

petition is to be filed, such as the application or other supporting documents filed by the applicant, or otherwise available to the petitioner. Contentions may be amended or new contentions filed after the initial filing only with leave of the presiding officer.

Requesters/petitioners should, when possible, consult with each other in preparing contentions and combine similar subject matter concerns into a joint contention, for which one of the co-sponsoring requesters/petitioners is designated the lead representative. Further, in accordance with 10 CFR 2.309(f)(3), any requester/petitioner that wishes to adopt a contention proposed by another requester/petitioner must do so in writing within ten days of the date the contention is filed, and designate a representative who shall have the authority to act for the requester/petitioner.

In accordance with 10 CFR 2.309(g), a request for hearing and/or petition for leave to intervene may also address the selection of the hearing procedures, taking into account the provisions of 10 CFR 2.310.

### III. Further Information

Documents related to this action, including the applications for renewals 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 document related to this Notice is: Request for a Ten Year License Renewal (application enclosed), ML041530045. 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 (800) 397-4209 or (301) 415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). These documents may also be examined, and/or copied for a fee, at the NRC Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (First Floor), Rockville, MD 20852. The PDR is open from 7:45 a.m. to 4:15 p.m., Monday through Friday, except on Federal holidays.

Dated at Rockville, Maryland, this 19th day of July 2004.

For the Nuclear Regulatory Commission.

**Elaine Brummett,**

*Project Manager, Fuel Cycle Facilities Branch,  
Division of Fuel Cycle Safety and Safeguards,  
Office of Nuclear Material Safety and  
Safeguards.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-483]

### Union Electric Company; Notice of Partial Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Union Electric Company (the licensee) to partially withdraw its June 27, 2003, application for proposed amendment to Facility Operating License No. NPF-30 for the Callaway Plant, Unit 1, located in Callaway County, Missouri.

The request for amendment to the operating license in the application dated June 27, 2003, would allow plant modifications in order to facilitate maintenance on the replacement steam generators (SGs) to be installed in Refueling Outage (RO) 14 (Fall 2005). The proposed modifications (1) replace the existing sludge lance platforms with new platforms to provide a larger platform area around each SG, and (2) cut a permanent access opening through the secondary shield wall to improve access to the sludge lance platforms, which are to be done in RO 13 (Spring 2004). To allow these modifications, the licensee requested approval of the use of (1) the ASCE 4-86 "100-40-40" method of combining components of seismic response loads, and (2) leak-before-break (LBB) methodology for the accumulator, pressurizer surge, and residual heat removal (RHR) lines to exclude the dynamic effects associated with large reactor coolant system branch line ruptures. The amendment approving the installation of the permanent access opening through the secondary shield wall and the use of LBB for the accumulator and RHR lines was issued April 12, 2004, and the opening was installed by the licensee in RO 13.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on July 22, 2003 (68 FR 43397) for the application for amendment dated June 27, 2003. However, by letters dated April 5 and July 2, 2004, the licensee withdrew

portions of its amendment request. The letter dated April 5, 2004, revised the original request for application of LBB on the pressurizer surge line and the letter dated July 2, 2004, withdrew its request to use the ASCE 4-86 methodology. The Commission has previously issued a Notice of Partial Withdrawal of Application for Amendment published in the **Federal Register** on April 20, 2004 (69 FR 21166) for the letter dated April 5, 2004. This Notice of Partial Withdrawal of Application for Amendment is for the letter dated July 2, 2004.

For further details with respect to this action, see the application for amendment dated June 27, 2003, and the licensee's letter dated July 2, 2004, which partially 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 O1F21, 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 email to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 20th day of July 2004.

For the Nuclear Regulatory Commission.

**Jack Donohew,**

*Project Manager, Section 2, Project Directorate IV, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 04-17141 Filed 7-27-04; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-36128]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for King's College's Facility in Wilkes-Barre, PA

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Availability of Environmental Assessment and Finding of No Significant Impact.

**FOR FURTHER INFORMATION CONTACT:**

Donna M. Janda, Nuclear Materials Safety Branch 2, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania, 19406, telephone (610) 337-5371, fax (610) 337-5269; or by e-mail: [dmj@nrc.gov](mailto:dmj@nrc.gov).

**SUPPLEMENTARY INFORMATION:****I. Introduction**

The Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to King's College for Materials License No. 37-28499-01, to authorize release of its facility in Wilkes-Barre, Pennsylvania for unrestricted use. NRC has prepared an Environmental Assessment (EA) in support of this action 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 action is to authorize the release of the licensee's Wilkes-Barre, Pennsylvania facility for unrestricted use. King's College was authorized by NRC from April 1991 to use radioactive materials for research and development purposes at the site. On January 15, 2004, King's College requested that NRC release the facility for unrestricted use. King's College has conducted surveys of the facility and determined that the facility meets the license termination criteria in Subpart E of 10 CFR Part 20. The NRC staff has prepared an EA in support of the proposed license amendment.

**III. Finding of No Significant Impact**

The staff has prepared the EA (summarized above) in support of the proposed license amendment to terminate the license and release the facility for unrestricted use. The NRC staff has evaluated King's College's request and the results of the surveys and has concluded that the completed action complies with the criteria in Subpart E of 10 CFR Part 20. The staff has found that the environmental impacts from the proposed action are bounded by the impacts evaluated by the "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Facilities" (NUREG-1496). On the basis of the EA, the NRC has concluded that the environmental impacts from the proposed action are expected to be insignificant and has determined not to

prepare an environmental impact statement for the proposed action.

**IV. Further Information**

The EA and the documents related to this proposed action, including the application for the license amendment and supporting documentation, are available for inspection at NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html> (ADAMS Accession Nos. ML040340246, ML041120317, ML042020325). These documents are also available for inspection and copying for a fee at the Region I Office, 475 Allendale Road, King of Prussia, Pennsylvania, 19406. Persons who do not have access to 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 King of Prussia, Pennsylvania, this 21st day of July, 2004.

For the Nuclear Regulatory Commission.

**John D. Kinneman, Chief,**

*Nuclear Materials Safety Branch 2, Division of Nuclear Materials Safety Region I.*

[FR Doc. 04-17144 Filed 7-27-04; 8:45 am]

**BILLING CODE 7590-01-P**

**NUCLEAR REGULATORY COMMISSION**

[Docket No. 70-157]

**Notice of Environmental Assessment and Finding of No Significant Impact for License Amendment for University of Texas at Austin, Austin, TX**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Environmental Assessment and Finding of No Significant Impact for license amendment.

**FOR FURTHER INFORMATION CONTACT:** Don Stout, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T8-A33, Washington DC 20555-0001. Telephone: (301) 415-5269; email [des1@nrc.gov](mailto:des1@nrc.gov).

**SUPPLEMENTARY INFORMATION:****I. Introduction**

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of an amendment to NRC Materials License SNM-180 (SNM-180), to allow the University of Texas at Austin (UT), to receive, possess and store 3.88 kilograms of special nuclear material (SNM) that is currently stored at Manhattan College in Riverdale, New

York. The NRC has prepared an Environmental Assessment (EA) in support of this action in accordance with the requirements of 10 CFR Part 51. Based upon the EA, the NRC has determined that a Finding of No Significant Impact (FONSI) is appropriate.

**II. Environmental Assessment****Background**

The Nuclear Engineering Teaching Laboratory (NETL) at the University of Texas (UT) uses special nuclear material to supplement training and instruction programs in the field of nuclear engineering. UT's license SNM-180, currently authorizes them to possess 470 grams of uranium-235 (U-235). Under SNM-180, UT is also authorized to possess 128 grams of plutonium contained in sealed plutonium-beryllium neutron sources. Independent of license SNM-180, UT has a research reactor, which operates under NRC Reactor License R-129 and a charged particle accelerator which operates under a Certificate of Registration from the Texas Department of Health, Bureau of Radiation Control (License TDH L00485).

The NRC staff has received an amendment request (Ref. 1), dated May 3, 2004, to allow receipt, possession, and storage of 3.88 kilograms of SNM. The purpose of this document is to assess the environmental consequences of the proposed amendment.

**Review Scope**

The purpose of this EA is to assess the environmental impacts of an amendment request that would allow UT to receive, possess and store an additional 3.88 kilograms of SNM under their existing Part 70 license. The scope of this EA is limited to the receipt, possession and storage of SNM at UT. The transportation of the SNM to UT is not part of this EA and is being handled separately by the U.S. Department of Energy or an approved alternate. This EA does not approve or deny the amendment request. A separate Safety Evaluation Report (SER) will be issued at a later date in support of approval or denial of the amendment request. The SER will document the safety review in the areas of radiation protection, nuclear criticality safety, material control and accountability, and security.

The existing conditions and operations for UT were evaluated by NRC in March 1998, during renewal of the UT license (Ref. 2). At that time, the licensee was granted a categorical exclusion under 10 CFR 51.22(c)(14)(v) because their license authorized the use