

necessary to complete the proposed action. Therefore, the staff considered the impact of the residual radioactivity at the facility and concluded that since the residual radioactivity meets the requirements in Subpart E of 10 CFR Part 20, a Finding of No Significant Impact is appropriate.

### III. Finding of No Significant Impact

The staff has prepared the EA (summarized above) in support of the license amendment to release the facility for unrestricted use. The NRC staff has evaluated Neose Technology, Inc.'s request and the results of the surveys and has concluded that the completed action complies with the criteria in Subpart E of 10 CFR part 20. The staff has found that the radiological environmental impacts from the action are bounded by the impacts evaluated by NUREG-1496, Volumes 1-3, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Facilities" (ML042310492, ML042320379, and ML042330385). Additionally, no non-radiological or cumulative impacts were identified. On the basis of the EA, the NRC has concluded that there are no significant environmental impacts from the proposed action, and has determined not to prepare an environmental impact statement for the proposed action.

### IV. Further Information

Documents related to this action, including the application for the 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 Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The ADAMS accession numbers for the documents related to this Notice are: Environmental Assessment [ML060830161]; Final Status Survey Results for Neose Technologies, Inc., 102 Witmer Road, Horsham, Pennsylvania [ML052590494]; and Response from Neose Technologies, Inc. dated October 27, 2005 [ML053120105]. 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 (800) 397-4209 or (301) 415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Documents related to operations conducted under this license not specifically referenced in this Notice

may not be electronically available and/or may not be publicly available. Persons who have an interest in reviewing these documents should submit a request to NRC under the Freedom of Information Act (FOIA). Instructions for submitting a FOIA request can be found on the NRC's Web Site at <http://www.nrc.gov/reading-rm/foia/foia-privacy.html>.

Dated at King of Prussia, Pennsylvania this 28th day of March, 2006.

For The Nuclear Regulatory Commission.

**James P. Dwyer,**

*Chief, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region I.*

[FR Doc. E6-5214 Filed 4-10-06; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

**[Docket Nos. 030-06111 And 070-00781]**

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact For License Amendment For the Pennsylvania Department of Environmental Protection, Harrisburg, PA

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Availability.

#### FOR FURTHER INFORMATION CONTACT:

Stephen Hammann, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region 1, U.S. Nuclear Regulatory Commission, 475 Allendale Road, King of Prussia, Pennsylvania 19406, telephone: (610) 337-5399; fax number: (610) 337-5269; e-mail: [STH2@nrc.gov](mailto:STH2@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The Nuclear Regulatory Commission (NRC) is considering the issuance of amendments to Material License Nos. 37-03698-01 and SNM-719, issued to the Pennsylvania Department of Environmental Protection (PADEP) (the licensee), to authorize release of its Evangelical Press Building, 3rd and Reilly Streets, Harrisburg, Pennsylvania, for unrestricted use, and has prepared an Environmental Assessment (EA) in support of this amendment in accordance with the requirements of 10 CFR part 51. Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate. The amendment will be issued following the publication of this Notice.

## II. EA Summary

The purpose of the proposed amendment is to allow for the release of the licensee's Harrisburg, Pennsylvania facility for unrestricted use. The PADEP was authorized by the NRC in 1962 to use radioactive materials for instrument calibration, sample preparation, analysis of environmental samples, and measuring the physical properties of materials at the site. On August 19, 2005, the PADEP requested that NRC release the facility for unrestricted use. PADEP has conducted surveys of the facility and provided information to the NRC to demonstrate that the site meets the license termination criteria in Subpart E of 10 CFR part 20 for unrestricted release.

The staff has prepared an EA in support of the proposed license amendment. The facility was surveyed and remediated as necessary by the licensee. The NRC staff has reviewed the information and final status survey submitted by PADEP. Based on its review, the staff has determined that there are no additional remediation activities necessary to complete the proposed action. Therefore, the staff considered the impact of the residual radioactivity at the facility and concluded that since the residual radioactivity meets the requirements in Subpart E of 10 CFR Part 20, a Finding of No Significant Impact is appropriate.

### III. Finding of No Significant Impact

The staff has prepared an EA in support of the proposed license amendments to release the site for unrestricted use. The staff has found that the radiological environmental impacts from the proposed amendment are bounded by the impacts evaluated by NUREG 1496, Volumes 1-3, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License termination of NRC-Licensed Facilities" (ML042310492, ML042320379, and ML042330385). The staff has also found that the non-radiological impacts are not significant. On the basis of the EA, NRC has concluded that there are no significant environmental impacts from the proposed amendment and has determined not to prepare an environmental impact statement.

### IV. Further Information

Documents related to this action, including the application for 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 Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The ADAMS accession numbers for the documents related to this notice are: Environmental Assessment [ML060820173]; Request for Amendment dated August 19, 2005 [ML060550247]; NRC's request for additional information dated September 28, 2005 [ML052720490]; and Final Status Survey Results dated November 7, 2005 [ML060550248]. 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@nrc.gov](mailto:pdr@nrc.gov).

These documents may also be viewed electronically on the public computers located at the NRC's PDR, O 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Documents related to operations conducted under these licenses not specifically referenced in this Notice may not be electronically available and/or may not be publicly available. Persons who have an interest in reviewing these documents should submit a request to NRC under the Freedom of Information Act (FOIA). Instructions for submitting a FOIA request can be found on the NRC's Web site at <http://www.nrc.gov/reading-rm/foia/foia-privacy.html>.

Dated at King of Prussia, Pennsylvania this 23rd day of March, 2006.

For the Nuclear Regulatory Commission.

**James P. Dwyer,**

*Chief, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region 1.*

[FR Doc. E6-5261 Filed 4-10-06; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 72-28]

### PPL Susquehanna, LLC; Independent Spent Fuel Storage Installation; Environmental Assessment and Finding of No Significant Impact

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Issuance of an environmental assessment and Finding of No Significant Impact.

**FOR FURTHER INFORMATION CONTACT:** Joseph M. Sebrosky, Senior Project Manager, Spent Fuel Project Office,

Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 415-1132; Fax number: (301) 415-8555; e-mail: [jms3@nrc.gov](mailto:jms3@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The U.S. Nuclear Regulatory Commission (NRC or Commission) is considering issuance of an exemption to PPL Susquehanna, LLC (PPL) pursuant to 10 CFR 72.7, from specific provisions of 10 CFR 72.212(a)(2), 72.212(b)(2)(i)(A), 72.212(b)(7), and 72.214. The licensee wants to use the Transnuclear, Inc. (TN) NUHOMS® Storage System, Certificate of Compliance No. 1004 (CoC or Certificate) Amendment No. 8 (61BT dry shielded canister), to store spent nuclear fuel under a general license in an Independent Spent Fuel Storage Installation (ISFSI) associated with the operation of the Susquehanna Steam Electric Station (SSES), Units 1 and 2, located in Luzerne County, Pennsylvania. PPL is requesting an exemption from CoC No. 1004 to allow loading of Framatome ANP 9x9-2 fuel assemblies in the NUHOMS®-61BT dry shielded canister (DSC).

#### Environmental Assessment (EA)

*Identification of Proposed Action:* The proposed action would exempt PPL from the requirements of 10 CFR 72.212(a)(2), 72.212(b)(2)(i)(A), 72.212(b)(7), and 72.214 and enable PPL to use the TN NUHOMS®-61BT DSC with modifications at SSES. These regulations specifically require storage in casks approved under the provisions of 10 CFR part 72 and compliance with the conditions set forth in the CoC for each dry spent fuel storage cask used by an ISFSI general licensee. The TN NUHOMS® CoC provides requirements, conditions, and operating limits in Attachment A, Technical Specifications. The proposed action would exempt PPL from the requirements of 10 CFR 72.212(a)(2), 10 CFR 72.212(b)(7) and 10 CFR 72.214 from a condition in Amendment 8 to CoC No. 1004 so that Framatome ANP 9x9-2 fuel assemblies can be loaded in a NUHOMS®-61BT DSC. Specifically, the exemption would be from CoC No. 1004 Attachment A, Technical Specification, Table 1-1d, "BWR Fuel Assembly Design Characteristics for the NUHOMS®-61BT DSC," which allows for the storage of General Electric (or equivalent) 9x9-2 fuel assemblies that contain 66 full and 8 partial fuel rods. The exemption would allow PPL to store Framatome ANP 9x9-2 fuel assemblies that contain 79 full fuel rods and no partial fuel rods in the NUHOMS®-61BT DSC.

PPL committed in its January 31, 2006, submittal to a maximum decay heat load per fuel assembly of 210 watts. This is less than the CoC No. 1004 Attachment A, Technical Specification, Table 1-1c maximum decay heat limit of 300 watts per assembly. In addition, in its March 6, 2006, supplement PPL provided the parameters found in Table 1 below associated with the Framatome ANP 9x9-2 fuel assembly.

TABLE 1.—PARAMETERS FOR FRAMATOME ANP 9X9-2 FUEL ASSEMBLY

Manufacturer .....	Framatome ANP.
Version .....	FANP9.
Number of Fuel Rods per Assembly.	79 full.
Fuel Pellet Outside Diameter (inches).	0.3565.
Clad Outside Diameter (inches).	0.424.
Water Rod Inside Diameter (inches).	0.364.
Array .....	9x9.
Active Fuel Length (inches).	150.
Pitch (inches) .....	0.572.
Clad Thickness (inches).	0.030.
Water Rod Outside Diameter (inches).	0.425.

The NRC has determined that the exemption, if granted, will contain the following 3 conditions:

(1) PPL will be limited to loading a total of five 61BT DSCs under this exemption if granted,

(2) PPL shall limit the decay heat level per fuel assembly to 210 watts to ensure cask loadings are bounded by the analyses supporting TN CoC No. 1004, Amendment No. 8., and (3) the exemption will pertain only to Framatome ANP 9x9-2 fuel assemblies that meet the nominal un-irradiated design parameters contained in Table 1 above.

The proposed action is in accordance with the licensee's request for exemption dated January 31, 2006, as supplemented March 6, 2006.

*Need for the Proposed Action:* The proposed action is needed because SSES will lose full core offload capability in December 2006 following the receipt and staging of new fuel for the scheduled 2007 Unit 2 refueling outage. PPL has determined that it is necessary to start the dry fuel storage (DFS) campaign in May 2006 to ensure full core offload capability. PPL had originally scheduled a DFS campaign to begin in October of 2006. However, because of recent SSES Unit 1 fuel channel performance problems, 54 fuel channels were replaced and stored in