

NATIONAL INDIAN GAMING COMMISSION

Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Big Sandy Casino and Resort Project, Fresno County, CA

AGENCY: National Indian Gaming Commission (NIGC).

ACTION: Notice of Intent (NOI).

SUMMARY: In accordance with Section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*), the National Indian Gaming Commission (NIGC), in cooperation with the Bureau of Indian Affairs (BIA) and the Big Sandy Rancheria of Mono Indians of California (the "Big Sandy Rancheria"), intends to gather information necessary for preparing an Environmental Impact Statement (EIS) for a proposed casino project to be located in Fresno County, California. The purpose of the proposed action is to help address the socio-economic needs of the Big Sandy Rancheria. Details of the proposed action and location are provided below in the **SUPPLEMENTARY INFORMATION** section. Notice is hereby given that the public scoping process has been initiated to prepare an EIS that will address the impacts of and alternatives to the proposal. The purpose of the scoping process is to solicit public comment regarding the full spectrum of issues and concerns, including a suitable range of alternatives, and the nature and extent of potential environmental impacts and appropriate mitigation measures that should be addressed in the EIS process. This notice also announces that separate scoping meetings for the public and government agencies will be held for the proposed action.

DATES: The agency scoping meeting will be held on September 15, 2005, from 1 p.m. to 3 p.m. The public scoping meeting will also be held on September 15, 2005, from 6:30 p.m. to 8:30 p.m., or until the last public comment is received. Written comments on the scope of the EIS should arrive by September 23, 2005.

ADDRESSES: Written comments on the scope of the EIS should be addressed to: NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW., Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "EIS Scoping Comments, Big Sandy Rancheria Casino and Resort Project", on the first page of your written comments.

The agency scoping meeting will be hosted by the NIGC, the BIA, and the Big Sandy Rancheria of Mono Indians.

The meeting location is the Big Sandy Rancheria, Multi Purpose building at 37387 Auberry Mission Road, Auberry CA, 93602.

The public scoping meeting will be hosted by the NIGC, the BIA, and the Big Sandy Rancheria of Mono Indians. The meeting location is the Foothill Middle School, 29147 Auberry Rd, Prather, CA 93651, Multi-Purpose Room.

FOR FURTHER INFORMATION CONTACT: For general information on NEPA review procedures or status of the NEPA review, contact the NIGC NEPA Compliance Officer, 202-632-7003.

SUPPLEMENTARY INFORMATION: The NIGC's proposed federal action is the approval of a gaming management contract between the Big Sandy Rancheria and QBS, LLC. The approval of the gaming management contract would result in the development of a casino, resort hotel and supporting facilities. The facility will be managed by QBS, LLC on behalf of the Big Sandy Rancheria, pursuant to the terms of a gaming management contract. The BIA's proposed federal action is approval of a lease between the allottee and the tribe.

The proposed project will be located in Fresno County, east of Friant, California, on undeveloped foothill property comprising approximately 48 acres of allotted Indian land currently held by the United States in trust for the beneficial interest of a member of the Big Sandy Band of Western Mono Indians (the "Tribe"). The Tribe and the individual Indian allottee have executed and submitted for BIA approval a lease agreement granting possession of the property to the Tribe for gaming purposes. Adjacent parcels may be used from some infrastructure needs. The project will feature a 221-room multi-level resort hotel with associated spa and pool. The project will also include a conference facility, including meeting rooms and a business center. The Casino will consist of 2,000 slots and 40 table games. A multi-level parking structure with approximately 2,500 stalls will be located adjacent to the Casino. In addition, the project will include retail shops, hotel administration offices, food and beverage facilities, and other casino related operations. The project also includes a 2,500 person outdoor amphitheater, to be utilized for concerts and other performances. The total building footprint is estimated at 1.3 million square feet. A reasonable range of alternatives, including a no action alternative, will be analyzed in the EIS.

The Big Sandy Rancheria is a federally recognized Indian tribe governed by a tribal council consisting

of 5 members, under a federally approved constitution. The Big Sandy Rancheria currently has a federally approved tribal-state gaming compact with the State of California. The NIGC will serve as lead agency for compliance with the National Environmental Policy Act (NEPA). The BIA, which will be responsible for approving the lease, will be a Cooperating Agency.

Public Comment and Solicitation: Written comments pertaining to the proposed action will be accepted throughout the EIS process. However, to ensure proper consideration in preparation of the EIS, scoping comments should be received by September 23, 2005. The draft EIS (DEIS) is planned for publication and distribution in the fall of 2006.

Individual commenters may request confidentiality. If you wish us to withhold your name and/or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. Anonymous comments will not, however, be considered. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

Authority: This notice is published in accordance with section 1501.7 of the Council on Environmental Quality Regulations (40 CFR parts 1500 through 1508) implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (45 U.S.C. 4321 *et seq.*).

Dated: August 8, 2005.

Philip N. Hogen,
Chairman.

[FR Doc. 05-16055 Filed 8-11-05; 8:45 am]

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NATIONAL SCIENCE FOUNDATION

Notice of Permits Issued Under the Antarctic Conservation Act of 1978

AGENCY: National Science Foundation.
ACTION: Notice of permits issued under the Antarctic Conservation Act of 1978, Public Law 95-541.

SUMMARY: The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978. This is the required notice.

FOR FURTHER INFORMATION CONTACT: Nadene G. Kennedy, Permit Office,

Office of Polar Programs, Rm. 755, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

SUPPLEMENTARY INFORMATION: On June 24, 2005, the National Science Foundation published a notice in the **Federal Register** of permit applications received. A permit was issued on August 5, 2005 to: Wayne Z. Trivelpiece, Permit No. 2006-016.

Nadene G. Kennedy,
Permit Officer.

[FR Doc. 05-16024 Filed 8-11-05; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-301]

Nuclear Management Company, LLC; Notice of Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (Commission) has issued Amendment No. 225 to Facility Operating License No. DPR-27 issued to Nuclear Management Company, LLC (the licensee), which modified the Point Beach Nuclear Plant (PBNP), Unit 2, Final Safety Analysis Report to include a reactor vessel head drop accident for operation of the PBNP, Unit 2, located in Two Rivers, WI. The amendment is effective as of the date of issuance.

The amendment authorized changes to the design basis and Final Safety Analysis Report (FSAR) related to a postulated reactor vessel head drop accident in accordance with 10 CFR 50.71(e).

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for a Hearing in connection with this action was published in the **Federal Register** on May 13, 2005 (70 FR 25621).

For further details with respect to this action see (1) the application for amendment dated April 29, 2005, as supplemented by letters dated May 13, May 19, June 1, June 4, June 9, June 20, and June 23, 2005, (2) Amendment No. 225 to License No. DPR-301, and (3) the Commission's related Safety Evaluation dated June 24, 2005. The Commission

made a final no significant hazards consideration determination in its Safety Evaluation dated June 24, 2005. 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. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/NRC/ADAMS/index.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC Public Document Room 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 24th day of June 2005.

For the Nuclear Regulatory Commission.

Harold K. Chernoff,

Sr. Project Manager, Section 1, Project Directorate III, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. E5-4374 Filed 8-11-05; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[IA-05-031]

In the Matter of Stanley Pitts; Order Prohibiting Involvement in NRC-Licensed Activities (Effective Immediately)

I

Stanley Pitts (Mr. Pitts) was formerly employed as a fully qualified technician and authorized nuclear gauge operator by Professional Inspection and Testing Services, Inc. (Licensee) of Chambersburg, Pennsylvania. Professional Inspection and Testing Services, Inc., holds License No. 37-28744-01 issued by the Nuclear Regulatory Commission pursuant to 10 CFR part 30 on August 4, 1999. The license authorized the possession and use of cesium-137 and americium-241 sealed sources to be used in portable gauging devices in accordance with the conditions specified therein.

II

On April 7, 2004, the Licensee reported to the NRC that a Troxler Model 3430 moisture/density gauge (Serial No. 75-5183) containing 9 mCi of cesium-137 and 44 mCi of

americium-241 (NRC-licensed radioactive material) was unaccounted for and considered stolen by an employee/authorized user, (namely, Mr. Pitts) who was performing work at a temporary job site in Prince George's County, Maryland. This nuclear gauge, along with other licensee property, was last known to have been used by Mr. Pitts on March 25, 2004. The gauge was recovered in Bladensburg, Maryland by police on April 15, 2004, in an apartment formerly occupied by Mr. Pitts. Neither the licensee nor the police were able to locate Mr. Pitts and an arrest warrant was issued regarding the theft of company property that belonged to Professional Inspection and Testing Services, Inc. As of the date of this Order, Mr. Pitts remains a fugitive with an outstanding arrest warrant.

The NRC Office of Investigations (OI) conducted an investigation into the reported loss of the nuclear gauge. OI Report No. 1-2004-027 was issued on February 9, 2005. Information developed during that investigation verified that Mr. Pitts was authorized by the Licensee to use their licensed moisture/density gauges until April 2, 2004, when his employment was terminated by the Licensee. Based on the evidence developed during the investigation, the NRC concluded that Mr. Pitts possessed the nuclear gauge for a period of approximately 13 days after April 2, 2004, when he was no longer employed by the Licensee and was not authorized by the Licensee nor licensed by the NRC as required under 10 CFR part 30. Additionally, Mr. Pitts did not maintain control of the nuclear gauge resulting in the loss of NRC licensed radioactive material in the public domain for approximately twenty-one days.

III

Based on the above, the NRC concludes that Mr. Pitts, a former employee of the Licensee, deliberately violated 10 CFR 30.3 when he apparently had stolen and illegally possessed the portable gauging device containing licensed radioactive material that belonged to Professional Inspection and Testing Services, Inc. 10 CFR 30.3 requires that no person shall manufacture, produce, transfer, receive, acquire, own, possess, or use byproduct material except as authorized in a specific or general license. The NRC must be able to rely on its licensees, and employees of licensees, to comply with NRC requirements, including the requirement that licensed material cannot be acquired, possessed or transferred without a specific or general license. The deliberate violation of 10