

petitioner/requestor who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

Nontimely requests and/or petitions and contentions will not be entertained absent a determination by the Commission or the presiding officer of the Atomic Safety and Licensing Board that the petition, request and/or the contentions should be granted based on a balancing of the factors specified in 10 CFR 2.309(a)(1)(i)-(viii).

A request for a hearing or a petition for leave to intervene must be filed by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; (2) courier, express mail, and expedited delivery services: Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, Attention: Rulemaking and Adjudications Staff; (3) e-mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov); or (4) 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, verification number is (301) 415-1966. A copy of the request for hearing and petition for leave to intervene should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and it is requested that copies be transmitted either by means of facsimile transmission to (301) 415-3725 or by e-

mail to [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov). A copy of the request for hearing and petition for leave to intervene should also be sent to M. Stanford Blanton, Esq., Balch and Bingham, Post Office Box 306, 1710 Sixth Avenue North, Birmingham, Alabama 35201, attorney for the licensee.

For further details with respect to this action, see the application for amendment dated May 17, 2005, which is available for public inspection at the Commission's PDR, located at One White Flint North, File Public Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (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](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 19th day of May, 2005.

For the Nuclear Regulatory Commission,  
**Evangelos Marinos**,  
*Chief, Section 1, Project Directorate II,*  
*Division of Licensing Project Management,*  
*Office of Nuclear Reactor Regulation.*  
 [FR Doc. E5-2630 Filed 5-24-05; 8:45 am]  
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## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-05004]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for Northern States Power Company D.B.A. Xcel Energy Pathfinder Site, Sioux Falls, SD

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability.

#### FOR FURTHER INFORMATION CONTACT:

Chad Glenn, Project Manager, Decommissioning Directorate, Division of Waste Management and Environmental Protection, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: (301) 415-6722; fax number: (301) 415-5398; e-mail: [cjg1@nrc.gov](mailto:cjg1@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

## I. Introduction

The Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to Materials License No. 22-08799-02 issued to Northern States Power Company D.B.A. Xcel Energy (the licensee) to authorize decommissioning at its Pathfinder site in Minnehaha County, South Dakota for unrestricted use and termination of this license. 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 (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 authorize decommissioning of the licensee's Pathfinder site in Sioux Falls, South Dakota for unrestricted use to allow for license termination. Specifically, the proposed amendment would incorporate the Pathfinder Decommissioning Plan (DP) into the license and authorize decommissioning activities in accordance with the DP. On February 17, 2004, Xcel Energy submitted the Pathfinder DP for NRC approval and requested a license amendment. Xcel Energy's request was published in the **Federal Register** on August 4, 2004 (69 FR 47185) with a notice of an opportunity to request a hearing and an opportunity to provide comments on the amendment and its environmental impacts. The NRC staff has received no hearing request or comments on the proposed amendment.

The NRC staff has prepared an EA in support of the proposed license amendment. The staff has reviewed the Pathfinder DP and examined the environmental impacts of decommissioning. Based on its review, the staff has also determined that the environmental impacts are enveloped by the generic analysis performed in support of "Radiological Criteria for License Termination" (62 FR 39058). Additionally, no non-radiological impacts were identified. The staff also finds that the proposed decommissioning of the site is in compliance with 10 CFR 20.1402, the radiological criteria for unrestricted use.

## 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 for the proposed amendment.

#### 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 number for the EA related to this notice is (ML050960256). 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](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.

Dated at Rockville, Maryland this 19th day of May, 2005.

For the Nuclear Regulatory Commission.

**Daniel M. Gillen,**

*Director, Decommissioning Directorate,  
Division of Waste Management and  
Environmental Protection, Office of Nuclear  
Material Safety and Safeguards.*

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## NUCLEAR REGULATORY COMMISSION

### Notice of Opportunity To Comment on Model Safety Evaluation on Technical Specification Improvement Regarding Revision to the Completion Time in STS 3.6.1.3, "Primary Containment Isolation Valves" for General Electric Boiling Water Reactors Using the Consolidated Line Item Improvement Process

**AGENCY:** Nuclear Regulatory  
Commission.

**ACTION:** Request for comment.

**SUMMARY:** Notice is hereby given that the staff of the U.S. Nuclear Regulatory Commission (NRC) has prepared a model safety evaluation (SE) relating to changes to the completion time (CT) in Standard Technical Specification (STS) 3.6.1.3 "Primary Containment Isolation Valves (PCIVs)." The proposed change

to the Technical Specifications (TS) would extend to 7 days the CT (or allowed outage time (AOT)) to restore an inoperable PCIV or isolate the affected penetration flow path for selected primary containment penetrations with two (or more) PCIVs and for selected primary containment penetrations with only one PCIV. This change is based on analyses provided in a generic topical report (TR) submitted by the Boiling Water Reactors Owner's Group (BWROG). The BWROG participants in the TS Task Force (TSTF) proposed this change to the STS in Change Traveler No. TSTF-454, Revision 0. This notice also includes a model no significant hazards consideration (NSHC) determination relating to this matter.

The purpose of these models is to permit the NRC to efficiently process amendments to incorporate this change into plant-specific TS for General Electric boiling water reactors (BWRs). Licensees of nuclear power reactors to which the models apply can request amendments conforming to the models. In such a request, a licensee should confirm the applicability of the SE and NSHC determination to its plant. The NRC staff is requesting comments on the model SE and model NSHC determination before announcing their availability for referencing in license amendment applications.

**DATES:** The comment period expires 60 days from the date of this publication. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

**ADDRESSES:** Comments may be submitted either electronically or via U.S. mail.

Submit written comments to: Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mail Stop: T-6 D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

*Hand deliver comments to:* 11545 Rockville Pike, Rockville, Maryland, between 7:45 a.m. and 4:15 p.m. on Federal workdays.

*Submit comments by electronic mail to:* [CLIP@nrc.gov](mailto:CLIP@nrc.gov).

Copies of comments received may be examined at the NRC's Public Document Room, One White Flint North, Public File Area O1-F21, 11555 Rockville Pike (first floor), Rockville, Maryland.

**FOR FURTHER INFORMATION CONTACT:** Bhalchandra Vaidya, Mail Stop: O-7D1, Division of Licensing Project Management, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory

Commission, Washington, DC 20555-0001, telephone (301) 415-3308.

#### SUPPLEMENTARY INFORMATION:

##### Background

Regulatory Issue Summary 2000-06, "Consolidated Line Item Improvement Process [CLIP] for Adopting Standard Technical Specifications Changes for Power Reactors," was issued on March 20, 2000. The CLIP is intended to improve the efficiency and transparency of NRC licensing processes. This is accomplished by processing proposed changes to the STS in a manner that supports subsequent license amendment applications. The CLIP includes an opportunity for the public to comment on proposed changes to the STS following a preliminary assessment by the NRC staff and finding that the change will likely be offered for adoption by licensees. This notice is soliciting comment on a proposed change to the STS that changes the PCIV CTs for the BWR/4 and BWR/6 STS, NUREG-1433, Revision 3 and NUREG-1434, Revision 3, respectively. The CLIP directs the NRC staff to evaluate any comments received for a proposed change to the STS and to either reconsider the change or proceed with announcing the availability of the change for proposed adoption by licensees. Those licensees opting to apply for the subject change to TSs are responsible for reviewing the staff's evaluation, referencing the applicable technical justifications, and providing any necessary plant-specific information. Each amendment application made in response to the notice of availability would be processed and noticed in accordance with applicable NRC rules and procedures.

This notice involves an increase in the allowed CTs to restore an inoperable PCIV or isolate the affected penetration flow path when selected PCIVs are inoperable at BWRs. By letter dated September 5, 2003, the BWROG proposed this change for incorporation into the STS as TSTF-454, Revision 0. This change is based on the NRC staff-approved generic analyses contained in the BWROG TR NEDC-33046, "Technical Justification to Support Risk-Informed Primary Containment Isolation Valve AOT Extensions for BWR Plants," submitted on May 3, 2002, as supplemented by letter dated July 30, 2003, and as approved by the NRC by letter and Safety Evaluation dated October 8, 2004, accessible electronically from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic