

Cole (Chairman, National Endowment for the Humanities), and Eileen Mason (Acting Chairman, National Endowment for the Arts) will present reports, and Henry Moran, Executive Director of the President's Committee on the Arts and the Humanities will then present an Executive Director's update. This will be followed by general discussion and closing remarks from the Committee Chairman.

The President's Committee on the Arts and the Humanities was created by Executive Order in 1982 to advise the President, the two Endowments, and the Institute of Museum and Library Services on measures to encourage private sector support for the nation's cultural institutions and to promote public understanding of the arts and the humanities.

If, in the course of discussion, it becomes necessary for the Committee to discuss non-public commercial or financial information of intrinsic value, the Committee will go into closed session pursuant to subsection (c) (4) of the Government in the Sunshine Act, 5 U.S.C. 552b.

Any interested persons may attend as observers, on a space available basis, but seating is limited. Therefore, for this meeting, individuals wishing to attend must contact Georgianna Paul of the President's Committee in advance at (202) 682-5409 or write to the Committee at 1100 Pennsylvania Avenue, NW, Suite 526, Washington, DC 20506. Further information with reference to this meeting can also be obtained from Ms. Paul.

If you need special accommodations due to a disability, please contact Ms. Paul through the Office of AccessAbility, National Endowment for the Arts, 1100 Pennsylvania Avenue, NW., Washington, DC 20506, 202/682-5532, TDY-TDD 202/682-5496, at least seven (7) days prior to the meeting.

Dated: March 25, 2002.

Kathy Plowitz-Worden,

*Panel Coordinator, Panel Operations,
National Endowment for the Arts.*

[FR Doc. 02-7587 Filed 3-28-02; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-390-CivP; 50-327 CivP; 50-328-CivP; 50-259-CivP; 50-260-CivP; 50-296-CivP; ASLBP No. 01-791-01-CivP; EA 99-234]

Atomic Safety and Licensing Board; Tennessee Valley Authority (Watts Bar Nuclear Plant, Unit 1; Sequoyah Nuclear Plant, Units 1 & 2; Browns Ferry Nuclear Plant, Units 1, 2 & 3); Evidentiary Hearing

March 25, 2002.

Before Administrative Judges: Charles Bechhoefer, Chairman, Dr. Richard F. Cole and Ann Marshall Young.

This proceeding involves a proposed civil penalty of \$110,000, sought to be imposed by the NRC Staff on the Tennessee Valley Authority (TVA) for an alleged violation of NRC's employee-protection requirements set forth in 10 CFR 50.7, based upon the asserted discrimination against a former employee for engaging in protected activities. In response to an Order Imposing Civil Monetary Penalty, published at 66 FR 27,166 (May 16, 2001), TVA on June 1, 2001, filed a timely request for a hearing. On June 26, 2001, an Atomic Safety and Licensing Board, consisting of Dr. Richard F. Cole, Ann Marshall Young, and Charles Bechhoefer, who serves as Chairman, was established to preside over this proceeding. 66 FR 34,961 (July 2, 2001).

By Memorandum and Order dated June 28, 2001, the Licensing Board granted TVA's request for a hearing and, on the same date, issued a Notice of Hearing. 66 FR 35,467-35,468 (July 5, 2001). Parties to this proceeding are TVA and the NRC Staff. As set forth in the Order Imposing Civil Monetary Penalty, 66 FR at 27,167, issues to be considered are (a) whether the Licensee violated the Commission's requirements, as set forth in the Notice of Violation and Proposed Imposition of Civil Penalty, dated February 7, 2000 (NOV); and, if so, (b) whether, on the basis of such violation, the Order Imposing Civil Monetary Penalty should be sustained.

Notice is hereby given that the evidentiary hearing in this proceeding will commence on Tuesday, April 23, 2002, at 9:30 a.m. EDT, at the United States Bankruptcy Court, Courtroom A, Historic U.S. Courthouse, 31 E. 11th St., Chattanooga, Tennessee 37402. The hearing will continue on April 24-26, 2002, beginning at 9 a.m., and, to the extent necessary, on April 30-May 9, 2002, also commencing at 9 a.m., at the same location unless otherwise announced. Members of the public are

invited to attend any of these sessions. Hearings will extend until approximately 5 p.m. each day. On Friday, April 26, 2002, however, the hearing will adjourn no later than 12 noon; no hearing is scheduled for Monday, April 29, 2002 and, as the hearing proceeds, the Board may make changes in the foregoing schedule, modifying the times for each day's session or canceling a session, as deemed appropriate to allow for witnesses' availability and other matters arising during the course of the proceeding.

Documents related to this proceeding issued prior to December 1, 1999, are available in microfiche form (with print form available on one-day recall) for public inspection at the Commission's Public Document Room (PDR), Room 0-1 F21, NRC One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738. Documents issued subsequent to November 1, 1999 are available electronically through the Agency wide Documents Access and Management System (ADAMS), with access to the public through NRC's Internet Web site (Public Electronic Reading Room Link, <<http://www.nrc.gov/NRC/ADAMS/index.html>>). The PDR and many public libraries have terminals for public access to the Internet.

It is so Ordered.

For the Atomic Safety and Licensing Board.

Dated in Rockville, Maryland, on March 25, 2002.

Charles Bechhoefer,

Administrative Judge.

[FR Doc. 02-7603 Filed 3-28-02; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 40-0299]

UMETCO Minerals Corporation

AGENCY: Nuclear Regulatory Commission.

ACTION: Final finding of no significant impact. Notice of opportunity for Hearing.

SUMMARY: The U. S. Nuclear Regulatory Commission (NRC) proposes to amend NRC Source Material License SUA-648 to authorize the licensee, Umetco Minerals Corporation (Umetco) to apply Alternate Concentration Limits (ACL) to licensed constituents of ground water according to the submitted plan. An Environmental Assessment (EA) was performed by the NRC staff in support

of its review of Umetco's license amendment request, in accordance with the requirements of 10 CFR Part 51. The conclusion of the Environmental Assessment is a Finding of No Significant Impact (FONSI) for the proposed licensing action.

FOR FURTHER INFORMATION CONTACT: Ms. Elaine Brummett, Fuel Cycle Licensing Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards, U. S. Nuclear Regulatory Commission, Mail Stop T8-A33, Washington, D.C. 20555-0001. Telephone 301/415-6606.

SUPPLEMENTARY INFORMATION:

Background

The Umetco former uranium mill site is licensed by the U. S. Nuclear Regulatory Commission (NRC) under Source Materials License SUA-648 to possess byproduct material in the form of uranium waste, such as mill tailings, generated by past uranium processing operations. The Umetco site is located in the East Gas Hills region of western Natrona and eastern Fremont Counties, Wyoming, approximately 80 kilometers (50 miles) southeast of the town of Riverton, Wyoming. The mill operated from 1960 to 1979 and was dismantled in 1992. The Umetco site contains two reclaimed disposal areas; the Above Ground Tailings Impoundment (Impoundment) (including the heap leach area) and the A-9 Repository. The license establishes a separate ground water protection standard for each area. The ground water protection standard is established at two Point of Compliance (POC) wells near each disposal area. These four wells are used to monitor water quality because hazardous constituents have leached from the milling waste into the upper aquifer.

The ACL application requests that site-specific concentration limits for hazardous constituents in ground water be granted for the Umetco site in place of the current concentration values in the license. The concentration limits required to be met under the licensed corrective action program are not attainable due to the high cost and the influence of mining-impacted water. The ground water at the Umetco site and surrounding areas is impacted by open-pit uranium mines with the same constituents resulting from the tailings and this was not considered when the corrective action began in 1991.

Umetco is also proposing that the Point of Exposure (POE) be established for the site at the long-term care boundary. This boundary encompasses all the land that will be transferred to the U.S. Department of Energy (DOE) for

perpetual care of the disposal sites. The western side of the boundary would be located about 1.4 km (0.8 miles) west of the Impoundment and the southern side of the boundary would be located about 0.8 km (0.5 miles) south of the A-9 Repository. The POE is the location nearest the site where the public or environment might be exposed to milling impacted ground water, even though such exposure is highly unlikely.

Summary of the Environmental Assessment

The NRC staff performed an appraisal of the environmental impacts associated with the application of ACL, in accordance with 10 CFR Part 51, Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions. The license amendment would authorize Umetco to apply ACL to the license constituents measured at the POC. The technical aspects of the ACL application are discussed separately in a Technical Evaluation Report (TER) that will accompany the agency's final licensing action.

The results of the staff's appraisal of potential environmental impacts are documented in an EA placed in the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm.html> (the Public Electronic Reading Room). Based on its review, the NRC staff has concluded that there are no significant environmental impacts associated with the proposed action.

Conclusions

The NRC staff has examined actual and potential impacts associated with implementation of the proposed ACL, and has determined that the requested amendment of Source Material License SUA-648, authorizing the ACL, will: (1) Be consistent with requirements of 10 CFR Part 40, Appendix A; (2) not be inimical to the public health and safety; and (3) not have long-term detrimental impacts on the environment. The following statements summarize the conclusions resulting from the staff's environmental assessment, and support the FONSI:

1. An acceptable long-term ground water monitoring program will monitor contaminants to detect if applicable regulatory limits are exceeded. Each of the licensed constituents should remain within the range of background values, for 1000 years at the POE.
2. Present and potential health risks to the public and risks of environmental damage from the proposed application

of ACL were assessed. Given the remote location, the expected future land use, the perpetual control by the Federal government of land within the long-term boundary, and the high value of some of the constituents in background due to past surface mining in the area, the staff determined that the risk factors for health and environmental hazards are insignificant.

Alternatives to the Proposed Action

The proposed action is to amend NRC Source Material License SUA-648, to allow application of ACL to licensed constituents in ground water at the Umetco site. The principal alternatives available to the NRC are to:

1. Approve the license amendment request as submitted; or
2. Amend the license with such additional conditions as are considered necessary or appropriate to protect public health and safety and the environment; or
3. Deny the amendment request.

Based on its review, the NRC staff has concluded that the environmental impacts associated with the proposed action do not warrant either the limiting of Umetco's plans necessary for license termination (site is in final stages of decommissioning) or the denial of the license amendment. Additionally, in the TER prepared for this action, the staff has reviewed the licensee's proposed action with respect to the ground water criteria specified in 10 CFR 40, Appendix A, and has no basis for denial of the proposed action. Therefore, the staff considers that Alternative 1 is the appropriate alternative for selection.

Finding of No Significant Impact

The NRC staff has prepared an EA for the proposed amendment of NRC Source Material License SUA-648. On the basis of this assessment, the NRC staff has concluded that the environmental impacts that may result from the proposed action would not be significant, and therefore, preparation of an Environmental Impact Statement is not warranted.

The EA and other documents related to this proposed action are available for public inspection and copying at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852.

Notice of Opportunity for Hearing

The Commission hereby provides notice that this is a proceeding on an application for a licensing action falling within the scope of 10 CFR Part 2, Subpart L, "Informal Hearing Procedures for Adjudications in Materials and Operators Licensing

Proceedings,” of the Commission’s Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders. Pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing. In accordance with § 2.1205(d), a request for a hearing must be filed within thirty (30) days from the date of publication of this **Federal Register** notice. The request for a hearing must be filed with the Office of the Secretary either:

(1) By delivery to the Rulemakings and Adjudications Staff of the Office of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or

(2) By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff.

In accordance with 10 CFR 2.1205(f), each request for a hearing must also be served, by delivering it personally or by mail to:

(1) The applicant, Umetco Minerals Corporation, P.O. Box 1029, Grand Junction, CO 81502;

(2) The NRC staff, by delivery to the General Counsel, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or

(3) By mail addressed to the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

In addition to meeting other applicable requirements of 10 CFR Part 2 of the Commission’s regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

(1) The interest of the requestor in the proceeding;

(2) How that interest may be affected by the results of the proceeding, including the reasons why the requestor should be permitted a hearing, with particular reference to the factors set out in § 2.1205(h);

(3) The requestor’s areas of concern about the licensing activity that is the subject matter of the proceeding; and

(4) The circumstances establishing that the request for a hearing is timely in accordance with § 2.1205(d).

Any hearing that is requested and granted will be held in accordance with the Commission’s “Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings” in 10 CFR part 2, subpart L.

Dated at Rockville, Maryland, this 24th day of March, 2002.

For the Nuclear Regulatory Commission.

Melvyn Leach,

Chief, Fuel Cycle Licensing Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 02–7605 Filed 3–28–02; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–338 and 50–339]

Virginia Electric and Power Company, North Anna Power Station, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of amendments to Facility Operating License Nos. NPF–4 and NPF–7, issued to Virginia Electric and Power Company (the licensee) for operation of the North Anna Power Station, Units 1 and 2, located in Louisa County, Virginia. Pursuant to Title 10 of the Code of Federal Regulations (10 CFR) Sections 51.21 and 51.32, the NRC is issuing this environmental assessment and finding of no significant impact.

Environmental Assessment

Identification of the Proposed Action

The proposed action would be a full conversion from the current technical specifications (CTS) to a set of improved technical specifications (ITS) based on NUREG–1431, “Standard Technical Specifications, Westinghouse Plants,” Revision 1, dated April 1995. The proposed action is in accordance with the licensee’s application dated December 11, 2000, as supplemented by letters dated May 30, June 18, July 16, July 20, August 13, August 27, September 27, October 10, October 17, November 8, November 19, November 29, December 3, December 7, December 12, and December 13, 2001, and January 2, January 25, January 31, February 11, February 18, February 22, February 27, and March 7, 2002.

The Need for the Proposed Action

The Commission’s “Proposed Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors” (52 FR 3788), dated February 6, 1987, contained an Interim Policy Statement that set forth objective criteria for determining which regulatory requirements and operating restrictions should be included in the TS. When it issued the Interim Policy Statement, the Commission also requested comments on it. Subsequently, to implement the

Interim Policy Statement, each reactor vendor owners group and the NRC staff began developing standard TS (STS) for reactors supplied by each vendor. The Commission then published its “Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors” (58 FR 39132), dated July 22, 1993, in which it addressed comments received on the Interim Policy Statement, and incorporated experience in developing the STS. The Final Policy Statement formed the basis for a revision to 10 CFR 50.36 (60 FR 36953), dated July 19, 1995, that codified the criteria for determining the content of TS. The NRC Committee to Review Generic Requirements reviewed the STS, made note of their safety merits, and indicated its support of conversion by operating plants to the STS. For the North Anna Power Station, Units 1 and 2, the STS are NUREG–1431, Revision 1, “Standard Technical Specifications, Westinghouse Plants,” Revision 1, dated April 1995. This document formed the basis for the North Anna Power Station, Units 1 and 2, conversion.

The proposed changes to the CTS are based on NUREG–1431 and guidance provided in the Final Policy Statement. The objective of this action is to completely rewrite, reformat, and streamline the CTS (*i.e.*, to convert the CTS to ITS). Emphasis was placed on human factors principles to improve clarity and understanding. The Bases section has been significantly expanded to clarify and better explain the purpose and foundation of each specification. In addition to NUREG–1431, portions of the CTS were also used as the basis for the development of the North Anna Power Station, Units 1 and 2 ITS. Plant-specific issues (*i.e.*, unique design features, requirements, and operating practices) were discussed at length with the licensee.

The proposed changes from the CTS can be grouped into four general categories. These groupings are characterized as administrative changes, relocated changes, more restrictive changes, and less restrictive changes. They are described as follows:

Administrative changes are those that involve restructuring, renumbering, rewording, complex rearranging of requirements, and other changes not affecting technical content or substantially revising an operating requirement. The reformatting, renumbering, and rewording processes reflect the attributes of NUREG–1431 and do not involve technical changes to the existing TS. The proposed changes include: (a) Identifying plant-specific wording for system names, etc.; (b)