

determined that the affected environment and environmental impacts associated with the decommissioning of the Unitime facility 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). The staff also finds that the proposed release for unrestricted use of the Unitime Industries facility is in compliance with 10 CFR 20.1402, "Radiological Criteria for Unrestricted Use." The NRC has found no other activities in the area that could result in cumulative impacts.

#### *Agencies and Persons Contacted and Sources Used*

This EA was prepared entirely by the NRC staff. The U. S. Fish and Wildlife Service was contacted and responded by letter dated October 16, 2002, with no opposition to the proposed action. The U.S. Virgin Island's Department of Planning and Natural Resources was also contacted and responded by letter dated October 18, 2002, with no objection.

#### *Conclusion*

Based on its review, the NRC staff has concluded that the proposed action complies with 10 CFR Part 20. NRC has prepared this EA in support of the proposed license termination to release the Unitime facility located at Parcel 1C, Estate Diamond, Plots 8 and 9, in Christiansted, St. Croix, U.S. Virgin Islands, for unrestricted use. On the basis of the EA, NRC has concluded that the environmental impacts from the proposed action are not expected to be significant and has determined that preparation of an environmental impact statement for the proposed action is not required.

#### *List of Preparers*

Orysia Masnyk Bailey, Materials Licensing/Inspection Branch 1, Division of Nuclear Materials Safety, Health Physicist.

#### *List of References*

1. NRC License No. 55-14065-03 inspection and licensing records.
2. Unitime Industries, Inc. "Termination of License for Activities and Storage" Letter from E. Rebmann and B. Buksch to NRC dated November 30, 2001. (ML022060401)
3. Unitime Industries, Inc. "Request for Additional Documents" Letter from E. Rebmann to NRC dated February 11, 2002. (ML020450333)

4. License amendment request and supporting documentation dated July 18, 2003. (ML032030481)

5. NRC Inspection Report No. 55-14065-03/2003-001, dated March 11, 2003. (ML030720115)

6. NRC Inspection Report No. 55-14065-03/2003-001, Supplemental Information dated April 8, 2003. (ML031060560)

7. Title 10 Code of Federal Regulations Part 20, Subpart E, "Radiological Criteria for License Termination."

8. **Federal Register** Notice, Volume 65, No. 114, page 37186, dated Tuesday, June 13, 2000, "Use of Screening Values to Demonstrate Compliance With The Federal Rule on Radiological Criteria for License Termination."

9. NRC. NUREG-1757 "Consolidated NMSS Decommissioning Guidance," Final Report dated September 2002.

10. NRC. NUREG 1496 "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities," Final Report dated July 1997.

11. Virgin Islands State Historic Preservation Office. "Request for Comments Regarding Cultural and Historical Resources at Unitime Industries, Inc. Parcel 1C, Estate Diamond, Plots 8 and 9, Christiansted, St. Croix, U.S.V.I." Letter from D. E. Plaskett, Esq. To NRC dated October 18, 2002. (ML023080328)

12. U.S. Fish and Wildlife Service. "Request for comments regarding endangered wildlife, plant and marine resources at a site in U.S. Virgin Islands" Letter from C. A. Diaz to NRC dated October 16, 2002. (ML022950399)

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

Based upon the EA, the staff concludes that the proposed action will not have a significant impact on the quality of the human environment. Accordingly, the staff has determined that preparation of an environmental impact statement is not warranted.

### **IV. Further Information**

The references listed above are available for public inspection and may also be copied for a fee at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. These documents are also available for public review through ADAMS, the NRC's electronic reading room, at: <http://www.nrc.gov/reading-rm/adams.html>.

Any questions with respect to this action should be referred to Orysia Masnyk Bailey, Materials Licensing/Inspection Branch 1, Division of

Nuclear Materials Safety, U.S. Nuclear Regulatory Commission, Region II, Suite 23T85, 61 Forsyth Street, SW., Atlanta, Georgia, 30303. Telephone 404-562-4739.

Dated at Atlanta, Georgia, the 15th day of August, 2003.

For the Nuclear Regulatory Commission.

**Douglas M. Collins,**

*Director, Division of Nuclear Materials Safety, Region II.*

[FR Doc. 03-22396 Filed 9-2-03; 8:45 am]

BILLING CODE 7590-01-P

## **NUCLEAR REGULATORY COMMISSION**

### **Peer Review Committee for Source Term Modeling; Notice of Meeting**

The Peer Review Committee For Source Term Modeling will hold a closed meeting on September 25-26, 2003 at 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be closed to public attendance to protect information classified as national security information pursuant to 5 U.S.C. 552b(c)(1).

The agenda for the subject meeting shall be as follows: *Thursday September 25 and Friday, September 26, 2003-8:30 a.m. until the conclusion of business.*

The Committee will review Sandia National Laboratories (SNL) activities and aid SNL in development of guidance documents for estimating source terms resulting from sabotage attacks on spent fuel transportation and storage containers. The guidance document will assist the NRC in evaluations of the impact of specific terrorist activities targeted at a range of spent fuel storage casks and radioactive material (RAM) transport packages. The committee's work is expected to result in a committee report on the SNL work to the NRC by September 30, 2003.

Further information contact: Andrew L. Bates, (telephone 301-415-1963) or Dr. Charles G. Interrante (telephone 301-415-3967) between 7:30 a.m. and 4:15 p.m. (ET).

Dated: August 27, 2003.

**Andrew L. Bates,**

*Advisory Committee Management Officer.*

[FR Doc. 03-22399 Filed 9-2-03; 8:45 am]

BILLING CODE 7590-01-P

## **NUCLEAR REGULATORY COMMISSION**

### **Sunshine Act Meeting Notice**

*Date:* Weeks of September 1, 8, 15, 22, 29, October 6, 2003.

*Place:* Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

*Status:* Public and closed.

#### **Week of September 1, 2003**

There are no meetings scheduled for the Week of September 1, 2003.

#### **Week of September 8, 2003—Tentative**

*Wednesday, September 10, 2003*

1 p.m. Meeting with Organization of Agreement States (OAS) and Conference of Radiation Control Program Directors (CRCPD) (Public Meeting) Contact: John Zabko, 301-415-2308)

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

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

*Thursday, September 11, 2003*

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

#### **Week of September 15, 2003—Tentative**

There are no meetings scheduled for the Week of September 15, 2003.

#### **Week of September 22, 2003—Tentative**

*Wednesday, September 24, 2003*

9 a.m. Briefing on Emergency Preparedness Program Status (Public Meeting) (Contact: Eric Weiss 301-415-3624)

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

#### **Week of September 29, 2003—Tentative**

*Thursday, October 2, 2003*

9:30 a.m. Meeting with Advisory Committee on Reactor Safeguards (ACRS) (Public Meeting) (Contact: John Larkins, 301-415-7360)

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

#### **Week of October 6, 2003—Tentative**

*Tuesday, October 7, 2003*

1:30 p.m. Discussion of Management Issues (Closed—Ex.2)

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

\* \* \* \* \*

#### **SUPPLEMENTARY INFORMATION:**

By a vote of 3-0 on August 27, the Commission determined pursuant to U.S.C. 552b(e) and § 9.107(a) of the Commission's rules that "Discussion of Security Issues (Closed—Ex. 1)" be held August 27, and on less than one week's notice to the public.

By a vote of 3-0 on August 27, the Commission determined pursuant to U.S.C. 552b(e) and § 9.107(a) of the Commission's rules that "Affirmation of (1) Final Rule: 10 CFR Parts 30, 40, and 70: Financial Assurance for Materials Licensees; (2) Final Rulemaking—Risk-Informed 10 CFR 50.44, "Combustible Gas Control in Containment"; (3) Final Rule on Electronic Maintenance and Submission of Information; and (4) Tennessee Valley Authority (Watts Bar Nuclear Plant, Units 1 & 2, Browns Ferry Nuclear Plant, Units 1, 2 & 3), Docket Nos. 50-390-CIVP; 50-0327-CIVP; 50-328-CIVP; 50-259-CIVP; 50-260-CIVP; 50-296-CIVP; LBP-03-10 (June 26, 2003)" be held on August 28, and on less than one week's notice to the public.

\* \* \* \* \*

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

\* \* \* \* \*

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: August 28, 2003.

**R. Michelle Schroll,**

*Information Management Specialist, Office of the Secretary.*

[FR Doc. 03-22507 Filed 8-29-03; 11:14 am]

**BILLING CODE 7590-01-M**

## **NUCLEAR REGULATORY COMMISSION**

**[Docket No. 70-698]**

### **License No. SNM-770, Westinghouse Electric Company LLC, Waltz Mill Service Center, Madison, PA; Notice of Issuance of Director's Decision Under 10 CFR 2.206**

Notice is hereby given that the Director, Office of Nuclear Material Safety and Safeguards (NMSS), has issued a Directors' Decision with regard to a petition dated October 30, 2002, filed by Viacom, Inc., hereinafter referred to as the "petitioner." The petition concerns the decommissioning of the former Westinghouse Test Reactor (WTR) at the Waltz Mill Service Center, near Madison, PA. In a letter dated December 20, 2002, Westinghouse

Electric Company LLC (Westinghouse), the holder of the SNM-770 License at the Waltz Mill Service Center, responded to the Viacom 2.206 petition. Westinghouse submitted supplemental information on the petition on April 14, 2003. Viacom submitted comments on the Westinghouse supplemental information on April 22, 2003. Westinghouse submitted a second supplemental response to the Viacom petition on April 28, 2003.

The petition requested NRC issue an Order to Westinghouse, which would require them to: (1) Provide certain radiological survey data to NRC which NRC has requested, and (2) accept under SNM-770 certain residual byproduct materials now held under Viacom license TR-2 and located at the WTR facility at the Waltz Mill Service Center. As the basis for the request, Viacom states that Westinghouse's refusals to provide the survey data and to accept the residual byproduct materials now held under license TR-2 violates enforceable commitments made to the NRC.

As an alternative, the petitioner states that Westinghouse's refusals constitute a violation of 10 CFR 50.5, Deliberate misconduct, which causes Viacom to be in violation of a license condition, the approved Decommissioning Plan (DP) for the WTR. The petitioner claims that granting the petition is necessary for compliance with both the DP and other commitments under SNM-770 and is needed to abate the violation of 10 CFR 50.5 to promote public health and safety by providing for safe completion of decommissioning of the WTR under the DP.

Lastly, the petitioner requests that NRC interpret certain requirements in the DP for the WTR and decide whether they have been met. In a separate letter dated October 29, 2002, Viacom, Inc. applied to the NRC to issue two orders, requesting that the NRC: (1) Terminate the TR-2 license, and (2) declare that all of Viacom's obligations under the DP have been satisfactorily completed, except for the submission of the survey data and transfer of the TR-2 residual materials to the SNM-770 license. The petitioner requests that the interpretation of the DP be resolved as part of the NRC's consideration of the October 29, 2002 application.

The petitioner and the licensee met with the NMSS petition review board on February 20, 2003, to discuss the petition. The meeting gave the petitioner and the licensee an opportunity to provide additional information and to clarify issues raised in the petition. The results of that