

*Program:* This meeting will review applications for School Collaboration Projects in Picturing America, submitted to the Division of Education Programs, at the October 1, 2008 deadline.

15. *Date:* October 31, 2008.

*Time:* 9 a.m. to 5 p.m.

*Room:* 421.

*Program:* This meeting, which will be by teleconference, will review applications for America's Media Makers Grants Program in Radio, submitted to the Division of Public Programs, at the August 27, 2008 deadline.

**Michael P. McDonald,**

*Advisory Committee Management Officer.*

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**BILLING CODE 7536-01-P**

## NATIONAL SCIENCE FOUNDATION

### National Science Board; Sunshine Act Meetings; Notice

The National Science Board, pursuant to NSF regulations (45 CFR part 614), the National Science Foundation Act, as amended (42 U.S.C. 1862n-5), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of meetings for the transaction of National Science Board business and other matters specified, as follows:

**AGENCY HOLDING MEETING:** National Science Board.

**DATE AND TIME:** Monday, September 22, 2008, at 8 a.m.

**PLACE:** University of Alaska Fairbanks, Elvey Building, Globe Room, Fairbanks, AK 99775.

**STATUS:** Some portions open, some portions closed.

#### Open Sessions

*September 22, 2008*

8 a.m.–8:10 a.m.

8:10 a.m.–11:15 a.m.

11:15 a.m.–12 p.m.

#### Closed Sessions

*September 22, 2008*

1:30 p.m.–2:15 p.m.

2:15 p.m.–2:30 p.m.

**AGENCY CONTACT:** Dr. Robert E. Webber, [rwebber@nsf.gov](mailto:rwebber@nsf.gov), (703) 292-7000, <http://www.nsf.gov/nsb/>.

#### MATTERS TO BE DISCUSSED:

#### Monday, September 22, 2008

*Open Session: 8 a.m.–8:10 a.m.*

Chairman's Introduction and University of Alaska Fairbanks Welcome.

### Committee on Programs and Plans (CPP)

*Open Session: 8:10 a.m.–11:15 a.m.*

- Approval of August 2008 CPP Minutes.
- Committee Chairman's Remarks.
- Task Force on Sustainable Energy (SE).
  - SE Task Force Co-Chairmen's Remarks.
  - Discussion and Summary of September 4, 2008 Roundtable Discussion.
  - Discussion of Possible Recommendations for Inclusion in a Draft Report.
  - Discussion of Upcoming Task Force Activities.

- NSB Information Item: National Nanotechnology Infrastructure Network (NNIN).

- Review of NSF Major Research Facilities and the Major Research Equipment and Facilities Construction (MREFC) Process.

- Major Research Facilities and Facility Plan: Horizon Projects; Maintenance and Operations Planning for Large Facilities; and Policy Issues.

- Review of MREFC Process
- Discussion

#### Plenary Open

*Open Session: 11:15 a.m.–12 p.m.*

- Approval of August 2008 Minutes.
- Resolution to Close December 2008 Meeting.
- Chairman's Report.
- Director's Report.
- Open Committee Report.

### Committee on Programs and Plans (CPP)

*Closed Session: 1:30 p.m.–2:15 p.m.*

- Chairman's Remarks.
- NSB Information Item: National Astronomy and Ionosphere Center (NAIC).
- NSB Action Item: Management and Operations of the National Optical Astronomy Observatory and the National Solar Observatory.

#### Plenary Closed

*Closed Session: 2:15 p.m.–2:30 p.m.*

- Approval of August 2008 Minutes.
- Awards and Agreements.
- Closed Committee Reports.

**Ann Ferrante,**

*Technical Writer/Editor.*

[FR Doc. E8-21400 Filed 9-12-08; 8:45 am]

**BILLING CODE 7555-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 63-001]

### Department of Energy; Notice of Acceptance for Docketing of a License Application for Authority To Construct a Geologic Repository at a Geologic Repository Operations Area at Yucca Mountain, NV

By letter dated June 3, 2008, the Department of Energy (DOE, or the Applicant) submitted a license application (Application) seeking authorization to construct a geologic repository at a geologic repository operations area at Yucca Mountain in Nye County, Nevada. The Application was submitted to the Nuclear Regulatory Commission (NRC), pursuant to Section 114 of the Nuclear Waste Policy Act, as amended (NWPA), Title 10 of the Code of Federal Regulations (10 CFR) Part 63, and 10 CFR 2.101. NRC published a notice of receipt and availability of this application in the **Federal Register** (73 FR 34348, corrected in 73 FR 40883) on June 17, 2008.

The NRC staff has determined that DOE has submitted information in accord with 10 CFR Part 2, "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," and 10 CFR Part 63, "Disposal of High-Level Radioactive Wastes in a Geologic Repository at Yucca Mountain, Nevada," that can be accepted for docketing and review. The docket number established for this license application is 63-001.

The NRC staff will perform a detailed technical review of the license application to determine whether to authorize construction of a geologic repository. Docketing of the license application does not preclude the NRC from requesting additional information from the applicant as the review proceeds, nor does it predict whether the Commission will grant or deny a construction authorization. The Commission will conduct a hearing in accord with 10 CFR Part 2, Subpart C, "Rules of General Applicability: Hearing Requests, Petitions to Intervene, Availability of Documents, Selection of Specific Hearing Procedures, Presiding Officer Powers, and General Hearing Management for NRC Adjudicatory Hearings," Subpart J, "Procedures Applicable to Proceedings for the Issuance of Licenses for the Receipt of High-Level Radioactive Waste at a Geologic Repository," and Subpart G, "Rules for Formal Adjudications." If the Commission finds that the license application meets the applicable standards of the Atomic Energy Act of

1954, as amended, the NWSA, and the Commission's regulations, then the Commission will issue a construction authorization, in the form and containing such conditions and limitations, if any, as the Commission finds appropriate and necessary.

The Commission finds that a hearing is required in the public interest, prior to issuance of a construction authorization. A notice of hearing announcing the opportunity to petition for leave to intervene in the hearing will be published in the **Federal Register** at a later date. The notice of hearing will state, pursuant to 10 CFR 2.104(b): (1) The nature of the hearing; (2) the authority under which the hearing is to be held; (3) the matters of fact and law to be considered; (4) the date by which requests for hearing or petitions to intervene must be filed; and (5) the presiding officer designated for the hearing or the procedure that the Commission will use to designate a presiding officer for the hearing.

Pursuant to its obligations under § 114(f)(4) of the NWSA, and 10 CFR 51.26(c), it is the intention of the Commission to adopt the environmental impact statement (EIS) prepared by the Secretary of Energy to the extent practicable.

In accord with 10 CFR 51.109(a), the NRC staff's position is that it is practicable to adopt, with further supplementation, the EIS and supplements prepared by DOE. The staff concludes that neither the 2002 Final Environmental Impact Statement (FEIS) nor the 2008 Final Supplemental Environmental Impact Statement (Repository Supplemental EIS) adequately address all of the impacts on groundwater, or from surface discharges of groundwater, from the proposed action. The staff concludes that additional supplementation is needed to ensure the 2002 FEIS and 2008 Repository Supplemental EIS are adequate. The basis for the staff's position is presented in the "U.S. Nuclear Regulatory Commission Staff's Adoption Determination Report for the U.S. Department of Energy's Environmental Impact Statements for the Proposed Geologic Repository at Yucca Mountain," which is available in the Agencywide Documents Access and Management System (ADAMS), accession number ML082420342. [The ADAMS accession number for the ADAMS package containing DOE's Final Environmental Impact Statement is ML032690321, and the accession number for the ADAMS package containing DOE's Final Supplemental Environmental Impact Statement is ML081750191. The ADAMS accession

number for the ADAMS package containing DOE's Final Rail Corridor Supplemental EIS and Rail Alignment EIS is ML082460227.]

Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852, and will be accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site <http://www.nrc.gov/reading-rm/adams.html>. The application is also available at <http://www.nrc.gov/waste/hlw-disposal/yucca-lic-app.html>. Persons who do not have access to ADAMS or who encounter problems in accessing 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, MD, this 8th day of September 2008.

For The Nuclear Regulatory Commission.  
**Michael F. Weber,**  
*Director, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. E8-21431 Filed 9-12-08; 8:45 am]  
BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-333]

### Entergy Nuclear Fitzpatrick, LLC, and Entergy Nuclear Operations, Inc.; The James A. Fitzpatrick Nuclear Power Plant; Notice of Issuance of Renewed Facility Operating License No. DPR-59 for an Additional 20-Year Period Record of Decision

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Renewed Facility Operating License No. DPR-59 to the Entergy Nuclear FitzPatrick, LLC and Entergy Nuclear Operations, Inc. (the licensee), the operator of the James A. FitzPatrick Nuclear Power Plant (JAFNPP). Renewed Facility Operating License No. DPR-59 authorizes operation of JAFNPP, by the licensee at reactor core power levels not in excess of 2536 megawatts thermal (881 megawatts electric), in accordance with the provisions of the JAFNPP renewed license and its Technical Specifications.

This notice also serves as the record of decision for the renewal of Facility Operating License No. DPR-59 for JAFNPP, consistent with Title 10 of the Code of Federal Regulations Section 51.103 (10 CFR 51.103). As discussed in the Final Supplemental Environmental

Impact Statement (FSEIS) for JAFNPP, dated January 2008, the Commission considered a range of reasonable alternatives that included generation from coal, natural gas, oil, wind, solar, hydropower, geothermal, wood waste, municipal solid waste, other biomass-derived fuels, delayed retirement, utility-sponsored conservation, a combination of alternatives, and a no-action alternative. The factors considered in the record of decision can be found in the supplemental environmental impact statement (SEIS) for License Renewal, Supplement 31 regarding James A. FitzPatrick Nuclear Power Plant.

JAFNPP is a boiling water reactor located along the shore of Lake Ontario, Oswego County, New York. The site is approximately seven miles north-northeast of the city of Oswego. The application for the renewed licenses complied with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations. As required by the Act and the Commission's regulations in 10 CFR Chapter I, the Commission has made appropriate findings, which are set forth in the license.

Prior public notice of the action involving the proposed issuance of the renewed license and of an opportunity for a hearing regarding the proposed issuance of the renewed license was published in the **Federal Register** on September 20, 2006 (71 FR 55032). For further details with respect to this action, see (1) The Entergy Nuclear FitzPatrick, LLC and Entergy Nuclear Operations, Inc., license renewal application for James A. FitzPatrick Nuclear Power Plant dated July 31, 2006, as supplemented by letters dated through November 5, 2007; (2) the Commission's safety evaluation report (NUREG-1905), published in April 2008; (3) the licensee's updated safety analysis report; and (4) the Commission's final environmental impact statement (NUREG-1437, Supplement 31), published in January 2008. These documents are available at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, and can be viewed from the NRC Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>.

Copies of Renewed Facility Operating License No. DPR-59 may be obtained by writing to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Director, Division of License Renewal. Copies of the James A. FitzPatrick Nuclear Power Plant, Safety Evaluation Report (NUREG-1905) and