

**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-59,952]

**Schott North America, Inc.; Duryea, PA; Notice of Termination of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on August 25, 2006 in response to a petition filed by a United Food and Commercial Workers, Local 1776 Representative and a company official on behalf of workers at Schott North America, Inc., Duryea, Pennsylvania.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC this 26th day of September, 2006.

**Elliott S. Kushner,***Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E6-16352 Filed 10-3-06; 8:45 am]

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**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-59,950]

**Stanley-Bostitch, Inc., a Division of Stanley Works Inc., Including On-Site Leased Workers From Admiral Staffing Solutions, Clinton, CT; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273), as amended, the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance as a secondarily affected worker group.

In order to make an affirmative determination and issue a certification of eligibility for secondary workers to apply for Trade Adjustment Assistance, the group eligibility requirements of paragraph (b) of Section 222 of the Trade Act, as amended, must be met. It is determined in this case that the requirements of (b) of Section 222, as amended, have been met.

The investigation was initiated on August 24, 2006 in response to a petition filed by a state agency representative on behalf of workers of Stanley-Bostitch, Inc., a division of

Stanley Works, Inc., including on-site leased workers of Admiral Staffing Solutions, Clinton, Connecticut. The workers produce wire drawing used in staples, pins, and other fastening devices.

The investigation revealed a significant number or proportion of workers at the subject facility are threatened to become separated from employment.

The investigation also revealed that the Clinton, Connecticut plant produced wire drawing used as a component by a manufacturer whose workers were certified eligible to apply for adjustment assistance. At least 20 percent of the production or sales of the subject firm went to this manufacturer.

In accordance with Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor herein presents the results of its investigation regarding certification of eligibility to apply for alternative trade adjustment assistance (ATAA) for older workers.

In order for the Department to issue a certification of eligibility to apply for ATAA, the group eligibility requirements of Section 246 of the Trade Act must be met. The Department has determined in this case that the requirements of Section 246 have been met.

A significant number of workers at the firm are age 50 or over and possess skills that are not easily transferable. Competitive conditions within the industry are adverse.

**Conclusion**

After careful review of the facts obtained in the investigation, I determine that workers of Stanley-Bostitch, Inc., a division of Stanley Works Inc., including on-site leased workers of Admiral Staffing Solutions, Clinton, Connecticut qualify as adversely affected secondary workers under Section 222 of the Trade Act of 1974, as amended. In accordance with the provisions of the Act, I make the following certification:

"All workers of Stanley-Bostitch, Inc., a division of Stanley Works Inc., including on-site leased workers of Admiral Staffing Solutions, Clinton, Connecticut who became totally or partially separated from employment on or after August 23, 2005, through two years from the date of certification are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974."

Signed in Washington, DC, this 14th day of September 2006.

**Richard Church,***Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E6-16351 Filed 10-3-06; 8:45 am]

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**NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 50-335 and 50-389]

**Florida Power and Light Company, et al.; Notice of Withdrawal of Application for Amendment to Facility Operating Licenses**

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Florida Power and Light Company, *et al.* (the licensee), to withdraw portions of its April 21, 2005, application for proposed amendments to Facility Operating License Nos. DPR-67 and NPF-16 for St. Lucie Units 1 and 2, respectively, located in St. Lucie County, Florida.

The portions of the proposed amendments would have revised the Technical Specifications (TSs) to adopt certain provisions of the Combustion Engineering Standard TSs regarding remote shutdown and postaccident monitoring instrumentation.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on July 5, 2005 (70 FR 38720). However, by letter dated September 27, 2006, the licensee withdrew portions of the proposed amendments.

For further details with respect to this action, see the application for amendment dated April 21, 2005, and the licensee's letter dated September 27, 2006, which withdrew portions of 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.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 28th day of September 2006.

For the Nuclear Regulatory Commission.

**Brendan T. Moroney,**

*Project Manager, Plant Licensing Branch II-2, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E6-16359 Filed 10-3-06; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[ Docket Nos. 50-250 and 50-251 ]

### Florida Power & Light Company; Turkey Point Nuclear Plant, Units 3 and 4 Exemption

#### 1.0 Background

The Florida Power & Light Company (FPL, the licensee) is the holder of Facility Operating License Nos. DPR-31 and DPR-41, which authorize operation of the Turkey Point Nuclear Plant, Units 3 and 4. The licenses provide, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC, the Commission) now or hereafter in effect.

The facility consists of two pressurized-water reactors located in Miami-Dade County, approximately 25 miles south of Miami, Florida.

#### 2.0 Request/Action

Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Appendix R, Subsection III.G.3 addresses fire protection features for assuring alternative or dedicated shutdown capability in the event of a fire, and requires that fire detection and a fixed fire suppression system be installed in the area, room, or zone where equipment or components are relied on for the assured shutdown capability. FPL requests exemption from the requirements of Subsection III.G.3 of 10 CFR 50, Appendix R, for fixed suppression in the Mechanical Equipment Room and for detection and fixed suppression on the Control Room Roof, at Turkey Point, Units 3 and 4, on the basis that the existing fire barriers at Turkey Point, together with fire protection measures, low combustible loading, and administrative controls in place, satisfy the underlying intent of 10 CFR 50, Appendix R, Subsection III.G.3.

In summary, by letter dated December 27, 2004, as supplemented May 23, 2005, January 13, 2006, and July 12, 2006, FPL requests exemption from the requirements of 10 CFR 50, Appendix R, Subsection III.G.3, for fixed suppression in the Mechanical Equipment Room and

for detection and fixed suppression on the Control Room Roof, at Turkey Point, Units 3 and 4.

#### 3.0 Discussion

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 50 when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security, and (2) when special circumstances are present.

The underlying purpose of Subsection III.G.3 of 10 CFR 50, Appendix R is to require alternative or dedicated shutdown capability where (a) fire protection of systems necessary for hot shutdown does not meet Subsection III.G.2, or (b) redundant trains of systems necessary for hot shutdown are located in the same fire area and may be subject to damage from fire suppression activities or systems. In addition, III.G.3 requires fire detection and a fixed fire suppression system in the area, room, or zone under consideration.

The staff examined information supplied by the licensee in support of the exemption request and concluded that special circumstances exist in that, with the installation of the fire detection system in the Mechanical Equipment Room proposed by the licensee, the existing fire protection features in and accessible for the specific fire zones (FZs) referenced for Turkey Point Units 3 and 4, and the administrative controls for combustibles, the facility meets the underlying purpose of 10 CFR 50, Appendix R, Subsection III.G.3. The following evaluation provides the basis for this conclusion.

#### 3.1 Background

The NRC approved the alternate shutdown capability proposed by the licensee for Turkey Point, Units 3 and 4, for compliance with the requirements of III.G.3, in a safety evaluation dated April 16, 1984. At that time, the licensee identified three fire areas that could be subject to the condition specified in III.G.3.b, which states, "(w)here redundant trains of systems required for hot shutdown located in the same fire area may be subject to damage from fire suppression activities \* \* \*, fire detection and a fixed fire suppression system shall be installed in the area, room, or zone under consideration." The three affected fire areas were the Control Room, Cable Spreading Room, and North-South Breezeway. To resolve these vulnerabilities, the licensee proposed plant modifications and

procedure revisions that the staff found acceptable for compliance with III.G.3.

However, in February 2004, during an NRC triennial fire inspection at Turkey Point, the inspection team reviewed fire protection systems, features, and equipment, and found that all FZs supporting the alternate safe shutdown function for the Control Room (Fire Area MM) do not provide full area fire detection and a fixed suppression system in accordance with the requirements of III.G.3, quoted above, for both reactor units. Specifically, the Mechanical Equipment Room, the Main Control Room, and Control Room Roof are identified in the plant fire protection program report as alternative safe shutdown areas for, and thereby part of, the Control Room. However, the Mechanical Equipment Room does not have full area detection and fixed suppression.

In response to this inspection finding, the licensee declared the detection and suppression inoperable for the Mechanical Equipment Room (and the Control Room Roof, which also fails to provide detection and fixed suppression) and established an hourly fire watch. An exemption from these detection and suppression requirements is now requested for the Control Room Roof, and an exemption from suppression requirements is requested for the Mechanical Equipment Room. The licensee proposes installation of area detection in the Mechanical Equipment Room.

#### 3.2 Existing Fire Protection Features

Fire Area MM is the Unit 3 and 4 Control Room, located at the 42-foot elevation level of the plant. It is a multiple zone area consisting of FZs 106 (the Main Control Room), 106R (the Control Room Roof), and 97 (the Mechanical Equipment Room). FZs 97 and 106R contain redundant trains of air-conditioning equipment that support the habitability and operability of Fire Area MM. The licensee's fire protection program report identifies FZs 97, 106, and 106R as the alternative shutdown capability for Fire Area MM. FZ 106R is located outdoors at the plant's 58-foot elevation on the control building roof. The flooring is tar and gravel on a concrete base, occupying a section of the roof with an area of approximately 640 square feet. Three heating, ventilating, and air conditioning (HVAC) condensing units for the control room are located here. The licensee's submittal states that motors, cable and