

*Location*

McMurdo Dry Valleys and Crary Science and Engineering Center, McMurdo Station, Ross Island

*Dates*

November 01, 2004 to December 31, 2005

**3. Applicant**

Permit Application No. 2005-010, W. Berry Lyons, Byrd Polar Research Center, The Ohio State University, 108 Scott Hall, 1090 Carmack Road, Columbus, OH 43210.

*Activity for Which Permit Is Requested*

Entry into Antarctic Specially Protected Area. The applicant proposes to enter and camp at Cape Hallett (ASPA # 106), to conduct work in collaboration with the Antarctic New Zealand Latitude Gradient Project and as an extension of the McMurdo Dry Valleys Long-Term Ecological Research project. The applicant will perform routine maintenance and download data from the automated weather installed in the area in 2003. In addition, water samples will be collected for chemical analysis, as well as snow samples and soil samples. The team will also assist the New Zealanders in collecting debris for removal from the site.

*Location*

Cape Hallett, Victoria Land, Antarctica (ASPA # 106)

*Dates*

October 01, 2004 to February 18, 2005

**Nadene G. Kennedy,**

*Permit Officer, Office of Polar Programs.*

[FR Doc. 04-15416 Filed 7-6-04; 8:45 am]

**BILLING CODE 7555-01-M**

**NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 50-315 and 50-316]

**Indiana Michigan Power Company; Notice of Withdrawal of Application for Amendment to Facility Operating Licenses**

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Indiana Michigan Power Company (the licensee) to withdraw its April 6, 2004, application for proposed amendment to Facility Operating License Nos. DPR-58 and DPR-74 for the Donald C. Cook Nuclear Plant, Unit No. 1 and Unit No. 2, located in Berrien County. In addition, the licensee's application requested exemptions from regulations.

The proposed amendment would have revised the Licenses. The proposed amendment and the requested exemptions from Title 10 of the Code of Federal Regulations (10 CFR), Section 50.44, 10 CFR 50.46, and 10 CFR part 50, Appendix K would have supported a transition to Framatome ANP, Incorporated as the fuel vendor.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on May 11, 2004 (69 FR 26192). However, by letter dated June 14, 2004, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated April 6, 2004, and the licensee's letter dated June 14, 2004, which withdrew the application for license amendment. 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. 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/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, or 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 24th day of June, 2004.

For the Nuclear Regulatory Commission.

**L. Raghavan,**

*Chief, Section 1, Project Directorate III, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 04-15322 Filed 7-6-04; 8:45 am]

**BILLING CODE 7590-01-P**

**NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-219]

**Amergen Energy Company, LLC Oyster Creek Nuclear Generating Station; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of scheduler exemptions from Title 10 of the Code of Federal Regulations (10 CFR) Part 50, Section 50.71(e)(4) for Facility Operating License No. DPR-16, which authorizes

operation of the Oyster Creek Nuclear Generating Station (OCNGS), a boiling-water reactor facility, located in Ocean County, New Jersey. Therefore, pursuant to 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

**Environmental Assessment***Identification of the Proposed Action*

Title 10 of the Code of Federal Regulations (10 CFR) Part 50, Paragraph 50.71(e)(4) requires that licensees provide the NRC with updates to the Updated Final Safety Analysis Report (UFSAR) annually or 6 months after each refueling outage provided the interval between successive updates does not exceed 24 months. The revisions must reflect changes up to 6 months prior to the date of filing. This regulation would require the licensee to submit the next OCNGS UFSAR update by April 25, 2005, which is 24 months after the most recent update (April 25, 2003).

The licensee requested a one-time scheduler exemption from the requirements of 10 CFR 50.71(e)(4), extending the filing date by "approximately 6 months." This one-time scheduler exemption would thus extend the 24-month interval between the last and next filing to be 30 months. Since the licensee last submitted an update on April 25, 2003, this proposed one-time, 6-month extension would permit the next update be as late as October 25, 2005.

The licensee also requested a permanent scheduler exemption to allow filing of all future UFSAR updates up to 12 months, instead of 6 months, after completion of a refueling outage. Thus, accordingly to the licensee's current refueling schedule, this would permit the licensee to file future updates in the fall of odd-numbered years.

The proposed action is in accordance with the licensee's application for exemption dated March 26, 2004.

*The Need for the Proposed Action*

In its March 26, 2004, application, the licensee stated that following the scheduler requirements of 10 CFR 50.72(e)(4) literally means that the licensee has to file both OCNGS and Peach Bottom Atomic Power Station (PBAPS, owned by the licensee's parent company, Exelon) UFSAR updates in the same time frame (*i.e.*, spring) of odd-numbered years. Such filing schedule for both OCNGS and PBAPS constitutes a hardship for the licensee and its parent company Exelon; additional temporary resources would have to be employed in order to simultaneously

prepare both OCNCS and PBAPS updates.

#### *Environmental Impacts of the Proposed Action*

The NRC has completed its evaluation of the proposed action and concludes that the exemption is administrative and would not affect any plant equipment, operation, or procedures. The UFSAR contains the analysis, assumptions, and technical details of the facility design and operating parameters. Until the UFSAR is updated, the recent changes are documented in the licensee's written evaluations of changes prepared pursuant to 10 CFR 50.59, and in the NRC's Safety Evaluations for actions requiring prior approval. A delay in submitting the UFSAR update will not change the plant design or the manner in which it is operated.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types of effluents that may be released off site, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does not have a potential to affect any historic sites. It does not affect nonradiological plant effluents and has no other environmental impact. Therefore, there are no significant nonradiological environmental impacts associated with the proposed action.

Accordingly, the NRC staff concludes that there are no significant environmental impacts associated with the proposed action.

#### *Environmental Impacts of the Alternatives to the Proposed Action*

As an alternative to the proposed action, the NRC staff considered denial of the proposed action (*i.e.*, the "no-action" alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

#### *Alternative Use of Resources*

The action does not involve the use of any different resource than those previously considered in the Final Environmental Statement for OCNCS, dated December 1974, published by the Atomic Energy Commission.

#### *Agencies and Persons Consulted*

On May 11, 2004, the NRC staff consulted with the New Jersey State official, Mr. Rich Pinney of the New Jersey Department of Environmental Protection, Bureau of Nuclear Engineering, regarding the environmental impact of the proposed action. The State official had no comments.

#### **Finding of No Significant Impact**

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated March 26, 2004. 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 O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be 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 or 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 23rd day of June, 2004.

For the Nuclear Regulatory Commission.

**Peter S. Tam,**

*Senior Project Manager, Section 1, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 04-15321 Filed 7-6-04; 8:45 am]

**BILLING CODE 7590-01-P**

#### **NUCLEAR REGULATORY COMMISSION**

#### **Workshop on Regulatory Structure for New Plant Licensing: Technology-Neutral Framework and Options for Non-Light-Water Reactor Containment Functional Performance Requirements and Criteria**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of public workshop.

**SUMMARY:** The Nuclear Regulatory Commission has requested the staff to develop Regulatory Structure for New Plant Licensing: Technology-Neutral Framework and Options for Non-Light-Water Reactor (Non-LWR) Containment Functional Performance Requirements and Criteria. The purpose of the public workshop/meeting is to discuss and solicit comments on the draft regulatory framework for future reactors and options for non-LWR containment functional performance requirements and criteria.

**DATES:** July 27, 2004, 8:30 a.m.–4:30 p.m. July 28, 2004, 8:30 a.m.–12 p.m.

**ADDRESSES:** Nuclear Regulatory Commission Auditorium, 11545 Rockville Pike, Rockville, MD 20852.

**FOR FURTHER INFORMATION CONTACT:** Margaret T. Bennett, Office of Nuclear Regulatory Research, Mail Stop: T-10 F13A, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001, (301) 415-7252, e-mail: [mtb1@nrc.gov](mailto:mtb1@nrc.gov).

**SUPPLEMENTARY INFORMATION:** This notice serves as initial notification of a public workshop to provide for the exchange of information with all stakeholders regarding the staff's efforts to develop a technology-neutral framework for future plant licensing and options for containment functional performance requirements and criteria for future non-light water reactors. The meeting will focus on the current work being performed by the NRC staff. A preliminary agenda is attached.

*Workshop Meeting Information:* The staff intends to conduct a workshop to provide for an exchange of information related to the staff's initial efforts to develop a Regulatory Structure for New Plant Licensing: Technology-Neutral Framework and options for containment functional performance requirements and criteria for future non-light water reactors. Persons other than NRC staff and NRC contractors interested in making a presentation at the workshop should notify Margaret T. Bennett, Office of Nuclear Regulatory Research, Mail Stop: T-10 G8, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001, (301) 415-7252, e-mail: [mtb1@nrc.gov](mailto:mtb1@nrc.gov).

*Registration:* There is no registration fee for the workshop; however, so that adequate space, materials, etc., for the workshop can be arranged, please provide notification of attendance to Margaret T. Bennett, Office of Nuclear Regulatory Research, Mail Stop: T-10 F13A, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001, (301) 415-7252, e-mail: [mtb1@nrc.gov](mailto:mtb1@nrc.gov).