

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-116]

Iowa State University; Iowa State University UTR-10 Research Reactor; Notice of Approval of Decommissioning Plan and Notice of License Termination

The U.S. Nuclear Regulatory Commission (NRC) is noticing the approval of the decommissioning plan for the Iowa State University (ISU or the licensee) UTR-10 Research Reactor and is also noticing the termination of Facility Operating License No. R-59 for the ISU UTR-10 Research Reactor.

The NRC has terminated the license of the decommissioned ISU UTR-10 Research Reactor, which was located in the Nuclear Engineering Building on the west edge of the main campus of ISU in Ames, Iowa, and has released the site for unrestricted use. The licensee requested termination of the license in a letter to NRC dated March 7, 2003. The ISU UTR-10 Research Reactor was an Argonaut-type, water-moderated and cooled, graphite-reflected reactor. It was licensed and first operated in 1959 and had a licensed thermal power level of 10 kW. The reactor was permanently shut down on May 15, 1998. In January 1999 the licensee submitted a decommissioning plan to NRC for review and approval. The decommissioning plan was approved by License Amendment No. 14 issued on May 8, 2000.

A "Notice of Application for Decommissioning Amendment, Iowa State University, UTR-10 Research Reactor" appeared in the **Federal Register** on January 25, 1999 (64 FR 3725), and a "Notice and Solicitation of Comments Pursuant to 10 CFR 20.1405 and 10 CFR 50.82(b)(5) Concerning Proposed Action To Decommission Iowa State University UTR-10 Research Reactor" appeared in the **Federal Register** on February 12, 1999 (64 FR 7214). No comments were received.

The NRC completed its review of the ISU UTR-10 Reactor Final Status Survey Report dated September 2000, which was submitted by the licensee to NRC by letter dated October 9, 2000, as supplemented on January 18, 2001. The report documented the level of residual radioactivity remaining at the facility and stated that compliance with the provisions of 10 CFR 20.1402 had been demonstrated.

Pursuant to 10 CFR 50.82(b)(6), the NRC staff concluded that the decommissioning has been performed in accordance with the approved decommissioning plan and that the

terminal radiation survey and associated documentation demonstrate that the facility and site are suitable for release in accordance with the criteria for decommissioning in 10 CFR part 20, Subpart E. Further, on the basis of the decommissioning activities conducted by ISU, the NRC's review of the licensee's final status survey report, the results of NRC inspections conducted at the UTR-10 Research Reactor, and the results of NRC confirmatory surveys, the NRC has concluded that the decommissioning process is complete, and the facility and site are suitable to be released for unrestricted use. Based on the NRC staff's conclusions, Facility Operating License No. R-59 has been terminated.

For further details see the licensee's application for decommissioning dated January 4 and 6, 1999; License Amendment No. 14 to Facility Operating License No. R-59 dated May 8, 2000; the licensee's request for license termination dated March 7, 2003; the ISU UTR-10 Reactor Final Status Survey Report dated September 2000, which was submitted to NRC by letter dated October 9, 2000, as supplemented on January 18, 2001; and NRC Inspection Report No. 50-116/2000-201, dated May 9, 2003. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records for ISU dated after January 30, 2000, will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should call the NRC PDR reference staff at 1-800-397-4209 or 301-415-4737 or e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland, this 20th day of June 2003.

For the Nuclear Regulatory Commission.

Daniel E. Hughes,

Acting Section Chief, Research and Test Reactors Section, Operating Reactor Improvements Program, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-219]

AmerGen Energy Company, LLC; Oyster Creek Nuclear Generating Station; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering issuance of an exemption from Title 10 of the *Code of Federal Regulations* (10 CFR) part 55, Section 55.59 for Facility Operating License No. DPR-16, issued to AmerGen Energy Company, LLC (AmerGen or the licensee), for operation of the Oyster Creek Nuclear Generating Station (OCNGS), located in Ocean County, New Jersey. As required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

Environmental Assessment

Identification of the Proposed Action

The proposed action would constitute a one-time exemption to allow the current licensed operator requalification program to exceed 24 months. Specifically, it would extend the current licensed operator requalification program, including both the comprehensive requalification written examinations and the operating tests, for a period up to 90 days following resolution of the current strike but not to exceed six (6) months from the end of the current requalification program, *i.e.*, to December 31, 2003. The next requalification program period would begin upon conclusion of the current program and continue to June 30, 2005, with successive periods running for 24 months. The requested exemption from the requirements of 10 CFR Part 55.59, Item (c)(1), applies to both Reactor Operator and Senior Reactor Operator licensed personnel.

The proposed action is in accordance with the licensee's application for exemption dated May 30, 2003.

The Need for the Proposed Action

The proposed action would extend the current OCNGS requalification program from June 30, 2003, to 90 days following resolution of the strike, but no later than December 31, 2003. The proposed action is needed to allow for minimal interruption of the licensed personnel based on scheduling difficulties associated with the current labor strike, which commenced on May 22, 2003. The strike involves bargaining unit employees at OCNGS, including Reactor Operator licensed personnel.

Since the beginning of the strike, OCNCS has been operated by Senior Reactor Operator licensed personnel. As a result, both types of licensed personnel are unavailable for the requalification written examinations and operating tests until the strike is over.

Environmental Impacts of the Proposed Action

The NRC completed its evaluation of the proposed action and concludes that there are no significant environmental impacts associated with the extension of the completion date for the operator requalification program from June 30, 2003, to 90 days following resolution of the strike, but no later than December 31, 2003.

The proposed action will not significantly increase the probability or consequences of accidents, it will make no changes to the types of effluents that may be released off site, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does not have a potential to affect any historic sites. It does not affect nonradiological plant effluents and has no other environmental impact. Therefore, there are no significant nonradiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

Environmental Impacts of the Alternatives to the Proposed Action

As an alternative to the proposed action, the NRC staff considered denial of the proposed action (*i.e.*, the “no-action” alternative). Denial of the application would result in no change in current environmental impacts. Thus, the environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources

The action does not involve the use of any different resources than those previously considered in the Final Environmental Statement for OCNCS, dated December 1974.

Agencies and Persons Consulted

On June 9, 2003, the NRC staff consulted with the State official, Mr. Rich Pinney of the New Jersey Department of Environment and Natural Resources, regarding the environmental

impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

On the basis of the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee’s letter dated May 30, 2003. Documents may be examined, and/or copied for a fee, at the NRC’s Public Document Room (PDR), located at One White Flint North, Public File Area at O-1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records are accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. 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 or 301-415-4737, or by e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland, this 24th day of June, 2003.

For the Nuclear Regulatory Commission.

Peter S. Tam,

Senior Project Manager, Section 1, Project Directorate 1, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

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OFFICE OF MANAGEMENT AND BUDGET

Audits of States, Local Governments, and Non-Profit Organizations

AGENCY: Office of Management and Budget.

ACTION: Revision of OMB Circular No. A-133.

SUMMARY: The Office of Management and Budget (OMB) is issuing final revisions to Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations.” The purpose of these revisions is to (1) increase the threshold for audit from \$300,000 to \$500,000, (2) increase the threshold for cognizant agency for audit from \$25 million to \$50 million, and (3) make related technical changes to facilitate the determination of cognizant agency for audit and provide for Federal agency

reassignment of oversight agency for audit.

DATES: The final revisions are effective for fiscal years ending after December 31, 2003, and early implementation will not be permitted with the exception of the amendment to the definition of oversight agency for audit in Circular A-133, section .105. The amendment to the definition of oversight agency for audit is effective July 28, 2003.

FOR FURTHER INFORMATION CONTACT:

Recipients should contact their cognizant agency for audit or oversight agency for audit or Federal awarding agency, as may be appropriate in the circumstances. Subrecipients should contact their pass-through entity. Federal agencies should contact Terrill W. Ramsey, Office of Federal Financial Management, Office of Management and Budget, 202-395-3993.

SUPPLEMENTARY INFORMATION: On August 12, 2002, OMB proposed revisions (67 FR 52545) to OMB Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations.” The Office of Management and Budget (OMB) is issuing final revisions to Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations.” The revisions will (1) increase the threshold for audit from \$300,000 to \$500,000, (2) increase the threshold for cognizant agency for audit from \$25 million to \$50 million, and (3) make related technical changes to facilitate the determination of cognizant agency for audit and provide for Federal agency reassignment of oversight agency for audit.

The Single Audit Act Amendments of 1996, 31 U.S.C. 7502(a)(3), provide for the Director of OMB to review the single audit threshold on a biennial basis and increase it as appropriate. The audit threshold established in 1997 required all non-Federal entities (States, local governments, and non-profit organizations) that expend \$300,000 or more in a year in Federal awards to have an audit conducted in accordance with Circular A-133. The revision increases the audit threshold from \$300,000 to \$500,000. This increase relieves almost 6,000 entities from the audit requirements of Circular A-133 while only exempting from audit less than one half of one percent of Federal awards expended (in dollars) by entities currently conducting Circular A-133 audits.

The revision increases the threshold for cognizant agency for audit from \$25 million to \$50 million. This change will reduce the number of non-Federal entities with a cognizant agency for audit assignment from approximately