

license of a utilization facility, which does no more than conform the licenses to reflect the transfer action, involves no significant hazards consideration and no genuine issue as to whether the health and safety of the public will be significantly affected. No contrary determination has been made with respect to this specific license amendment application. In light of the generic determination reflected in 10 CFR 2.1315, no public comments with respect to significant hazards considerations are being solicited, notwithstanding the general comment procedures contained in 10 CFR 50.91.

The filing of requests for hearing and petitions for leave to intervene, and written comments with regard to the license transfer application, are discussed below.

Within 20 days from the date of publication of this notice, any person whose interest may be affected by the Commission's action on the application may request a hearing and, if not the applicant, may petition for leave to intervene in a hearing proceeding on the Commission's action. Requests for a hearing and petitions for leave to intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart C "Rules of General Applicability: Hearing Requests, Petitions to Intervene, Availability of Documents, Selection of Specific Hearing Procedures, Presiding Officer Powers, and General Hearing Management for NRC Adjudicatory Hearings," of 10 CFR Part 2. In particular, such requests and petitions must comply with the requirements set forth in 10 CFR 2.309. Untimely requests and petitions may be denied, as provided in 10 CFR 2.309(c)(1), unless good cause for failure to file on time is established. In addition, an untimely request or petition should address the factors that the Commission will also consider, in reviewing untimely requests or petitions, set forth in 10 CFR 2.309(c)(1)(i)-(viii).

Requests for a hearing and petitions for leave to intervene should be served upon Arthur H. Domby, Troutman Sanders LLP, 600 Peachtree Street, Atlanta, GA 30308, *telephone*: 404-885-3130, *facsimile*: 404-962-6546, *e-mail*: [arthur.domby@troutmansanders.com](mailto:arthur.domby@troutmansanders.com); Jonathan Rogoff, Vice President, General Counsel and Secretary, Nuclear Management Company, LLC, 700 First Street, Hudson, WI 54016, *telephone*: 715-377-3316, *facsimile*: 715-386-1013, *e-mail*: [jonathan.rogoff@nmcco.com](mailto:jonathan.rogoff@nmcco.com); Mitchell S. Ross, Associate General Counsel, FPL Energy Point Beach, LLC, 700 Universe Blvd., Juno Beach, Florida 33408,

*telephone*: 561-691-7126, *facsimile*: 561-691-7135, *e-mail*: [mitch\\_ross@fpl.com](mailto:mitch_ross@fpl.com); the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001 (e-mail address for filings regarding license transfer cases only: [OGCLT@NRC.gov](mailto:OGCLT@NRC.gov)); and the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, *Attention*: Rulemakings and Adjudications Staff, in accordance with 10 CFR 2.302 and 2.305.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the **Federal Register** and served on the parties to the hearing.

As an alternative to requests for hearing and petitions to intervene, within 30 days from the date of publication of this notice, persons may submit written comments regarding the license transfer application, as provided for in 10 CFR 2.1305. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, *Attention*: Rulemakings and Adjudications Staff, and should cite the publication date and page number of this **Federal Register** notice.

For further details with respect to this action, see the application dated January 26, 2007, available for public inspection at the Commission'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 Agency wide 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, or 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland this 22nd day of February 2007.

For the Nuclear Regulatory Commission.  
**Patrick D. Milano**,  
*Senior Project Manager, Plant Licensing Branch III-1, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E7-3474 Filed 2-27-07; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-259, 50-260, and 50-296]

### Tennessee Valley Authority; Browns Ferry Nuclear Plant, Units 1, 2, and 3, Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from Title 10 of the Code of Federal Regulations (10 CFR), Part 50, Appendix R, for Facility Operating License Nos. DPR-33, DPR-52, and DPR-68, issued to the Tennessee Valley Authority (TVA, the licensee), for operation of the Browns Ferry Nuclear Plant (BFN), Units 1, 2, and 3, located in Limestone County, Alabama. Therefore, as required by 10 CFR 50.21, the NRC is issuing this environmental assessment and finding of no significant impact.

#### Environmental Assessment

##### Identification of the Proposed Action

The proposed action would allow intervening combustibles such as the 480V Reactor Building Vent Boards 1B, 2B, and 3B; small panels in Units 1, 2 and 3; and the 1-hour fire rated fire wrap (Thermo-lag) material in the 20-foot separation zones identified.

The proposed action is in accordance with the licensee's application dated October 26, 2006, as supplemented by a letter dated January 11, 2007.

##### The Need for the Proposed Action

Section III.G of Appendix R to 10 CFR Part 50 is related to fire protection features to ensure that components of redundant trains of equipment, including cables and circuits, to achieve and maintain safe-shutdown are free of fire damage. Either the fire protection configurations must meet the specific requirements of Section III.G or an alternative fire protection configuration must be justified by a fire hazard analysis.

During the September 2006 NRC audit of the Unit 1 Fire Protection Program, it was identified that 20-foot separation zones included intervening combustibles that were not specifically addressed in an approved exemption by the NRC dated October 21, 1988. TVA

has requested this exemption in order to revise the October 1988 exemption to include additional combustibles such as the 480V Reactor Building Vent Boards 1B, 2B, and 3B; small panels in Units 1, 2 and 3; and the one hour fire rated fire wrap (Thermo-lag) material for the 20-foot separation zones identified.

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

The proposed action will not significantly increase the probability or consequences of accidents. The NRC staff has completed its evaluation of the proposed exemption and associated amendment and finds that the calculated total doses remain within the acceptance criteria of 10 CFR 50.67 and General Design Criterion 19, and there is no significant increase in occupational or public radiation exposure. The NRC staff, thus, concludes that granting the proposed exemption would result in no significant radiological environmental impact.

The proposed action does not affect nonradiological plant effluents or historical sites, and has no other environmental impact. Therefore, there are no significant nonradiological impacts associated with the proposed exemption.

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

#### *Alternative 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 exemption would result in no change in current environmental impacts. Thus, 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 resources than those previously considered in the Final Environmental Statement for the BFN dated September 1, 1972, for Units 1, 2, and 3.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on February 6, 2007, the NRC staff consulted with the Alabama State official, Kirk Whatley of the Office of Radiological Control, 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 Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the purposed action, see the licensee's letter dated October 26, 2006. 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 O-1 F21, 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 send an e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 20th day of February 2007.

For the Nuclear Regulatory Commission.

**Eva A. Brown,**

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

[FR Doc. E7-3476 Filed 2-27-07; 8:45 am]

**BILLING CODE 7590-01-P**

#### **NUCLEAR WASTE TECHNICAL REVIEW BOARD**

##### **Privacy Act of 1974; Systems of Records**

**AGENCY:** U.S. Nuclear Waste Technical Review Board.

**ACTION:** Notice of modification to two existing systems of records.

**SUMMARY:** 5 U.S.C. 552a requires that each federal agency review its systems of records containing personal information covered by the Privacy Act of 1974. As a result of its latest review, the Board is amending both of the systems of records that it maintains. A description of these systems was published in November 22, 2006 (71 FR 67654-67655). The Board proposed amending NWTRB-1 and expanding NWTRB-2 to include other information useful to the Board. In the first system, Administrative Files, some categories were overlooked in the previous notice.

The Board further proposed expanding the second system, Mailing List, to become the Contact List. The Board determined that the changes to NWTRB-1 were important enough to republish the notice with the changes and that the changes to NWTRB-2 were substantial enough to accept comments on the proposed expansion until January 15, 2007. The Board received no comments on the proposed expansion.

**DATES:** The changes to NWTRB-2 will become effective on February 28, 2007.

**FOR FURTHER INFORMATION CONTACT:** Victoria Reich, 703-235-4473.

**SUPPLEMENTARY INFORMATION:** The Board currently maintains two systems of records, NWTRB-1 and NWTRB-2, that contain information covered by the Privacy Act of 1974. In its review of these systems, the Board has found classes of information that were not included in its previous notice and on November 22, 2006, republished NWTRB-1 with the corrections added. The Board further found that expanding the records in NWTRB-2 would make it more useful and requested comments from the public from November 22, 2006, until January 15, 2007. No comments were received during this period. Accordingly, the Board plans to proceed with the proposed changes on February 28, 2007.

Dated: February 23, 2007.

**William D. Barnard,**

*Executive Director, U.S. Nuclear Waste Technical Review Board.*

[FR Doc. 07-885 Filed 2-27-07; 8:45 am]

**BILLING CODE 6820-AM-M**

#### **OFFICE OF PERSONNEL MANAGEMENT**

##### **Proposed Demonstration Project; Pay Banding and Performance-Based Pay Adjustments in the National Nuclear Security Administration**

**ACTION:** Notice of a proposed demonstration project plan.

**SUMMARY:** Chapter 47 of title 5, United States Code, authorizes the Office of Personnel Management (OPM), directly or in agreement with one or more agencies, to conduct demonstration projects that experiment with new and different human resources management concepts to determine whether changes in human resources policy or procedures would result in improved Federal human resources management. The National Nuclear Security Administration (NNSA) and OPM propose to test a pay banding system in which within-band pay progression is