

*Moderator:* Karen Sarjeant, LSC Vice President for Programs and Compliance.

The panelists will discuss a range of issues related to involving law schools and law students in the delivery of legal services, including: The importance of teaching pro bono and public service involvement to law students; ways in which law schools have integrated pro bono and public service into their law school curricula, such as pro bono or public service requirements in both voluntary and mandatory programs; examples of successful partnerships between legal services programs and law schools; and panelists' suggestions on ways to expand the involvement of law schools and law students with legal services programs.

• *Panel Members:*

Cindy Adcock, Senior Program Manager—Leadership and Research, Equal Justice Works.

James V. Rowan, Associate Dean for Experiential and Community-Based Education and Research, Northeastern University School of Law.

Ronald W. Staudt, Professor of Law, Associate Vice President for Law, Business and Technology, Chicago-Kent College of Law.

Liz Tobin Tyler, Director of Public Service and Community Partnerships, Feinstein Institute, Roger Williams School of Law.

4. Public comment.

5. Consider and act on other business.

6. Consider and act on adjournment of meeting.

**Operations & Regulations Committee—Agenda**

*Open Session*

1. Approval of agenda.

2. Approval of the minutes of the Committee's April 28, 2006 meeting.

3. Consider and act on Draft Notice of Proposed Rulemaking to revise 45 CFR part 1621, Client Grievance Procedure.

a. Staff report.

b. Public comment.

4. Consider and act on rulemaking to revise 45 CFR part 1624, Prohibition Against Discrimination on the Basis of Handicap.

a. Staff report.

b. Public comment.

5. Consider and act on 2007 grant assurances.

a. Staff report.

b. Public comment.

6. Consider and act on other business.

7. Other public comment.

8. Consider and act on adjournment of meeting.

**Saturday, July 29, 2006—Performance Reviews Committee—Agenda**

*Closed Session*

1. Approval of agenda.

2. Consider and act on annual performance review of LSC Inspector General.

—Meet with Kirt West.

3. Consider and act on other business.

4. Consider and act on adjournment of meeting.

**Finance Committee—Agenda**

1. Approval of agenda.

2. Approval of the minutes of the Committee's meeting of April 29, 2006.

3. Presentation on LSC's *Financial Reports for the Third Quarter Ending June 30, 2006*.

4. Consider and act on *FY 2006*

*Revised Consolidated Operating Budget*.

5. Report on the status of the *FY 2007 Appropriations* process.

6. Consider and act on adoption of *FY 2007 Temporary Operating Authority* effective October 1, 2006.

7. Discussion regarding planning for FY 2008 budget.

8. Consider and act on adoption of *Diversified Investment Advisors LSC Thrift Plan Amendment to the Definition of Section 414: Compensation*.

9. Consider and act on adoption of revised budget procedures.

10. Discussion of extent, format, frequency and presentation of financial information to the Committee.

11. Consider and act on other business.

12. Public comment.

13. Consider and act on adjournment of meeting.

**Board of Directors—Agenda**

*Open Session*

1. Approval of agenda.

2. Approval of minutes of the Board's meeting of April 29, 2006.

3. Approval of minutes of the Board's telephonic meeting of May 22, 2006.

4. Approval of minutes of the Executive Session of the Board's meeting of April 29, 2006.

5. *Chairman's Report*.

6. *Members' Reports*.

7. *President's Report*.

8. *Inspector General's Report*.

9. Consider and act on the report of the Committee on Provision for the Delivery of Legal Services.

10. Consider and act on the report of the Finance Committee.

11. Consider and act on the report of the Operations & Regulations Committee.

12. Consider and act on follow-up to the Inspector General's Semiannual

Report to Congress for the period of October 1, 2005 through March 31, 2006.

13. Consider and act on Board's meeting schedule for calendar year 2007.

14. Consider and act on other business.

15. Public comment.

16. Consider and act on whether to authorize an executive session of the Board to address items listed below under *Closed Session*.

*Closed Session*

17. Consider and act on the report of the Performance Reviews Committee.

18. Consider and act on General Counsel's report on potential and pending litigation involving LSC.

19. IG briefing.

20. Discussion of internal personnel matter.

21. Consider and act on motion to adjourn meeting.

**FOR FURTHER INFORMATION CONTACT:**

Patricia D. Batie, Manager of Board Operations, at (202) 295-1500.

*Special Needs:* Upon request, meeting notices will be made available in alternate formats to accommodate visual and hearing impairments. Individuals who have a disability and need an accommodation to attend the meeting may notify Patricia D. Batie, at (202) 295-1500.

Dated: July 20, 2006.

**Victor M. Fortuno,**

*Vice President for Legal Affairs, General Counsel & Corporate Secretary.*

[FR Doc. 06-6470 Filed 7-20-06; 5:06 pm]

**BILLING CODE 7050-01-P**

**NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-483]

**Union Electric Company; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-30, issued to Union Electric Company (the licensee), for operation of the Callaway Plant, Unit 1 (Callaway), located in Callaway County, Missouri.

The proposed amendment would delete the (1) containment cooler condensate monitoring system and (2) containment atmosphere gaseous radioactivity monitor from the limiting

condition for operation in Technical Specification (TS) 3.4.15, "RCS [reactor coolant system] Leakage Detection Instrumentation." The conditions, required actions, completion times, and surveillance requirements in TS 3.4.15 that are associated with both of these monitors would also be deleted from TS 3.4.15. This would remove these two monitors from the TSs as methods to detect an RCS leak rate of 1 gallon per minute (gpm) in 1 hour. The licensee submitted its request to revise the TSs in its application dated July 19, 2006. This application supercedes the licensee's previous two applications dated August 26, 2005, and August 29, 2006, which proposed only to delete the containment atmosphere gaseous radioactivity monitor from TS 3.4.15.

In its application, the licensee requested that the amendment be approved on an exigent basis, in accordance with Paragraph 50.91(a)(6) of Title 10 of the *Code of Federal Regulations* (10 CFR 50.91(a)(6)), by no later than August 8, 2006. The licensee provided the following basis for its request. On July 10, 2006, a Commission's resident inspector at Callaway identified a concern with the licensee using the containment cooler condensate monitoring system for RCS leakage detection in accordance with TS 3.4.15. Specifically, the resident inspector questioned the ability of the system to detect a 1 gpm RCS leak rate in 1 hour based on realistic or normal plant conditions. The licensee stated that in subsequent reviews it was unable to establish that the system could meet this criteria and declared the system inoperable on July 10, 2006, at 15:44 in the afternoon. Because the containment atmosphere gaseous radioactivity monitor had previously been declared inoperable because it could not be shown to meet this criteria, TS 3.4.15, with both monitors being inoperable, requires that the licensee analyze samples of the containment atmosphere, or verify RCS operational leakage is within limits by performance of an RCS watery inventory balance, once every 24 hours, and restore either of the two monitors within 30 days, or start shutting down. Since the licensee does not see the basis to justify that either of the two monitors can meet the criteria for TS 3.4.15, it has requested the exigent amendment to remove the two monitors from TS 3.4.15 and, thus, prevent the plant shut down starting 30 days after the containment cooler condensate monitoring system was declared inoperable (i.e., 30 days after July 10, 2006, at 15:44). The licensee concluded that it could not have

reasonably foreseen or anticipated this situation and, therefore, could not have avoided the need for the exigent amendment request.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

(1) Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

*Response:* No.

The proposed change has been evaluated and determined to not increase the probability or consequences of an accident previously evaluated. The proposed change does not make any hardware changes and does not alter the configuration of any plant system, structure, or component (SSC). The proposed change will remove the containment cooler condensate monitoring system and the containment atmosphere gaseous radioactivity monitor as an option for meeting the OPERABILITY requirements for TS 3.4.15. The TS will continue to require diverse means of leakage detection equipment, thus ensuring that leakage due to RCS piping cracks would continue to be identified prior to propagating to the point of a pipe break and the plant shutdown accordingly. Therefore, the probability or consequences of an accident previously evaluated are not increased.

(2) Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

*Response:* No.

The proposed change does not involve the use or installation of new equipment and the currently installed equipment will not be operated in a new

or different manner. No new or different system interactions are created and no new processes are introduced. The proposed changes will not introduce any new failure mechanisms, malfunctions, or accident initiators not already considered in the design and licensing bases. The proposed change does not affect any SSC associated with an accident initiator. Based on this evaluation, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

(3) Does the proposed change involve a significant reduction in a margin of safety?

*Response:* No.

The proposed change does not alter any Reactor Coolant System (RCS) leakage detection components. The proposed change will remove the containment cooler condensate monitoring system and the containment atmosphere gaseous radioactivity monitor as an option for meeting the OPERABILITY requirements for TS 3.4.15. This change is required since the level of radioactivity in the Callaway reactor coolant has become much lower than what was assumed in the [Callaway] FSAR [Final Safety Analysis Report] and the gaseous channel can no longer promptly detect a small RCS leak under normal conditions. Similarly, for certain combinations of essential service water (ESW) temperature, outside air temperature and relative humidity, the containment cooler condensate monitoring system's ability to detect an RCS leak rate of 1 gpm in one hour is also uncertain. The proposed amendment continues to require diverse means of leakage detection equipment with capability to promptly detect RCS leakage. Although not required by TS, additional diverse means of leakage detection capability are available as described in the FSAR Section 5.2.5. Early detection of leakage, as the potential indicator of a crack(s) in the RCS pressure boundary, will thus continue to be in place so that such a condition is known and appropriate actions taken well before any such crack would propagate to a more severe condition. Based on this evaluation, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 14 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 14-day notice period. However, should circumstances change during the notice period, such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 14-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

Within 60 days after the date of publication of this notice, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license 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. 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 and Issuance of Orders" in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.309, which is available at the Commission's PDR,

located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/doc-collections/cfr/>. If a request for a hearing or petition for leave to intervene is filed by the above date, 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 and/or 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.

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. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements: (1) The name, address and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) 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 identify 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 petitioner/requestor shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner/requestor must also provide references to those specific sources and documents of which the petitioner/requestor is aware and on which the petitioner/requestor intends to rely to establish those facts or expert opinion. The petitioner/requestor must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the

amendment under consideration. The contention must be one which, if proven, would entitle the petitioner/requestor to relief. A petitioner/requestor who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

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.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

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

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 addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, [HEARINGDOCKET@NRC.GOV](mailto:HEARINGDOCKET@NRC.GOV); or (4) facsimile transmission addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC, Attention: Rulemakings and Adjudications Staff at (301) 415-1101, verification number is (301) 415-1966. A copy of the request for hearing and petition for leave to intervene should 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](mailto:OGCMailCenter@nrc.gov). A copy of the request for hearing and petition for leave to intervene should also be sent to John O'Neill, Esq., Pillsbury Winthrop Shaw Pittman LLP, 2300 N Street, NW., Washington, DC 20037, attorney for the licensee.

For further details with respect to this action, see the application for amendment dated July 19, 2006, which is available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site <http://www.nrc.gov/reading-rm.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1–800–397–4209, or 301–415–4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 19th day of July 2006.

For the Nuclear Regulatory Commission.

**Jack Donohew,**

*Senior Project Manager, Plant Licensing Branch IV, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E6–11832 Filed 7–24–06; 8:45 am]

BILLING CODE 7590–01–P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 40–8102]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact Concerning the ExxonMobil Refining and Supply Company License Amendment Request for Alternate Groundwater Protection Standards at the Highland Reclamation Project

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability of Environmental Assessment and Finding of No Significant Impact.

#### FOR FURTHER INFORMATION CONTACT:

Myron Fliegel, Senior Project Manager, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and

Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 415–6629; fax number: (301) 415–5955; e-mail: [mhf1@nrc.gov](mailto:mhf1@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to Source Materials License SUA–1139 issued to ExxonMobil Corporation (ExxonMobil, the licensee), to establish alternate groundwater protection standards for chromium, uranium, selenium, and nickel at the Highland Reclamation Project (Highland), located in Converse County, Wyoming. Pursuant to the requirements of 10 CFR part 51 (Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions), the NRC has prepared an Environmental Assessment (EA) to evaluate the environmental impacts associated with ExxonMobil's proposed modifications to the groundwater protection standards for the Highland site. Based on this evaluation, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate for the proposed licensing action. The license amendment will be issued following the publication of this Notice.

##### II. Environmental Assessment

###### Introduction

By letter dated January 16, 2006, ExxonMobil submitted an application to the NRC, requesting an amendment to Source Materials License SUA–1139 for the Highland Reclamation Project to modify the groundwater protection standards for chromium, uranium, selenium, and nickel at the designated point of compliance (POC) wells in the license. In this regard, the NRC's groundwater protection standards in 10 CFR part 40, Appendix A, Criterion 5B(5) specify the following:

5B(5)—At the point of compliance, the concentration of a hazardous constituent must not exceed:

(a) The Commission approved background concentration of that constituent in the groundwater;

(b) The respective value given in the table in paragraph 5C if the constituent is listed in the table and if the background level of the constituent is below the value listed; or

(c) An alternate concentration limit established by the Commission.

Further, groundwater monitoring to comply with the standards established in accordance with the above specifications is required by Criterion 7A.

Consistent with the requirements of Criterion 7A, License Condition (LC) 33 of ExxonMobil's Source Materials License SUA–1139 specifies that a groundwater monitoring program must be conducted at the Highland site and ExxonMobil must comply with the established groundwater protection standards at the designated POC wells for the constituents of interest, including chromium, uranium, selenium, and nickel. For chromium and selenium, the groundwater protection standards for the Highland site were set at the Maximum Contaminant Levels (MCLs) for those constituents in the table in paragraph 5C of 10 CFR part 40, Appendix A. The MCLs for the constituents listed in the table in paragraph 5C were derived from the MCLs established for those constituents in the U.S. Environmental Protection Agency (EPA) National Primary Drinking Water Regulations (NPDWRs). For uranium and nickel, the groundwater protection standards were based on the NRC approved background concentrations for those constituents in the groundwater. However, in the years subsequent to the establishment of the groundwater protection standards in ExxonMobil's license, the MCLs for chromium and selenium in the EPA's NPDWRs have been modified and a new MCL for uranium has been promulgated. The former MCL for nickel in the NPDWRs (0.1 parts per million) was remanded in 1995, and there is now no EPA legal limit on the amount of nickel in drinking water.

In light of the aforementioned changes to the EPA's NPDWRs, ExxonMobil has requested that Source Materials License SUA–1139 be amended to reflect the current MCLs for chromium, selenium, and uranium in the NPDWRs. In this regard, the staff notes that the table in paragraph 5C of 10 CFR part 40, Appendix A, has not yet been revised to reflect the current NPDWRs for chromium, selenium, and uranium. Additionally, even though the MCL for nickel has been remanded and nickel is no longer listed as a regulated contaminant in the NPDWRs, ExxonMobil has requested that its license be modified to incorporate the former MCL for nickel as the groundwater protection standard. In this regard, the NRC notes that the EPA believed that the 0.1 parts per million level for nickel would not cause any potential health problems. In accordance with the requirements of 10 CFR part 40, Appendix A, Criterion 5B(5)(c), the requested modifications to ExxonMobil's license would establish alternate concentration limits for