multi-year selection process of these sites and the potential environmental impacts of on-site construction, installation, and operation of this proposed new solar telescope. With its unprecedented 4.2-m (165-inch) aperture, advanced optical technology, and state-of-the-art instrumentation, the proposed ATST would be an indispensable tool for exploring and understanding physical processes on the sun that ultimately affect Earth. The DEIS addresses, among other things, the potential direct, indirect, and cumulative environmental impacts associated with the proposed Advanced Technology Solar Telescope project.

Written comments may be forwarded to:

ADDRESSES: Dr. Craig B. Foltz, Program Manager, National Science Foundation, Division of Astronomical Sciences, 4201 Wilson Blvd., Room 1045, Washington DC 22230, telephone: (703) 292–4909, fax: (730) 292–9034, e-mail: *cfoltz@nsf.gov.*

SUPPLEMENTARY INFORMATION:

Proposed alternatives to be considered include, but are not limited to the following:

(1) *Alternative 1 (Proposed Action):* Undeveloped site East of Mees Observatory.

(2) *Alternative 2:* Former radio telescope site known as Reber Circle.

(3) *Alternative 3:* No-Action. The National Science Foundation will not construct the Advanced Technology Solar Telescope on Maui.

Publication of the DEIS does not foreclose consideration of any courses of action or possible decisions addressed by the National Science Foundation in its Final Environmental Impact Statement (FEIS). No final decisions will be made regarding construction of the ATST prior to completion and signature of the Record of Decision for the Proposed Action.

Public Comment Period: The NSF welcomes and invites Federal, State, and local agencies, and the public to participate in the 45-day comment period for the completion of this EIS. The 45-day public comment period begins September 8, 2006, and ends on October 23, 2006. Public comment meetings will take place on the island of Maui, Hawai'i, with notification of the times and locations published in the local newspapers, as follows:

1. Cameron Center Auditorium, September 27, 2006, Wednesday, 6 p.m. to 10 p.m.

2. Hannibal Tavares Community Center, Multi-purpose Room, September 28, 2006, Thursday, 6 p.m. to 10 p.m.

3. Kula Community Center, September 29, 2006, Friday, 6 p.m. to 10 p.m.

Written comments may be submitted to Dr. Craig B. Foltz at the address above.

Dated: August 23, 2006.

Craig B. Foltz,

ATST Program Officer.

[FR Doc. 06–7429 Filed 9–5–06; 8:45 am]

BILLING CODE 7555–01–M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–128; EA–06–211]

In the Matter of Texas A&M University (Nuclear Science Center TRIGA Research Reactor); Order Modifying Amended Facility Operating License No. R–83

I

The Texas A&M University (the licensee) is the holder of Amended Facility Operating License No. R–83 (the license). The license was issued on December 7, 1961, by the U.S. Atomic Energy Commission and subsequently renewed on March 30, 1983, by the U.S. Nuclear Regulatory Commission (the NRC or the Commission). The license includes authorization to operate the Nuclear Science Center TRIGA Research Reactor (the facility) at a power level up to 1,000 kilowatts thermal (1,300 kilowatts thermal for purposes of testing and calibration) and to receive, possess, and use special nuclear material associated with the operation. The facility is on the campus of the Texas A&M University, in the city of College Station, Brazos County, Texas. The mailing address is Nuclear Science Center, Texas Engineering Experimental Station, Texas A&M University, 3575 TAMU, College Station, Texas 77843–3575.

II

On February 25, 1986, the Commission promulgated a final rule, Title 10 of the Code of Federal Regulations (10 CFR) Section 50.64, limiting the use of high-enriched uranium (HEU) fuel in domestic non-power reactors (research and test reactors) (see 51 FR 6514). The regulation, which became effective on March 27, 1986, requires that if Federal Government funding for conversion-related costs is available, each licensee of a non-power reactor authorized to use HEU fuel shall replace it with low-enriched uranium (LEU) fuel acceptable to the Commission unless the Commission has determined that the reactor has a unique purpose. The Commission's stated purpose for these requirements was to reduce, to the maximum extent possible, the use of HEU fuel in order to reduce the risk of theft and diversion of HEU fuel used in non-power reactors.

Paragraphs 50.64(b)(2)(i) and (ii) require that a licensee of a non-power reactor (1) not acquire more HEU fuel if LEU fuel that is acceptable to the Commission for that reactor is available when the licensee proposes to acquire HEU fuel and (2) replace all HEU fuel in its possession with available LEU fuel acceptable to the Commission for that reactor in accordance with a schedule determined pursuant to 10 CFR 50.64(c)(2).

Paragraph 50.64(c)(2)(i) requires, among other things, that each licensee of a non-power reactor authorized to possess and to use HEU fuel develop and submit to the Director of the Office of Nuclear Reactor Regulation (Director) by March 27, 1987, and at 12-month intervals, thereafter, a written proposal for meeting the requirements of the rule. The licensee shall include in its proposal a certification that Federal Government funding for conversion is available through the U.S. Department of Energy or other appropriate Federal agency and a schedule for conversion, based upon availability of replacement fuel acceptable to the Commission for that reactor and upon consideration of other factors such as the availability of shipping casks, implementation of arrangements for available financial support, and reactor usage.

Paragraph 50.64(c)(2)(iii) requires the licensee to include in the proposal, to the extent required to effect conversion, all necessary changes to the license, to the facility, and to licensee procedures. This paragraph also requires the licensee to submit supporting safety analyses in time to meet the conversion schedule.

Paragraph 50.64(c)(2)(iii) also requires the Director to review the licensee proposal, to confirm the status of Federal Government funding, and to determine a final schedule, if the licensee has submitted a schedule for conversion.

Section 50.64(c)(3) requires the Director to review the supporting safety analyses and to issue an appropriate enforcement order directing both the conversion and, to the extent consistent with protection of public health and safety, any necessary changes to the license, the facility, and licensee procedures. In the **Federal Register** notice of the final rule (51 FR 6514), the Commission explained that in most, if

not all, cases, the enforcement order would be an order to modify the license under 10 CFR 2.204 (now 10 CFR 2.202).

Section 2.309 states the requirements for a person whose interest may be affected by any proceeding to initiate a hearing or to participate as a party.

III

On December 29, 2005, as supplemented on July 17, and August 4 and 21, 2006, the NRC staff received the licensee's conversion proposal, including its proposed modifications and supporting safety analyses. HEU fuel elements are to be replaced with LEU fuel elements. The reactor core contains fuel bundles, each fuel bundle contains up to four fuel elements of the TRIGA design, with the fuel consisting of uranium-zirconium hydride with 30 weight percent uranium. These fuel elements contain the uranium-235 isotope at an enrichment of less than 20 percent. The NRC staff reviewed the licensee's proposal and the requirements of 10 CFR 50.64 and has determined that public health and safety and common defense and security require the licensee to convert the facility from the use of HEU to LEU fuel in accordance with the attachments to this Order and the schedule included herein. The attachments to this Order specify the changes to the License Conditions and Technical Specifications that are needed to amend the facility license and contains an outline of a reactor startup report to be submitted to NRC within six months following completion of LEU fuel loading.

IV

Accordingly, pursuant to Sections 51, 53, 57, 101, 104, 161b, 161i, and 161o of the Atomic Energy Act of 1954, as amended, and to Commission regulations in 10 CFR 2.202 and 10 CFR 50.64, *it is hereby ordered that:*

Amended Facility Operating License No. R–83 is modified by amending the License Conditions and Technical Specifications as stated in the attachments to this Order. The Order become effective on the later date of either (1) the day the licensee receives an adequate number and type of LEU fuel elements to operate the facility as specified in the licensee's proposal, or (2) 20 days after the date of publication of this Order in the **Federal Register**.

V

Pursuant to the Atomic Energy Act of 1954, as amended any person adversely affected by this Order may submit an answer to this Order, and may request a hearing on this Order, within 20 days of the date of this Order. Any answer or request for a hearing shall set forth the matters of fact and law on which the licensee, or other person adversely affected, relies and the reasons why the Order should not have been issued. Any answer or request for a hearing shall be filed (1) by first class mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; or (2) by courier, express mail, and expedited delivery services to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, Attention: Rulemaking and Adjudications Staff. Because of continuing disruptions in delivery of mail to the United States Government Offices, it is requested that answers and/or requests for hearing be transmitted to the Secretary of the Commission either by e-mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, *hearingdocket@nrc.gov;* or by 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 (the verification number is 301–415–1966). Copies of the request for hearing must also be sent to the Director, Office of Nuclear Reactor Regulation and to the Assistant General Counsel for Materials Litigation and Enforcement, Office of the General Counsel, with both copies addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and the NRC requests that a copy also be transmitted either by facsimile transmission to 301–415–3725 or by e-mail to *OGCMailCenter@nrc.gov.*

If a person requests a hearing, he or she shall set forth in the request for a hearing with particularity the manner in which his or her interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.309.

If a hearing is requested by a person whose interest is adversely affected, the Commission shall issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained.

In accordance with 10 CFR 51.10(d) this Order is not subject to Section 102(2) of the National Environmental Policy Act, as amended. The NRC staff notes, however, that with respect to environmental impacts associated with the changes imposed by this Order as described in the safety evaluation, the changes would, if imposed by other than an Order, meet the definition of a categorical exclusion in accordance with 10 CFR 51.22(c)(9). Thus, pursuant to either 10 CFR 51.10(d) or 51.22(c)(9), no environmental assessment nor environmental impact statement is required.

For further information see the application from the licensee dated December 29, 2005 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML062200390), as supplemented on July 17, and August 4 and 21, 2006 (ADAMS Accession Nos. ML062220189, ML062220278 and ML062410495), the staff's request for additional information dated June 1, 2006 (ADAMS Accession No. ML061500125), and the cover letter to the licensee, attachments to the Order, and the staff's safety evaluation dated September 1, 2006 (ADAMS Accession No. ML062410474), 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 ADAMS Public Electronic Reading Room on the Internet at the NRC Web site, *http://www.nrc.gov/reading-rm/adams.html.* Persons who do not have access to ADAMS or who have problems in accessing the documents 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.*

Dated this 1st day of September 2006.

For the Nuclear Regulatory Commission.

J.E. Dyer,

Director, Office of Nuclear Reactor Regulation.

[FR Doc. E6–14824 Filed 9–5–06; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–83; EA–06–210]

In the Matter of University of Florida (University of Florida Training Reactor); Order Modifying Amended Facility Operating License No. R–56

I

The University of Florida (the licensee) is the holder of Amended Facility Operating License No. R–56 (the license) issued on May 21, 1959, by the U.S. Atomic Energy Commission, and subsequently renewed on August 30, 1982, by the U.S. Nuclear Regulatory Commission (the NRC or the Commission). The license authorizes operation of the University of Florida Training Reactor (the facility) at a power