

changes to clarify the descriptions of certain WCS facilities, to identify the correct State agencies having authority in certain areas, and to clarify the status of the pending LLW disposal facility license. The NRC staff has modified the EA to address the TCEQ comments.

The proposed action does not involve the development of additional land. Hence, the NRC has determined that the proposed action will not affect listed species or critical habitat. Therefore, no further consultation is required under Section 7 of the Endangered Species Act. Likewise, the NRC staff has determined that the proposed action does not have the potential to adversely affect cultural resources. Therefore, no consultation is required under Section 106 of the National Historic Preservation Act.

#### Public Comments

During a 30-day public comment period that ended August 10, 2009, NRC received comments from Ms. Laray Polk, a resident of Texas (ADAMS Accession Number ML092240577). Ms. Polk expressed concerns that the WCS site is "unsuitable for disposal of uranium byproduct and low-level waste." Though she acknowledges one purpose for amending the Order was to reduce worker radiation doses, Ms. Polk expressed concerns regarding adequate

protection of groundwater resources, stating that the "overall proposal to permanently dispose of the SNM and LLRW at WCS is of a greater detriment [sic] to a larger population." Specifically, she also expresses concerns that a complex system of aquifers underlies the WCS site, which she describes as a system of "contiguous hydrologically connected units." Ms. Polk further states that the hydrogeology of the site is "sufficiently complex as to halt disposal of these materials until the mapping incongruities can be resolved by way of an unbiased team of hydrologists and geologists."

As noted in the section of the EA titled "Review Scope," the amended Order applies only to activities authorized by TCEQ License R04971 for processing and storage of LLW. The Order does not apply to disposal of LLW. Therefore, since processing and storage of LLW occurs above ground in facilities for which liquid and air effluent controls are required, the staff does not believe that amendments to the Order considered in this EA will have significant adverse effects on groundwater quality at the WCS site.

#### II. Draft Finding of No Significant Impact

The NRC has concluded that the proposed action to grant a modification

to WCS' exemption from the requirements of 10 CFR part 70 is, pursuant to 10 CFR 70.17, authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest.

The NRC has prepared this EA in support of the proposed action to modify WCS' November 2004 Order, which grants an exemption from the requirements of 10 CFR Part 70. On the basis of this EA, NRC has concluded that there are no significant environmental impacts and the issuance of a modified Order does not warrant the preparation of an Environmental Impact Statement. Accordingly, it has been determined that a Finding of No Significant Impact is appropriate.

#### III. Further Information

Documents related to this action, including the application for 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 ADAMS, which provides text and image files of NRC's public documents. The ADAMS accession numbers for the documents related to this notice are:

Document description	Accession number
January 2009 Safety Evaluation Report .....	ML081550674
January 22, 2008, NRC acknowledgement of WCS request .....	ML080150622
December 10, 2007, WCS request for modification to Order .....	ML073550638
November 2004 Letter to WCS re: SNM exemption request .....	ML043020621
November 2001 Letter to WCS re: SNM exemption request .....	ML030130085

If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's 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, O1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Rockville, Maryland, this 7th day of October 2009.

For the U.S. Nuclear Regulatory Commission.

**Patrice M. Bubar,**

*Deputy Director, Environmental Protection and Performance Assessment Directorate, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs.*

[FR Doc. E9-24774 Filed 10-14-09; 8:45 am]

**BILLING CODE 7590-01-P**

#### NUCLEAR REGULATORY COMMISSION

##### Advisory Committee on Reactor Safeguards (ACRS) Subcommittee Meeting on Planning and Procedures; Notice of Meeting

The ACRS Subcommittee on Planning and Procedures will hold a meeting on November 4, 2009, Room T2-B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed pursuant to 5 U.S.C. 552b(c)(2) and (6) to discuss organizational and personnel matters that relate solely to the internal personnel rules and practices of the ACRS, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.

The agenda for the subject meeting shall be as follows:

Wednesday, November 4, 2009,  
12 p.m.–1 p.m.

The Subcommittee will discuss proposed ACRS activities and related matters. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Officer, Mr. Sam Duraiswamy, (Telephone: 301-415-7364, E-mail: [Sam.Duraiswamy@nrc.gov](mailto:Sam.Duraiswamy@nrc.gov)) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 6, 2008, (73 FR 58268-58269).

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 7:30 a.m. and 4 p.m. (ET). Persons planning to attend this meeting are urged to contact the above named individual at least two working days prior to the meeting to be advised of any potential changes in the agenda.

Dated: October 8, 2009.

**Antonio F. Dias,**

*Chief, Reactor Safety Branch B, Advisory Committee on Reactor Safeguards.*

[FR Doc. E9-24771 Filed 10-14-09; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards (ACRS) Meeting of the ACRS Subcommittee; Notice of Meeting

The ACRS Subcommittee on Radiation Protection and Nuclear Materials will hold a meeting on November 4, 2009, Room T2-B3, 11545 Rockville Pike, Rockville, Maryland.

The meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

**Wednesday, November 4, 2009—1:30 p.m.–5 p.m.**

The Subcommittee will review proposed changes to NUREG-1520 "Standard Review Plan for Review of a License Application for a Fuel Cycle Facility." The Subcommittee will hear presentations by and hold discussions with NRC staff and other interested persons regarding this matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated

Federal Official, Dr. John H. Flack, (telephone: 301-415-0426, e-mail: [John.Flack@nrc.gov](mailto:John.Flack@nrc.gov)) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the Designated Federal Official 30 minutes before the meeting. In addition, one electronic copy of each presentation should be e-mailed to the Designated Federal Official 1 day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the Designated Federal Official with a CD containing each presentation at least 30 minutes before the meeting. Electronic recordings will be permitted. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 6, 2008 (73 FR 58268-58269).

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 7 a.m. and 3:45 p.m. (ET). Persons planning to attend this meeting are urged to contact the above named individual at least two working days prior to the meeting to be advised of any potential changes to the agenda.

Dated: October 7, 2009.

**Antonio F. Dias,**

*Chief, Reactor Safety Branch B, Advisory Committee on Reactor Safeguards.*

[FR Doc. E9-24782 Filed 10-14-09; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards (ACRS) Meeting of the ACRS Subcommittee; Notice of Meeting

The ACRS U.S. Evolutionary Power Reactor (EPR) Subcommittee will hold a meeting on November 3, 2009, 11545 Rockville Pike, T2-B3, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

**Tuesday, November 3, 2009, 8:30 a.m.–5 p.m.**

The Subcommittee will review selected chapters of the Safety Evaluation with Open Items concerning the U.S. EPR Design Certification Application. The Subcommittee will hear presentations by and hold discussions with representatives of AREVA, the NRC staff and other

interested persons regarding this matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official, Mr. Derek Widmayer (Telephone 301-415-7366, E-mail: [Derek.Widmayer@nrc.gov](mailto:Derek.Widmayer@nrc.gov)) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the Designated Federal Official 30 minutes before the meeting. In addition, one electronic copy of each presentation should be e-mailed to the Designated Federal Official 1 day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the Designated Federal Official with a CD containing each presentation at least 30 minutes before the meeting. Electronic recordings will be permitted. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 6, 2008 (73 FR 58268-58269).

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 8 a.m. and 5:15 p.m. (ET). Persons planning to attend this meeting are urged to contact the above named individual at least two working days prior to the meeting to be advised of any potential changes to the agenda.

Dated: October 8, 2009.

**Antonio Dias,**

*Chief, Reactor Safety Branch B, Advisory Committee on Reactor Safeguards.*

[FR Doc. E9-24781 Filed 10-14-09; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0455]

### Notice of Opportunity for Public Comment on the Proposed Models for Plant-Specific Adoption of Technical Specification Task Force Traveler-508, Revision 1, "Revise Control Room Habitability Actions To Address Lessons Learned From TSTF-448 Implementation"

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of opportunity for public comment.