

is protective of the public health and safety and the environment. Based on its review, the staff has determined that the affected environment and the environmental impacts associated with the unrestricted use of the VA's facilities 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). The staff also finds that the proposed release for unrestricted use of the VA facility is in compliance with the 10 CFR 20.1402.

### III. Finding of No Significant Impact

The staff has prepared the EA (summarized above) in support of VA's proposed license amendment to release the Wichita facility for unrestricted use. On the basis of the EA, the staff has concluded that the environmental impacts from the proposed action would not be significant. Accordingly, the staff has determined that a FONSI is appropriate, and has determined that the preparation of an environmental impact statement is not warranted.

### IV. Further Information

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," VA's request, the EA summarized above, and the documents related to this proposed action are available electronically for public inspection and copying from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm.html>. These documents include VA's letter dated June 6, 2003, with enclosures (Accession No. ML032960318); and the EA summarized above (Accession No. ML033020066).

Dated at Lisle, Illinois, this 28th day of October 2003.

**Christopher G. Miller,**

*Chief, Decommissioning Branch, Division of Nuclear Materials Safety, RIII.*

[FR Doc. 03-28184 Filed 11-7-03; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-315 and 50-316]

### Indiana Michigan Power Company; Notice of Receipt of Application for Renewal of Donald C. Cook Nuclear Plant, Units 1 and 2 Facility Operating License Nos. DPR-58 and DPR-74 for an Additional 20-Year Period

The U.S. Nuclear Regulatory Commission (NRC or Commission) has

received an application, dated October 31, 2003, from the Indiana Michigan Power Company, filed pursuant to Section 104b of the Atomic Energy Act of 1954, as amended, and 10 CFR Part 54, to renew Operating License Nos. DPR-58 and DPR-74 for the Donald C. Cook Nuclear Plant, Units 1 and 2. Renewal of the license would authorize the applicant to operate the facility for an additional 20-year period. The current operating licenses for the D.C. Cook Nuclear Plant, Units 1 and 2, expire on October 25, 2014 and December 23, 2017, respectively. The D.C. Cook Nuclear Plant, Units 1 and 2, are pressurized-water reactors designed by Westinghouse Electric Corporation, and are located in Berrien County, Michigan. The acceptability of the tendered application for docketing, and other matters including an opportunity to request for a hearing, will be addressed in subsequent **Federal Register** notices.

Copies of the application are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, or electronically from the Publicly Available Records (PARS) component of the NRC's Agencywide Documents Access and Management System (ADAMS) under accession number ML033070179. The ADAMS Public Electronic Reading Room is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. In addition, the application is available on the NRC Web page at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications.html>, while the application is under review. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC's PDR Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

The staff has also verified that a copy of the license renewal application for the Donald C. Cook Nuclear Plant has been provided to the Bridgman Public Library, at 4460 Lake Street, Bridgman, Michigan and the Maud Preston Palenske Memorial Library, at 500 Market Street, St. Joseph, Michigan.

Dated at Rockville, Maryland, this 4th day of November, 2003.

For the Nuclear Regulatory Commission.

**John R. Tappert,**

*Acting Program Director, License Renewal and Environmental Impacts, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.*

[FR Doc. 03-28185 Filed 11-7-03; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 040-02377]

### Notice of Consideration of Amendment Request for Kaiser Aluminum and Chemical Corporation, Tulsa, Oklahoma, and Opportunity for Providing Comments and Requesting a Hearing

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Consideration of Approval of a revision to the Decommissioning Plan for the Kaiser Aluminum and Chemical Corporation Facility in Tulsa, Oklahoma, and an Opportunity for a Hearing.

**FOR FURTHER INFORMATION CONTACT:** John T. Buckley, Decommissioning Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: (301) 415-6607, fax number (301) 415-5398.

#### SUPPLEMENTARY INFORMATION:

#### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering approval of a revision to the Phase 2 Decommissioning Plan (DP) for the Kaiser Aluminum and Chemical Corporation (Kaiser) Facility in Tulsa, Oklahoma. Decommissioning of the Kaiser facility is being conducted in two Phases. In Phase 1, Kaiser remediated the land adjacent to the Kaiser property. In Phase 2, Kaiser will remediate its facility. On May 25, 2001, Kaiser submitted the Phase 2 DP. The Phase 2 DP was noticed in the **Federal Register** on October 30, 2001 (66 FR 54792). NRC approved the Phase 2 DP on June 8, 2003.

On October 6, 2003, Kaiser submitted a request to revise Chapter 14 of the DP. The revision will correct an error in Chapter 14, which incorrectly identified the Average Derived Concentration Level (ADCL<sub>w</sub>) as the acceptance criteria for the 14 acre pond parcel area of the site. Kaiser has stated that the revisions to Chapter 14 will not change the scope of the work in the approved DP.

Prior to approving the DP revision, NRC will make findings in accordance with the Atomic Energy Act of 1954, as amended, and NRC's regulations. These findings will be documented in a Safety Evaluation Report and an Environmental Assessment.

#### II. Opportunity To Provide Comments

In accordance with 10 CFR 20.1405, the NRC is providing notice to

individuals in the vicinity of the site that the NRC is in receipt of a revision to the Phase 2 DP, and will accept comments concerning this proposed modification to the DP and its associated environmental impacts. Comments with respect to this action should be provided in writing within 30 days of this notice and addressed to John T. Buckley, Decommissioning Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: (301) 415-6607, fax number (301) 415-5398, e-mail: [jtb@nrc.gov](mailto:jtb@nrc.gov). Comments received after 30 days will be considered if practicable to do so, but only those comments received on or before the due date can be assured consideration.

### III. Opportunity To Request a Hearing

Although Kaiser is no longer a licensee subject to subpart L, "Informal Hearing Procedures for Adjudication in Material Licensing Proceedings," of NRC's rules and practice for domestic licensing proceedings in 10 CFR part 2. Discretion is being exercised in this case because of: (1) The unusually large volume of soil to be removed from the site; (2) the significant complexity of this project; and, (3) the close proximity of the site to a major population center. Whether or not a person has or intends to provide comments as set out in Section II above, pursuant to Section 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing in accordance with Section 2.1205(d). A request for a hearing must be filed within thirty (30) days of the date of publication of this **Federal Register** notice.

The request for a hearing must be filed with the Office of the Secretary either:

1. By delivery to Secretary, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, between 7:45 a.m. and 4:15 p.m., Federal workdays; or

2. By mail, telegram, or facsimile (301-415-1101) addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Attention: Rulemakings and Adjudications Staff. Because of continuing disruptions in the delivery of mail to United States Government offices, it is requested that requests for hearing also be transmitted to the Secretary of the Commission either by means of facsimile transmission to 301-415-1101, or by e-mail to [<hearingdocket@nrc.gov>](mailto:<hearingdocket@nrc.gov>).

In accordance with 10 CFR 2.1205(f), each request for a hearing must also be served, by delivering it personally or by mail, to:

1. The applicant, Kaiser Aluminum and Chemical Corporation, 9141 Interline Avenue, Suite 1A, Baton Rouge, LA 70809-1957, Attention: Mr. J. W. Vinzant and;

2. The NRC staff, by delivery to the General Counsel, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, between 7:45 a.m. and 4:15 p.m., Federal workdays, or by mail, addressed to General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Because of continuing disruptions in the delivery of mail to United States Government offices, it is requested that requests for hearing be also transmitted to the Office of the General Counsel, either by means of facsimile transmission to (301) 415-3725, or by e-mail to [ogcmailcenter@nrc.gov](mailto:ogcmailcenter@nrc.gov).

In addition to meeting other applicable requirements of 10 CFR part 2 of NRC's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

1. The interest of the requester in the proceeding;
2. How that interest may be affected by the results of the proceeding, including the reasons why the requestor should be permitted a hearing, with particular reference to the factors set out in Section 2.1205(h);
3. The requestor's area of concern about the licensing activity that is the subject matter of the proceeding; and
4. The circumstances establishing that the request for a hearing is timely in accordance with § 2.1205(d).

### IV. Further Information

The application for the license amendment and supporting documentation are available for inspection at NRC's Public Electronic reading Room at: <http://www.nrc.gov/reading-rm/adams.html>. The ADAMS Accession No. for the license amendment request is ML032820302.

Dated at Rockville, Maryland, this 3rd day of November, 2003.

For The Nuclear Regulatory Commission.

#### Daniel M. Gillen,

*Chief, Decommissioning Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 70-143]

### Nuclear Fuel Services, Inc., Environmental Assessment and Issuance of Finding of No Significant Impact Related to Proposed Financial Assurance Exemption for the Blended Low-Enriched Uranium Preparation Facility

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Finding of No Significant Impact and Environmental Assessment.

#### FOR FURTHER INFORMATION CONTACT:

Kevin Ramsey, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T8-A33, Washington DC 20555-0001, telephone (301) 415-7887 and e-mail [kmr@nrc.gov](mailto:kmr@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of an amendment to NRC Materials License SNM-124 to exempt Nuclear Fuel Services (NFS) from the financial assurance requirements in 10 CFR 70.25(f) for the proposed Blended Low-Enriched Uranium Preparation Facility (BPF) in Erwin, Tennessee, and has prepared an Environmental Assessment (EA) in support of this action. Based upon the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate, and, therefore, an Environmental Impact Statement (EIS) will not be prepared.

#### II. Environmental Assessment

##### Background

The NRC staff has received an exemption request (Ref. 1), dated October 27, 2003, to exempt NFS from the provision in 10 CFR 70.25(f)(4) limiting the use of a letter of intent to government licensees only. NFS is a non-government licensee and wishes to use a letter of intent from the U.S. Department of Energy (DOE) to guarantee part of the funds for decommissioning the BPF. NRC has received a letter from DOE (Ref. 2), dated October 20, 2003, stating its intent to reimburse the actual costs of decommissioning the BPF within the limits stated in the letter. The purpose of this document is to assess the environmental consequences of the proposed exemption.