the dose criterion in 10 CFR 20.1402. The DCGLs define the maximum amount of residual radioactivity on surfaces that will satisfy the NRC requirements in Subpart E of 10 CFR Part 20 for unrestricted use. The Licensee's final status survey results were well 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 Facility.

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 Facility. 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 Facility for unrestricted use is in compliance with 10 CFR 20.1402. Based on its review, the staff considered the impact of the residual radioactivity at the Facility and concluded that the proposed action will not have a significant effect on the quality of the 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 Facility meets the requirements of 10 CFR 20.1402 for unrestricted use. 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.

### *Agencies and Persons Consulted*

NRC provided a draft of this Environmental Assessment to the Illinois Emergency Management Agency (IEMA) for review on December 28, 2009. IEMA had no comments or questions.

### *Conclusion*

The NRC staff has concluded that the proposed action is consistent with the NRC's unrestricted use 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.

### **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 image files of NRC's public documents. 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.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The documents related to this action are listed below, along with their ADAMS accession numbers.

1. Department of the Army License Termination Request dated September 29, 2009 (ADAMS Accession No. ML092730395).

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 Function."

3. NUREG-1757, Consolidated Decommissioning Guidance.

These documents may also be viewed electronically on the public computers located at the NRC's PDR, O1F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Lisle, Illinois, this 11th day of February 2010.

For the Nuclear Regulatory Commission.

**Christine A. Lipa,**

*Chief, Materials Control, ISFSI, and Decommissioning Branch, Division of Nuclear Materials Safety, Region III.*

[FR Doc. 2010-3353 Filed 2-19-10; 8:45 am]

**BILLING CODE 7590-01-P**

### **NUCLEAR REGULATORY COMMISSION**

#### **Advisory Committee on Reactor Safeguards (ACRS) Meeting of the Subcommittee on Advanced Boiling Water Reactor (ABWR)**

The ACRS Subcommittee on ABWR will hold a meeting on March 2, 2010, at 11545 Rockville Pike, Rockville, Maryland, Room T2 B3.

The meeting will be open to public attendance, with the exception of a portion that may be closed to protect information that is proprietary to South

Texas Project (STP), pursuant to 5 U.S.C. 552b(c)(4).

The agenda for the subject meeting shall be as follows:

*March 2, 2010, 8:30 a.m.–5 p.m.*

The Subcommittee will review selected chapters (1, 4, 11, 12, 15 and 18) of the Safety Evaluation Report with Open Items associated with the STP Combined License Application. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Maitri Banerjee (Telephone: 301–415–6973, E-mail: [Maitri.Banerjee@nrc.gov](mailto:Maitri.Banerjee@nrc.gov)) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be e-mailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 14, 2009 (74 FR 58268–58269).

Detailed meeting agendas and meeting transcripts are available on the NRC Web site at <http://www.nrc.gov/reading-rm/doc-collections/acrs>. Information regarding topics to be discussed, changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained from the Web site cited above or by contacting the identified DFO.

Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with these references if such rescheduling would result in major inconvenience.

Dated: February 12, 2010.

**Antonio F. Dias,**  
Chief Reactor Safety Branch B, Advisory Committee on Reactor Safeguards.

[FR Doc. 2010–3348 Filed 2–19–10; 8:45 am]

BILLING CODE 7590–01–P

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards (ACRS); Meeting of the ACRS Subcommittee on EPR; Notice of Meeting

The ACRS U.S. Evolutionary Power Reactor (EPR) Subcommittee will hold a meeting on March 3, 2010, at 11545 Rockville Pike, T2–B3, Rockville, Maryland.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed to protect information that is proprietary to AREVA NP, pursuant to 5 U.S.C. 552b(c)(4).

The proposed agenda for the subject meeting shall be as follows:

*Wednesday, March 3, 2010—8:30 a.m.–5 p.m.*

The Subcommittee will review selected chapters (Chapters 4 and 5) of the Safety Evaluation Report with Open Items associated with the U.S. EPR Design Certification Document Review. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Mr. Derek Widmayer (Telephone 301–415–7366, E-mail: [Derek.Widmayer@nrc.gov](mailto:Derek.Widmayer@nrc.gov)) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be e-mailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 14, 2009 (74 FR 58268–58269).

Detailed meeting agendas and meeting transcripts are available on the NRC Web site at <http://www.nrc.gov/reading-rm/doc-collections/acrs>.

Information regarding topics to be discussed, changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained from the Web site cited above or by contacting the identified DFO.

Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with these references if such rescheduling would result in major inconvenience.

Dated: February 12, 2010.

**Antonio F. Dias,**  
Chief, Reactor Safety Branch B, Advisory Committee on Reactor Safeguards.

[FR Doc. 2010–3345 Filed 2–19–10; 8:45 am]

BILLING CODE 7590–01–P

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards (ACRS); Meeting of the Subcommittee on Plant Operations and Fire Protection; Notice of Meeting

The ACRS Subcommittee on Plant Operations and Fire Protection will hold a meeting on March 3, 2010, at 11545 Rockville Pike, Rockville, Maryland, Room T2 B1.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

*March 3, 2010—3 p.m.–5 p.m.*

The Subcommittee will review the status of the Watts Bar Unit 2 Operating License Application review. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Maitri Banerjee (Telephone: 301–415–6973, E-mail: [Maitri.Banerjee@nrc.gov](mailto:Maitri.Banerjee@nrc.gov)) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 14, 2009 (74 FR 58268–58269).