

FOR FURTHER INFORMATION CONTACT: Dr. Louis Ostrach, Code UF, National Aeronautics and Space Administration, Washington, DC 20546, 202/358-0870.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public up to the seating capacity of the meeting room. The agenda for the meeting is as follows:

—Performance Measures

Attendees will be requested to sign a register and to comply with NASA security requirements, including the presentation of a valid picture ID, before receiving an access badge. Foreign nationals attending this meeting will be required to provide the following information: full name; gender; date/place of birth; citizenship; visa/green card information (number, type, expiration date); employer/affiliation information (name of institution, address, county, phone); and title/position of attendee. To expedite admittance, attendees can provide identifying information in advance by contacting Dr. Louis Ostrach via email at louis.h.ostrach@nasa.gov or by telephone at (202) 358-0870. Persons with disabilities who require assistance should indicate this. It is imperative that the teleconference be held on this date to accommodate the scheduling priorities of the key participants.

R. Andrew Falcon,

*Advisory Committee Management Officer,
National Aeronautics and Space
Administration.*

[FR Doc. 04-17338 Filed 7-29-04; 8:45 am]

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**NUCLEAR REGULATORY
COMMISSION**

[Docket No. 70-3103-ML; ASLBP No. 04-826-01-ML]

Atomic Safety and Licensing Board; In the Matter of Louisiana Energy Services, L.P. (National Enrichment Facility); Notice of Hearing (Application to Possess and Use Nuclear Material To Enrich Natural Uranium by the Gas Centrifuge Process)

July 26, 2004.

Before Administrative Judges: G. Paul Bollwerk, III, Chairman, Dr. Paul B. Abramson, Dr. Charles N. Kelber.

This proceeding concerns the December 12, 2003 application of Louisiana Energy Services, L.P., (LES) for authorization to possess and use source, byproduct, and special nuclear material in order to enrich natural uranium to a maximum of five percent

uranium-235 (U235) by the gas centrifuge process. LES proposes to do this at a facility—denominated the National Enrichment Facility (NEF)—to be constructed near Eunice, New Mexico. In a January 30, 2004, issuance, the Commission provided notice of the receipt and availability of the LES application and of the opportunity for a hearing on the application. (*Louisiana Energy Services, L.P.* (National Enrichment Facility), CLI-04-3, 59 NRC 10 (2004).) That notice was published in the **Federal Register** on February 6, 2004. (69 FR 5873 (Feb. 6, 2004).) Responding to the February 2004 notice, two intervention petitions were filed by governmental entities associated with the State of New Mexico—the New Mexico Environment Department (NMED) and the Attorney General of New Mexico (AGNM)—while a third was submitted by two public interest organizations, the Nuclear Resource and Information Service and Public Citizen (NIRS/PC). Each of their hearing requests/petitions to intervene sought in accordance with 10 CFR 2.309 to interpose various contentions challenging the application. In response to those hearing requests, the petitions were referred by the Commission to the Atomic Safety and Licensing Board Panel to conduct any subsequent adjudication. On April 15, 2004, this Licensing Board was appointed to preside over this proceeding. (69 FR 22100 (Apr. 23, 2004).) The Board consists of Dr. Paul B. Abramson, Dr. Charles N. Kelber, and G. Paul Bollwerk, III, who serves as Chairman of the Board.

On June 15, 2004, the Board conducted an initial prehearing conference in Hobbs, New Mexico, during which it heard oral presentations regarding the admissibility of thirty-two contentions proffered by the petitioners. Thereafter, in a July 19, 2004 issuance the Board noted that all the petitioners have established the requisite standing to intervene in this proceeding and ruled that each has submitted at least one admissible contention concerning the LES application so that each can be admitted as a party to this proceeding. (*Louisiana Energy Services, L.P.* (National Enrichment Facility), LBP-04-14, 60 NRC ____ (July 19, 2004).)

In light of the foregoing, please take notice that a hearing will be conducted in this contested proceeding. This hearing will be governed by the formal hearing procedures set forth in 10 CFR part 2, subparts C and G (10 CFR 2.300-.390, 2.700-.713). Further, with respect to matters of law and fact regarding whether the LES application satisfies the standards set forth in the

Commission's January 30, 2004 order and the applicable standards in 10 CFR 30.33, 40.32, and 70.23 that are not covered by admitted contentions, without conducting a de novo evaluation of the application the Board will determine (1) whether the application and the record of the proceeding contain sufficient information and whether the NRC staff's review of the application has been adequate to support findings to be made by the Director of the Office of Nuclear Materials Safety and Safeguards, regarding the standards set forth above; and (2) whether the review conducted by the staff pursuant to 10 CFR part 51 is adequate. Also, in accordance with Subpart A of 10 CFR part 51, the Board in its initial decision will (1) determine whether the requirements of sections 102(2)(A), (C), and (E) of the National Environmental Policy Act of 1969 and 10 CFR part 51, subpart A, have been complied with in the proceeding; (2) independently consider the final balance among conflicting factors contained in the record of proceeding with a view to determining the appropriate action to be taken; and (3) determine whether a license should be issued, denied, or conditioned to protect the environment.

During the course of the proceeding, the Board may conduct an oral argument, as provided in 10 CFR 2.331, may hold additional prehearing conferences pursuant to 10 CFR 2.329, and may conduct evidentiary hearings in accordance with 10 CFR 2.327-.328, 2.711. The public is invited to attend any oral argument, prehearing conference, or evidentiary hearing. Notices of those sessions will be published in the **Federal Register** and/or made available to the public at the NRC Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and through the NRC Web site, <http://www.nrc.gov>.

Additionally, as provided in 10 CFR 2.315(a), any person not a party to the proceeding may submit a written limited appearance statement. Limited appearance statements, which are placed in the docket for the hearing, provide members of the public with an opportunity to make the Board and/or the participants aware of their concerns about matters at issue in the proceeding. A written limited appearance statement can be submitted at any time and should be sent to the Office of the Secretary using one of the methods prescribed below:

Mail to: Office of the Secretary, Rulemakings and Adjudications Staff,

U.S. Nuclear Regulatory Commission,
Washington, DC 20555-0001.

Fax to: (301) 415-1101 (verification
(301) 415-1966).

E-mail to: hearingdocket@nrc.gov.

In addition, a copy of the limited appearance statement should be sent to the Licensing Board Chairman using the same method at the address below:

Mail to: Administrative Judge G. Paul Bollwerk, III, Atomic Safety and Licensing Board Panel, Mail Stop T-3F23, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Fax to: (301) 415-5599 (verification
(301) 415-7550).

E-mail to: gpb@nrc.gov.

At a later date, the Board may entertain oral limited appearance statements at a location or locations in the vicinity of the proposed NEF. Notice of any oral limited appearance sessions will be published in the **Federal Register** and/or made available to the public at the NRC PDR and on the NRC Web site, <http://www.nrc.gov>.

Documents relating to this proceeding are available for public inspection at the Commission's PDR or electronically from the publicly available records component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). 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, 301-415-4737, or by e-mail to pdr@nrc.gov.

It is so ordered.

(Copies of this notice of hearing were sent this date by Internet e-mail transmission to counsel for (1) applicant LES; (2) petitioners NMED, the AGNM, and NIRS/PC; and (3) the staff.)

Rockville, Maryland, July 26, 2004.

For the Atomic Safety and Licensing Board.

G. Paul Bollwerk, III,

Administrative Judge.

[FR Doc. 04-17344 Filed 7-29-04; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 030-12998]

Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License; Amendment for Philadelphia Health & Education Corporation's Facility at the Eastern Pennsylvania Psychiatric Institute in Philadelphia, PA

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability of Environmental Assessment and Finding of No Significant Impact.

FOR FURTHER INFORMATION CONTACT:

Randolph C. Ragland, Jr., Nuclear Materials Safety Branch 1, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania, 19406, telephone (610) 337-5083, fax (610) 337-5269; or by email: rcr1@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to Philadelphia Health & Education Corporation for Materials License No. 37-07438-15, to authorize release of its facility located at 3200 Henry Avenue, Philadelphia, PA for unrestricted use. NRC has prepared an Environmental Assessment (EA) in support of this action in accordance with the requirements of 10 CFR part 51. Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate. The amendment will be issued following the publication of this notice.

II. EA Summary

The purpose of the proposed action is to authorize the release of the licensee's 3200 Henry Avenue, Philadelphia, PA facility for unrestricted use. The Eastern Pennsylvania Psychiatric Institute was authorized by NRC as a location of use from 1982 to use radioactive materials for research and development purposes at the site. On May 5, 2004, Philadelphia Health & Education Corporation requested that NRC release the facility for unrestricted use. Philadelphia Health & Education Corporation has conducted surveys of the facility and determined that the facility meets the license termination criteria in subpart E of 10 CFR part 20. The NRC staff has prepared an EA in support of the proposed license amendment.

III. Finding of No Significant Impact

The staff has prepared the EA (summarized above) in support of the proposed license amendment to release the facility for unrestricted use. The NRC staff has evaluated Philadelphia Health & Education Corporation's request and the results of the surveys and has concluded that the completed action complies with the criteria in subpart E of 10 CFR part 20. The staff has found that the environmental impacts from 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 Facilities" (NUREG-1496). On the basis of the EA, the NRC has concluded that the environmental impacts from the proposed action are expected to be insignificant and has determined not to prepare an environmental impact statement for the proposed action.

IV. Further Information

Documents related to this action, including the applications 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 ADAMS accession numbers for the documents related to this Notice are: ML042050031, ML041340651, ML042010301, and ML041950465. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC Public Document Room (PDR) Reference staff by telephone at (800) 397-4209 or (301) 415-4737, or by email to pdr@nrc.gov. These documents may also be examined, and/or copied for a fee, at the NRC PDR, located at One White Flint North, 11555 Rockville Pike (First Floor), Rockville, MD 20852. The PDR is open from 7:45 a.m. to 4:15 p.m., Monday through Friday, except on Federal holidays; and at the Region I Office, 475 Allendale Road, King of Prussia, Pennsylvania 19406.

Dated in King of Prussia, Pennsylvania this 23rd day of July, 2004.

For the Nuclear Regulatory Commission.

Penny Lanzisera,

Acting Chief, Nuclear Materials Safety Branch 1, Division of Nuclear Materials Safety, Region I.

[FR Doc. 04-17345 Filed 7-29-04; 8:45 am]

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