

behalf of sixty-one broadcast television stations. These stations are listed below. Any party that objects to another party's claim to specialty station status should submit specific and factual comments as to which station(s) he or she objects to, and why. A final annotated list of specialty stations including references to any objections filed against a particular station licensee's claim will be published in the **Federal Register**.

Copyright Office licensing examiners shall refer to the final annotated list in examining a statement of account where a cable system operator claims specialty station status for a particular station. If a cable system operator claims specialty station status for a station not on the published final list, the examiner determines whether the owner of the station has filed an affidavit since publication of the list. Affidavits received after publication of the final annotated list shall be kept on file in the Licensing Division of the Copyright Office. Any interested party may file an objection to any such late-filed affidavit and the objection shall be filed together with the corresponding affidavit.

#### List of Specialty Stations: Call Letter and Cities of License

KBLN, Grants Pass, OR  
KAKW, Kileen, TX  
KTFO-CA, Austin, TX  
KDTV(TV), San Francisco, CA  
KDTV-CA, Santa Rosa, CA  
KFTV(TV), Hanford, CA  
KMEX-TV, Los Angeles, CA  
KNIC-TV, Blanco, TX  
KTVW-TV, Phoenix, AZ  
KTVW-CA, Flagstaff, AZ  
KUTH(TV), Provo, UT  
KUVE-TV, Green Valley, AZ  
KUVE-CA, Tuscon, AZ  
KUVN-TV, Garland, TX  
KUVN-CA, Fort Worth, TX  
KUVS-TV, Modesto, CA  
KWEX-TV, San Antonio, TX  
KXLN-TV, Rosenberg, TX  
WGBO-TV, Joliet, IL  
WFDC-TV, Arlington, VA  
WLTV(TV), Miami, FL  
WHQS-TV, Cleveland, OH  
WUVG-TV, Athens, GA  
WTNC-LP, Durham, NC  
WUVC-TV, Fayetteville, NC  
WUVP-TV, Vineland, NJ  
WXTV(TV), Paterson, NJ  
K48GX, Tuscon, AZ  
KABE-LP, Bakersfield, CA  
KFPH-TV, Flagstaff, AZ  
KFPH-CA, Phoenix, AZ  
KFSF-TV, Vallejo, CA  
KFTH-TV, Alvin, TX  
KFTR-TV, Ontatio, CA  
KFTU-TV, Douglas, AZ  
KFTU-CA, Tuscon, AZ  
KSTR-TV, Irving, TX

KTFD-TV, Boulder, CO  
KTFF-TV, Portersville, CA  
KTFF-LP, Fresno, CA  
KTFK-TV, Stockton, CA  
KTFQ-TV, Albuquerque, NM  
WAMI-TV, Hollywood, FL  
WFTT-TV, Tampa, FL  
WFTY-TV, Smithtown, NY  
WFUT-TV, Newark, NJ  
WOTF-TV, Melbourne, FL  
WUTF-TV, Marlborough, MA  
WXFT-TV, Aurora, IL  
WLII(TV), Caguas, Puerto Rico  
WSUR-TV Ponce, Puerto Rico  
KBTF-CA, Bakersfield, CA  
KFTO-CA, San Antonio, TX  
KNIC-CA, San Antonio, TX  
KTFB-CA, Bakersfield, CA  
WFPA-CA, Philadelphia, PA  
K21GC, Safford, AZ  
K45DX, Floresville, TX  
KZOL-LP, Safford, AZ  
K16FB, Globe, AZ  
KDOS-LP, Globe, AZ

Dated: June 8, 2007

**Tanya M. Sandros,**

*Acting General Counsel.*

[FR Doc. E7-11595 Filed 6-14-07; 8:45 am]

**BILLING CODE 1410-30-S**

#### NATIONAL SCIENCE FOUNDATION

##### Proposal Review Panel for Ocean Sciences; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting.

*Name:* Moorea Coral Reef Ecosystems LTER Site Review (#10752).

*Date & Time:* July 8, 2007: 8 a.m.-12 p.m.  
July 9, 2007: 8:30 a.m.-7 p.m. July 10, 2007: 8 a.m.-6 p.m.

*Place:* The University of California's Gump Laboratory, Moorea, French Polynesia.

*Type of Meeting:* Partially closed.

*For Further Information Contact:* Dr. Henry Gholz, Division of Environmental Biology, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone (703) 292-8481.

*Purpose of Meeting:* Formal third-year review of the Moorea Coral Reef Ecosystems Long-Term Ecological Research project.

#### Agenda

##### Sunday 8 July 2007

8-12 NSF Briefing of the Review Team at Hotel (closed).

##### Monday 9 July 2007 (at Gump Research Station)

Project Introduction (open)

8:30-9 MCR Overview and Evolution/Partnerships

Research Presentations (talks 15 min + questions 5 min) (open)

9:15-11:50 Overview

12:10-12:50 Lunch at Station  
Field Trip 1-4:45 (closed)  
Reception and Student Posters 5-6:45 (open)  
Dinner locally 7:00 (open)  
Review team separate working dinner (closed)

##### Tuesday 10 July 2007

8:00-8:30 Review Team assemble at Gump Lab

8:30-9:10 Research and other presentations (open)

Education and Outreach (15 + 5) (open)

9:30-10:10 Discussion (open)

10:30 Break

Information Management (15+ 5) (open)

10:45-11:30 Discussion (open)

12:00-12:50 Lunch at Station: Meet with Graduate Students (open)

1-4:15 Review Team Report Work Session (closed)

4:30-5:55 Report-out by Review Team (closed)

6:00 Adjourn

*Reason for Closing:* During closed sessions the review will include information of a confidential nature, including technical and financial information. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in The Sunshine Act.

Dated: June 12, 2007.

**Susanne Bolton,**

*Committee Management Officer.*

[FR Doc. E7-11556 Filed 6-14-07; 8:45 am]

**BILLING CODE 7555-01-P**

#### NUCLEAR REGULATORY COMMISSION

[Docket No. 040-08526]

##### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment to Byproduct Materials License No. SUC-1275, for Termination of the NRC License and Unrestricted Release of the Seneca Army Depot Activity Facility in Romulus, New York

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Issuance of Environmental Assessment and Finding of No Significant Impact for License Amendment.

#### FOR FURTHER INFORMATION CONTACT:

Betsy Ullrich, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region I, U.S. Nuclear Regulatory Commission, 475 Allendale Road, King of Prussia, Pennsylvania 19406. Telephone: (610) 337-5040; fax number: (610) 337-5269; e-mail: [exu@nrc.gov](mailto:exu@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

## I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to Source Materials License No. SUC-1275. This license is held by the Department of the Army, Seneca Army Depot Activity (the Licensee) for its Seneca Army Depot located in Romulus, New York (the Facility). Issuance of this amendment would authorize release of the Facility for unrestricted use and termination of the NRC license. The licensee requested this action in a letter dated June 15, 2004.

The NRC has prepared an Environmental Assessment (EA) in support of this action in accordance with the requirements of Title 10, Code of Federal Regulations (CFR), Part 51 (10 CFR Part 51). Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate with respect to the proposed action. The amendment will be issued to the Licensee following the publication of this FONSI and EA in the **Federal Register**.

## II. Environmental Assessment

### *Identification of Proposed Action*

The proposed action would approve the Licensee's June 15, 2004, license amendment request, resulting in the termination of its NRC materials license and release of the Facility for unrestricted use. License No. SUC-1275 was issued on September 3, 1976, pursuant to 10 CFR Part 40, and has been amended periodically since that time. This license authorized the Licensee to use depleted uranium (DU) for purposes of handling, on-site transportation, inspection, storage and demilitarization of DU cartridges. As a Depot, this facility also stored military commodities authorized under License Nos. SUC-1380, SUB-834, and 45-16023-01NA, most of which was in the form DU commodities. One location was used for storage of uranium and thorium ores authorized by License No. STC-133, and that location was decommissioned in 1993. Records also indicate that promethium-147 microspheres in military equipment, authorized by License No. 12-00722-07, were also stored in one location at the Facility.

The Facility is situated on 10,587 acres and consists of ammunition bunkers called "igloos", warehouses, and support buildings located in a sparsely populated farmland area. Within the Facility, use of licensed materials was confined to five buildings, one warehouse, and 121 ammunition bunkers.

In September 1999, the Licensee ceased licensed activities and initiated preliminary decommissioning activities. Based on the Licensee's historical knowledge of the site and the conditions of the Facility, the Licensee determined that only routine decontamination activities, in accordance with their NRC-approved, operating radiation safety procedures, were required. However, because the possession and use of DU had been authorized by its license, the Licensee elected to demonstrate compliance with the radiological criteria for unrestricted release as specified in 10 CFR 20.1402 by developing derived concentration guideline levels (DCGLs) for its Facility. The proposed DCGLs were submitted in their License Termination Plan dated February 11, 2003. After the NRC approved the License Termination Plan in 2003, the license was amended to authorize decommissioning activities only. The Licensee conducted surveys of the Facility and provided information to the NRC to demonstrate that it met the criteria in Subpart E of 10 CFR Part 20 for unrestricted release and for license termination in a Termination Report dated June 15, 2004. A confirmatory survey was performed by Oak Ridge Institute for Science and Education (ORISE) in October 2006, to verify the radiological status of the Facility.

### *Need for the Proposed Action*

The Licensee ceased conducting licensed activities at the Facility, and seeks the unrestricted use of its Facility and the termination of its NRC materials license. Termination of its license would end the Licensee's obligation to pay annual license fees to the NRC.

### *Environmental Impacts of the Proposed Action*

The historical review of licensed activities conducted at the Facility shows that such activities involved use of the following radionuclides with half-lives greater than 120 days: Depleted uranium (DU) and promethium-147 (Pr-147). Prior to performing the final status survey, the Licensee conducted decontamination activities, as necessary, in the areas of the Facility affected by these radionuclides.

The Licensee conducted final status surveys from July through September 2002. The final status survey report was attached to the Licensee's amendment request dated June 15, 2004. The Licensee developed site-specific DCGL's to demonstrate compliance with the radiological criteria for unrestricted release, using a release criteria of 10 millirem per year, which is below the 25

millirem per year limit in 10 CFR 20.1402. The Licensee conducted site-specific dose modeling using input parameters specific to the Facility, using the RESRAD code resident farmer scenario and the RESRAD-Build building occupancy scenario. The Licensee thus determined the maximum amount of residual radioactivity on building surfaces, equipment, materials, and soils that will satisfy the NRC requirements in subpart E of 10 CFR Part 20 for unrestricted release. The NRC previously reviewed the Licensee's methodology and proposed DCGLs, and concluded that the proposed DCGLs were acceptable for use as release criteria at the Facility. The Licensee's final status survey results were below these DCGLs, and are thus acceptable.

The NRC contracted with ORISE which conducted confirmatory scanning and dose rate surveys from October 30 to November 2, 2006. None of the confirmatory survey results exceeded the DCGLs established for the Facility. Based on its review, the staff has determined that the affected environment and any environmental impacts associated with 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 Nuclear Facilities" (NUREG-1496) Volumes 1-3 [ML042310492, ML042320379, and ML042330385]. The Licensee also considered and appropriately accounted for the dose contribution from previous site releases. Accordingly, there were no significant environmental impacts from the use of radioactive material at the Facility. The NRC staff reviewed the docket file records and the final status survey report to identify any non-radiological hazards that may have impacted the environment surrounding the Facility. No such hazards or impacts to the environment were identified. The NRC has found no other radiological or non-radiological activities in the area that could result in cumulative environmental impacts.

The NRC staff finds that the proposed release of the Facility for unrestricted use and the termination of the NRC materials license is in compliance with 10 CFR 20.1402, including the impact of residual radioactivity at previously-released site locations of use. Based on its review, the staff considered the impact of the residual radioactivity at the Facility and concluded that the proposed action will not have a significant effect on the quality of the human environment.

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

Due to the largely administrative nature of the proposed action, its environmental impacts are small. Therefore, the only alternative the staff considered is the no-action alternative, under which the staff would leave things as they are by simply denying the amendment request. This no-action alternative is not feasible because it conflicts with 10 CFR 40.42(d), requiring that decommissioning of source material facilities be completed and approved by the NRC after licensed activities cease. The NRC's analysis of the Licensee's final status survey data confirmed that the Facility meets the requirements of 10 CFR 20.1402 for unrestricted release and for license termination. Additionally, this denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the no-action alternative are therefore similar, and the no-action alternative is accordingly not further considered.

### *Conclusion*

The NRC staff has concluded that the proposed action complies with the NRC's unrestricted release criteria specified in 10 CFR 20.1402. Because the proposed action will not significantly impact the quality of the human environment, the NRC staff concludes that the proposed action is the preferred alternative.

### *Agencies and Persons Consulted*

NRC provided a draft of this Environmental Assessment to the New York State Department of Environmental Conservation for review on April 3, 2007. On May 2, 2007, New York State Department of Environmental Conservation responded by e-mail. The State agreed with the conclusions of the EA, and otherwise had no comments.

The NRC staff has determined that the proposed action is of a procedural nature, and will not affect listed species or critical habitat. Therefore, no further consultation is required under Section 7 of the Endangered Species Act. The NRC staff has also determined that the proposed action is not the type of activity that has the potential to cause effects on historic properties. Therefore, no further consultation is required under Section 106 of the National Historic Preservation Act.

### **III. Finding of No Significant Impact**

The NRC staff has prepared this EA in support of the proposed action. On the basis of this EA, the NRC finds that

there are no significant environmental impacts from the proposed action, and that preparation of an environmental impact statement is not warranted. Accordingly, the NRC has determined that a Finding of No Significant Impact is appropriate.

### **IV. Further Information**

Documents related to this action, including the application for license amendment 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 documents related to this action are listed below, along with their ADAMS accession numbers.

1. NUREG-1757, "Consolidated NMSS Decommissioning Guidance;"
2. Title 10 Code of Federal Regulations, Part 20, Subpart E, "Radiological Criteria for License Termination;"
3. Title 10, Code of Federal Regulations, Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions;"
4. NUREG-1496, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities;"
5. Inspection records and Licensing documentation for License SUC-1275 with amendments;
6. Letter dated February 11, 2003, with the Seneca Army Depot Activity License Termination and License Release Plan dated February 11, 2003 [ML030450373];
7. Letters dated April 3, 2003 [ML031010534], September 2, 2004 [ML042540117] and January 28, 2005 [ML050320064];
8. Letter dated June 15, 2004, requesting termination [ML041810284] with NRC License Termination Report for Seneca Army Depot Activity, Romulus, New York, dated June 30, 2004 [ML041810290 and ML041810294];
9. Letter dated February 28, 2005 [ML050970152] with Summary Tables [ML051050173], Retrospective Power Curves [ML051050181, ML051050183, ML051050184, ML051050185, ML051050188, ML051050191, ML051050195, ML051050197, ML051050203, and ML051050205], and Supplementary Information Spreadsheets [ML051050208, ML051050215, ML051050217,

ML051050218, ML051050219, ML051050220, ML051050231, ML051050253, ML051050255, ML051050305, ML051050307, ML051050313, ML051050315, ML051050317, ML051050318, ML051050320, ML051050321, ML051050322, ML051050324, ML051050325, ML051050327, ML051050329, ML051050331, ML051050332, ML051050334, ML051050335, ML051050339, ML051050343, ML051050344, ML051050346, ML051050347, ML051050360, ML051050362, ML051050363, ML051050364, ML051050366, ML051050367, ML051050370, ML051050373, ML051050375, ML051050376, ML051050378, ML051050379, ML051050381, ML051050382, ML051050386, ML051050388, ML051050391, ML051050394, ML051050396, ML051050398, ML051050399, ML051050401, ML051050402, ML051050405, ML051050407, ML051050408, ML051050409, ML051050410, ML051050439, ML051050443, ML051050445, ML051050446, ML051050451, ML051050452, ML051050453, ML051050454, ML051050457, ML051050459, ML051050460, ML051050462, ML051050464, ML051050465, ML051050466, ML051050468, ML051050478, ML051050479, ML051050511, ML051050512, ML051050513, ML051050516, ML051050517, ML051050519, ML051050537, ML051050541, ML051050542, ML051050544, ML051050545, ML051050546, ML051050547, ML051050551, ML051050553, ML051050555, ML051050557, ML051050559, ML051050561, ML051050563, ML051050564, ML051050565, ML051080165, ML051080166, ML051080171, ML051080175, ML051080177, ML051080179, ML051080181, ML051080196, ML051080197, ML051080198, ML051080212, ML051080227, ML051080229, ML051080230, ML051080239, ML051080240, ML051080242, ML051080243, ML051080244, ML051080245, ML051080247, ML051080248, ML051080249, ML051080252, ML051080253, ML051080254, ML051080255, ML051080256, ML051080257, ML051080259, ML051080260, ML051080261, ML051080263, ML051080265, ML051080268, ML051080271, ML051080273, ML051080278, ML051080280, ML051080282,

ML051080284, ML051080286, ML051080287, ML051080290, ML051080293, ML051080296, ML051080297, ML051080299, ML051080300, ML051080301, ML051080303, ML051080305, ML051080306, ML051080309, ML051080319, ML051080321, ML051080323, ML051080325, ML051080327, ML051080332, ML051080335, ML051080337, ML051080338, ML051080342, ML051080343, ML051080345, ML051080346, ML051080350, ML051080352, ML051080355, ML051080356, ML051080358, ML051080359, ML051080360, ML051080361, ML051080363, ML051080365, ML051080367, ML051080369, ML051080370, ML051080372, ML051080374, ML051080394, ML051080403, ML051080404, ML051080405, and ML051080408];

10. Letter dated October 5, 2005 [ML070300192];

11. Letter dated November 29, 2005 [ML053470250] with Addendum A, Data Evaluation Using the Scenario A Null Hypothesis, dated November 30, 2005 [ML053470337];

12. Oak Ridge Institute for Science and Education (ORISE), Proposed Confirmatory Survey Plan for the Seneca Army Depot Activity (SEDA), Romulus, New York, dated October 27, 2006 [ML070300233]; and

13. ORISE letter dated March 13, 2007 [ML070790088] with ORISE Confirmatory Survey Results for the Seneca Army Depot Activity (SEDA), Romulus, New York, Final Report, February 2007 [ML070790054];

If you do not have access to ADAMS, or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). These documents may also be viewed electronically on the public computers located at the NRC's PDR, O 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at King of Prussia, PA, this day of June 8th, 2007.

For the Nuclear Regulatory Commission.

**James P. Dwyer,**

*Chief, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region 1.*

[FR Doc. E7-11570 Filed 6-14-07; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[EA-07-154; Docket No.: 52-006]

### **In the Matter of Westinghouse Electric Company LLC and All Other Persons Who Seek or Obtain Access to Safeguards Information Described Herein; Order Imposing Safeguards Information Protection Requirements and Fingerprinting and Criminal History Records Check Requirements for Access to Safeguards Information (Effective Immediately)**

**I**

Westinghouse Electric Company, LLC (WEC), holds certificates for the AP600 and AP1000 reactor designs issued by the U.S. Nuclear Regulatory Commission (NRC) in accordance with the Atomic Energy Act (AEA) of 1954, as amended.

The Commission has decided to require, through rulemaking, that nuclear power plant designers perform a rigorous assessment of design features that could provide additional inherent protection to avoid or mitigate the effects of an aircraft impact, while reducing or eliminating the need for operator actions, where practicable. In anticipation of this requirement, and to assist designers in completing this assessment, the Commission has decided to provide the beyond design basis, large commercial aircraft characteristics specified by the Commission to plant designers who have the need to know and who meet the NRC's requirements for the disclosure of such information. The specified aircraft characteristics that are the subject of this order are hereby designated as Safeguards Information (SGI),<sup>1</sup> in accordance with Section 147 of the AEA. In addition, in a letter dated May 17, 2007, WEC requested authorization to have independent control of SGI. To implement the Commission's decision to provide this SGI to WEC, and in response to WEC's May 17 letter, the NRC is issuing this order to WEC to impose requirements for the protection of SGI, as well as for the fingerprinting of all persons who have or seek access to this SGI.

On August 8, 2005, the Energy Policy Act of 2005 (EPA) was enacted. Section 652 of the EPA amended Section 149 of the AEA to require fingerprinting and a Federal Bureau of Investigation (FBI) identification and criminal history records check of any

person who is to be permitted to have access to SGI. The NRC's implementation of this requirement cannot await the completion of the SGI rulemaking, which is underway, because the EPA fingerprinting and criminal history records check requirements for access to SGI were immediately effective upon enactment of the EPA. Therefore, in accordance with Section 149 of the AEA, as amended by the EPA, the Commission is imposing additional requirements for access to SGI, as set forth by this Order, so that Westinghouse can obtain and grant access to SGI. This Order also requires compliance with the safeguards protection measures set forth in 10 CFR 73.21 and imposes requirements for access to and protection of SGI by any person,<sup>2</sup> whether or not they are a licensee, applicant, or certificate holder of the Commission or an Agreement State.

In order to implement this Order, WEC must nominate an individual who will review the results of the FBI criminal history records check to make SGI access determinations. This individual, referred to as the "reviewing official," must be someone who seeks access to SGI. Based on the results of the FBI criminal history records check, the NRC staff will determine whether this individual may have access to SGI. If the NRC determines that the individual may not be granted access to SGI, the enclosed Order prohibits that individual from obtaining access to any SGI. Once the NRC approves a reviewing official, that reviewing official, and only that reviewing official, can make SGI access determinations for other individuals who have been identified by WEC as having a need-to-know SGI, and who have been fingerprinted and have had a criminal history records check in accordance with this Order. The reviewing official can only make SGI access determinations for other individuals, but cannot approve other individuals to act as reviewing officials. Only the NRC can approve a reviewing official. Therefore, if a WEC wishes to have a new or additional reviewing official, the NRC must approve that

<sup>2</sup> Person means (1) any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency other than the Commission or the Department of Energy, except that the Department of Energy shall be considered a person with respect to those facilities of the Department of Energy specified in Section 202 of the Energy Reorganization Act of 1974 (88 Stat. 1244), any State or any political subdivision of, or any political entity within a State, any foreign government or nation or any political subdivision of any such government or nation, or other entity; and (2) any legal successor, representative, agent, or agency of the foregoing.

<sup>1</sup> Safeguards Information is a form of sensitive, unclassified, security-related information that the Commission has the authority to designate and protect under Section 147 of the AEA.