

requirements does not serve the underlying purpose of the rule.

#### 4.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Also, special circumstances are present. Therefore, the Commission hereby grants the licensee an exemption from the requirements of 10 CFR part 50, Appendix J, Option B, Section III.B for OCNCS. Specifically, this permanent exemption permits the licensee to perform leakage testing of the MSIVs at reduced pressure, but not lower than 20 psig.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (69 FR 63562).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 2nd day of November, 2004.

For the Nuclear Regulatory Commission.

**Ledyard B. Marsh,**

*Director, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 04-24888 Filed 11-8-04; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Extension of Public Comment Period: Louisiana Energy Services National Enrichment Facility

**AGENCY:** United States Nuclear Regulatory Commission (NRC).

**ACTION:** Extension of public comment period.

**SUMMARY:** The NRC is extending the public comment period for the Draft Environmental Impact Statement (DEIS) for the Proposed National Enrichment Facility in Lea County, New Mexico (NUREG-1790) that was to end on November 6, 2004. The original notice of availability of the DEIS appeared in the **Federal Register** on September 17, 2004 (69 FR 56104).

On October 25, 2004, the NRC initiated an additional security review of publicly available documents to ensure that potentially sensitive information is removed from the ADAMS database accessible through the NRC's Web site. Interested members of the public should check the NRC's Web

pages for updates on the availability of documents through the ADAMS system. This extension of the public comment period is appropriate to allow members of the public adequate opportunity to obtain access to relevant documents in ADAMS in order to comment on the DEIS. Therefore, the public comment period is being extended until December 18, 2004.

Members of the public are invited and encouraged to submit comments to the Chief, Rules Review and Directives Branch, Mail Stop T6-D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Please note Docket No. 70-3103 when submitting comments. Written comments submitted by mail should be postmarked by December 18, 2004, to ensure consideration. Comments mailed after that date will be considered to the extent practical.

Comments will also be accepted by e-mail to [nrcprep@nrc.gov](mailto:nrcprep@nrc.gov), or by facsimile to 301-415-5397, Attention: Anna Bradford.

**FOR FURTHER INFORMATION CONTACT:** For general or technical information associated with the license review of the National Enrichment Facility, please contact Timothy Johnson at (301) 415-7299. For general information on the NRC environmental review process, please contact Anna Bradford at (301) 415-5228.

Signed in Rockville, MD, this 2nd day of November, 2004.

For the Nuclear Regulatory Commission.

**B. Jennifer Davis,**

*Chief, Environmental and Low-Level Waste Section, Division of Waste Management and Environmental Protection, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 04-24889 Filed 11-8-04; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Sunshine Act Meeting

**AGENCY HOLDING THE MEETING:** Nuclear Regulatory Commission.

**DATE:** Weeks of November 8, 15, 22, 29, December 6, 13, 2004.

**PLACE:** Commissioner's Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and closed.

**MATTERS TO BE CONSIDERED:**

#### Week of November 8, 2004

*Monday, November 8, 2004*

9 a.m. Briefing on Plant Aging and Material Degradation Issues—Part One (Public Meeting) (Contact: Steve Koenick, 301-415-1239).

1:30 p.m. Briefing on Plant Aging and Material Degradation Issues—Part Two (Public Meeting) (Contact: Steve Koenick, 301-415-1239).

This meeting (both parts) will be webcast live at the Web address—<http://www.nrc.gov>.

*Wednesday, November 10, 2004*

2:30 p.m. Affirmation Session (Public Meeting).

a. U.S. Department of Energy (High Level Waste Repository: Pre-Application Matters); DOE's appeal of LBP-04-20.

b. Exelon Generation Company, LLC (Clinton ESP Site), LBP-04-17 (August 6, 2004).

#### Week of November 15, 2004—Tentative

*Tuesday, November 16, 2004*

1:30 p.m. Briefing on Threat Environment Assessment (Closed—Ex. 1).

*Thursday, November 18, 2004*

1:30 p.m. Discussion of Security Issues (Closed—Ex. 1).

#### Week of November 22, 2004—Tentative

There are no meetings scheduled for the week of November 22, 2004.

#### Week of November 29, 2004—Tentative

There are no meetings scheduled for the week of November 29, 2004.

#### Week of December 6, 2004—Tentative

*Tuesday, December 7, 2004*

9:30 a.m. Briefing on Equal Employment Opportunity (EEO) Program (Public Meeting) (Contact: Corenthis Kelley, 301-415-7380).

This meeting will be webcast live at the Web address—<http://www.nrc.gov>.

*Wednesday, December 8, 2004*

1 p.m. Briefing on Status of Davis Besse Lessons Learned Task Force Recommendations (Public Meeting) (Contact: John Jolicoeur, (301) 415-1725).

This meeting will be webcast live at the Web address—<http://www.nrc.gov>.

*Thursday, December 9, 2004*

2 p.m. Briefing on Reactor Safety and Licensing Activities (Public Meeting) (Contact: Steve Koenick, 301-415-1239).

This meeting will be webcast live at the Web address—<http://www.nrc.gov>.

#### Week of December 13, 2004—Tentative

*Tuesday, December 14, 2004*

1 p.m. Briefing on Emergency Preparedness Program Initiatives (Public Meeting) (Contact: Nader Mamish, 301-415-1086).

This meeting will be webcast live at the Web address—<http://www.nrc.gov>. 2 p.m. Briefing on Emergency

Preparedness Program Initiatives (Closed—Ex. 1) (Contact: Nader Mamish (301) 415-1086).

\*The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings call (recording)—(301) 415-1292. Contact person for more information: Dave Gamberoni, (301) 415-1651.

\* \* \* \* \*

The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/what-we-do/policy-making/schedule.html>.

\* \* \* \* \*

The NRC provides reasonable accommodation to individuals with disabilities were appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g. braille, large print), please notify the NRC's Disability Program Coordinator, August Spector, at 301-415-7080, TDD: 301-415-2100, or by e-mail at [aks@nrc.gov](mailto:aks@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

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This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [dkw@nrc.gov](mailto:dkw@nrc.gov).

Dated: November 4, 2004.

**Dave Gamberoni,**

*Office of the Secretary.*

[FR Doc. 04-25024 Filed 11-5-04; 9:34 am]

BILLING CODE 7590-01-M

## NUCLEAR REGULATORY COMMISSION

### Biweekly Notice; Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations

#### I. Background

Pursuant to section 189a. (2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (the Commission or NRC staff) is publishing this regular biweekly notice. The Act requires the

Commission publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from, October 15, 2004, through October 28, 2004. The last biweekly notice was published on October 26, 2004 (69 FR 62467).

#### Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. Within 60 days after the date of publication of this notice, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment

prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. Should the Commission make a final No Significant Hazards Consideration Determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland. (Note: Public access to ADAMS has been temporarily suspended so that security reviews of publicly available documents may be performed and potentially sensitive information removed. Please check the NRC Web site for updates on the resumption of ADAMS access.) The filing of requests for a hearing and petitions for leave to intervene is discussed below.

Within 60 days after the date of publication of this notice, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.309, which is available at the Commission's PDR, located at One White Flint North, Public File Area O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide