

Commission), pursuant to Section 50.80 of Title 10 of the *Code of Federal Regulations* (10 CFR), consent to the proposed indirect transfer of control of the STP licenses to the extent held by NRG South Texas with respect to its ownership interest in STP. Currently, NRG Energy is the indirect owner of 100 percent of NRG South Texas. Under a proposed corporate restructuring, a new holding company, NRG Holdings, Inc., will be created. NRG Energy will become a direct wholly-owned subsidiary of NRG Holdings, Inc. Accordingly, NRG Holdings, Inc. will acquire indirect control of the licenses for STP to the extent currently held by NRG South Texas. In addition, NRG Holdings, Inc. will become an indirect co-owner of STPNOC, with respect to the interest in STPNOC currently held by NRG South Texas. To the extent the proposed corporate restructuring would thus result in the indirect transfer of control of the STP licenses as held by STPNOC, prior NRC consent was also requested.

Notice of the requests for approval and an opportunity for a hearing was published in the **Federal Register** on July 10, 2007 (72 FR 37546). No comments or hearing requests were received.

Pursuant to 10 CFR 50.80(a), no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. Upon review of the information in the application as supplemented and other information before the Commission, and relying upon the representations and agreements in the application as supplemented, the NRC staff concludes that the proposed indirect transfer of control of NRG South Texas to NRG Holdings, Inc. as described herein will not affect the qualifications of NRG South Texas as holder of the STP licenses to the extent now held by it, and that the indirect transfer of control of the licenses, to the extent effected by the proposed transaction described in the application, is otherwise consistent with applicable provisions of law, regulations, and orders issued by the NRC pursuant thereto. The NRC staff further concludes that, to the extent the proposed indirect transfer of control of NRG South Texas would result in an indirect transfer of control of the STP licenses as held by STPNOC, such proposed indirect transfer of control of NRG South Texas will not affect the qualifications of STPNOC to hold the STP licenses, and such indirect transfer of control of the licenses as held by STPNOC is otherwise consistent with

applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

The findings set forth above are supported by a safety evaluation dated October 22, 2007.

III

Accordingly, pursuant to Sections 161b, 161i, and 184 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2201(b), 2201(i), and 2234; and 10 CFR 50.80, *it is hereby ordered* that the application regarding the indirect license transfers related to the proposed establishment of NRG Holdings, Inc. is approved, subject to the following condition:

Should the indirect transfer of control of NRG South Texas to NRG Holdings, Inc. not be completed within one year from the date of this Order, this Order shall become null and void, provided, however, upon written application and good cause shown, such date may be extended by order.

This Order is effective upon issuance.

For further details with respect to this Order, see the application dated May 3, 2007, and supplemental electronic mail dated June 28, 2007, and letters dated July 23 and October 3, 2007, and the safety evaluation dated October 22, 2007, which are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area 01 F21, 11555 Rockville Pike (first floor), Rockville, Maryland and accessible electronically from the Agencywide Documents Access and Management System (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 encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, 301-415-4737, or by e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland this 22nd day of October, 2007.

For the Nuclear Regulatory Commission.

Catherine Haney,

Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. E7-21433 Filed 10-30-07; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 40-9027]

Notice of Issuance of Decommissioning Amendment for Cabot Corporation

The U.S. Nuclear Regulatory Commission (NRC) has approved the Cabot Corporation (Cabot) decommissioning plan (DP) for the Reading site by amendment to their Source Material License, SMC-1562.

The Reading site is located in Reading, PA, near the Buttonwood Street bridge. The site operated intermittently between April 1967 and May 1969 for the production of niobium by extraction from tin slag feedstock. The main processing building was removed from the license in August 1995 by license amendment.

The licensee first submitted a DP for the Reading site on August 28, 1998 (Accession No. 9809140068). The submittal was revised in March 2000 to reflect revised dose modeling scenarios and in June 2005 (ML051330369, ML051330364) to incorporate a rip-rap erosion barrier. Revision 3 to the DP was submitted later in June 2005, to reflect changes to the rip-rap design after licensee consultation with the City of Reading Redevelopment Authority (ML053560277).

The licensee submitted revision 4 of the Reading site DP and related documents to the NRC for review and approval in August 2006, (Agencywide Documents Access and Management System (ADAMS) accession numbers ML062360159, ML062360164, and ML062210261) as supplemented on September 21, 2006 (ADAMS accession number ML062640081). This amendment revised the rip-rap cover design and include cover design analysis. An environmental assessment was completed on October 16, 2007 (ML072390296). The NRC approved the DP by Amendment No. 9 to the Source Material License SMC-1562 on October 24, 2007.

A "Notice of Consideration of Amendment Request for Decommissioning the Cabot Performance Materials, Reading, Pennsylvania, Site, and Opportunity for a Hearing" was published in the **Federal Register** on October 28, 1998 (63 FR 57715). Two parties requested hearings; Jobert Trucking and the City of Reading Redevelopment Authority. Jobert Trucking was denied standing by the court on May 16, 2000 (ADAMS ML003715331) and the Redevelopment Authority request to withdraw hearing

petition was granted on October 31, 2000 (ML003765068).

Copies of the license amendments approving Cabot's proposed decommissioning plan are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland 20855-2738. The NRC maintains ADAMS, which provides text and image files of NRC's public documents. The amendment may be accessed electronically from the ADAMS Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html> under ADAMS accession number ML072420136. Persons who do not have access to ADAMS, or have problems in accessing the documents located in ADAMS, may contact the NRC PDR Reference staff by phone at 1-800-397-4209, 301-415-4737, or by e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland, this 24th day of October, 2007.

For the Nuclear Regulatory Commission

Andrew Persinko,

Branch Chief, Reactor Decommissioning Branch, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs.

[FR Doc. E7-21428 Filed 10-30-07; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8943]

Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for Crow Butte Resources, Inc., Crawford, NE

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Notice of availability.

FOR FURTHER INFORMATION CONTACT:

Stephen J. Cohen, Project Manager, Uranium Recovery Licensing Branch, Division of Waste Management and

Environmental Protection, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: (301) 415-7182; fax number: (301) 415-5369; e-mail: sjc7@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is issuing a license amendment to Material License No. SUA-1534, issued to Crow Butte Resources, Inc. (the licensee), to authorize an upgrade to the central processing plant (CPP) and an increase in the CPP flow rate at its main *in situ* leach (ISL) facility near Crawford, Nebraska. NRC 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 is appropriate. The amendment will be issued following the publication of this Notice.

II. EA Summary

The purpose of the proposed amendment is to authorize an upgrade to the CPP and increase the plant flow rate at the licensee's Crawford, Nebraska, facility. Specifically, the licensee is authorized to install a maximum of six ion exchange columns and four ancillary tanks that would support a plant flow rate increase of 4,000 gallons per minute (gpm). The total allowable plant flow rate will increase to 9,000 gpm. On October 17, 2006, the licensee requested that NRC approve the proposed amendment.

The staff has prepared the EA in support of the proposed license amendment. The staff considered impacts to water resources, public and occupational exposures, socio-economic conditions, endangered and threatened fauna and flora, historic and cultural resources, geology, soils, transportation, and air quality. This licensing action involves installing new equipment within the existing footprint of the CPP. Consequently, no building construction

or surface disturbance is required to implement this action. Furthermore, the licensee will not open any new wellfields as a result of this licensing action, beyond those currently addressed by its license. The staff, therefore, does not expect the proposed action to impact geology, surface water, endangered and threatened fauna and flora, transportation, and historic and cultural resources.

NRC staff also does not expect significant environmental impacts to groundwater, socio-economic conditions, soil, air quality, and public and occupational exposures. The use of pressurized downflow columns minimizes the releases of radon, thus, no significant impacts to air quality or public and occupational exposures are expected. Also, the licensee maintains procedures for cataloging and addressing system leaks, which minimizes the impacts of such occurrences; therefore, no significant impacts to groundwater and soils are expected. No significant impacts to socio-economic conditions are expected because implementing this action would not result in significant staff increases.

III. Finding of No Significant Impact

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:

Document title	Date	Accession number
Request for License Amendment for Plant Upgrade	October 17, 2006	ML063390348
License Amendment for Plant Upgrade, Response to Request for Additional Information	April 27, 2007	ML071290026
NRC Inspection Report	September 8, 2006	ML062540084
NRC Environmental Assessment for Renewal of Source Materials License No. SUA-1534 ..	February 1998	ML071520242
Environmental Assessment for the Plant Upgrade	October 23, 2007	ML072360287
NRC Request for Additional Information	September 8, 2006	ML070540341

If you do not have access to ADAMS or if there are problems in accessing the

documents located in ADAMS, contact the NRC's Public Document Room (PDR)

Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr@nrc.gov.