

materials must clearly identify your electronic comments by your name, date, and the docket number so the Agency can attach them to your comments.

Because of security procedures, the use of regular mail may cause a significant delay in the receipt of comments. For information about security procedures concerning the delivery of materials by hand, express delivery, messenger, or courier service, please contact the OSHA Docket Office at (202) 693-2350 (TTY (877) 889-5627).

Comments and submissions are posted without change at <http://www.regulations.gov>. Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and date of birth. Although all submissions are listed in the <http://www.regulations.gov> index, some information (e.g., copyrighted material) is not publicly available to read or download through this website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the <http://www.regulations.gov> Web site to submit comments and access the docket is available at the Web site's "User Tips" link. Contact the OSHA Docket Office for information about materials not available through the Web site, and for assistance in using the Internet to locate docket submissions.

Electronic copies of this **Federal Register** document are available at <http://www.regulations.gov>. This document as well as news releases and other relevant information also are available at OSHA's webpage at <http://www.osha.gov>.

## V. Authority and Signature

Edwin G. Foulke, Jr., Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 5-2002 (67 FR 65008).

Signed at Washington, DC, on March 9, 2007.

**Edwin G. Foulke, Jr.**

*Assistant Secretary of Labor.*

[FR Doc. E7-4702 Filed 3-14-07; 8:45 am]

**BILLING CODE 4510-26-P**

## NATIONAL TRANSPORTATION SAFETY BOARD

### Sunshine Act Meeting; Notice

**TIME AND DATE:** 9:30 a.m., Tuesday, March 20, 2007. (The time of this meeting has changed to 12:30 p.m.)  
**PLACE:** NTSB Conference Center, 429 L'Enfant Plaza SW., Washington, DC 20594.  
**STATUS:** The two items are open to the public.

#### MATTERS TO BE CONSIDERED:

7870: *Railroad Accident Report—Collision Of Two CN Freight Trains, Anding, Mississippi, July 10, 2005* (DCA-05-MR-011).

7834A: *Marine Accident Brief and Safety Recommendation Letter—Fire on Board U.S. Small Passenger Vessel Massachusetts, Boston Harbor, Massachusetts, June 12, 2006.*

**NEWS MEDIA CONTACT:** Telephone: (202) 314-6100. Individuals requesting specific accommodations should contact Chris Bisett at (202) 314-6305 by Friday, March 16, 2007.

The public may view the meeting via live or archived Webcast by accessing a link under "News & Events" on the NTSB home page at <http://www.ntsbn.gov>.

**FOR FURTHER INFORMATION CONTACT:** Vicky D' Onofrio, (202) 314-6410.

Dated: March 13, 2007.

**Candi R. Bing,**

*Federal Register Alternate Liaison Officer.*

[FR Doc. 07-1283 Filed 3-13-07; 12:38 pm]

**BILLING CODE 7533-01-M**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 70-1257]

### Notice of License Renewal Request of AREVA NP, Richland, WA, and Opportunity To Request a Hearing

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of license renewal application, and opportunity to request a hearing.

**DATES:** A request for a hearing must be filed by May 14, 2007.

#### FOR FURTHER INFORMATION CONTACT:

Merritt Baker, Project Manager, Fuel Facility Licensing Directorate, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 415-6155; fax number: (301) 415-5955; e-mail: [mnb@nrc.gov](mailto:mnb@nrc.gov).

## SUPPLEMENTARY INFORMATION:

### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) has received, by letter dated October 24, 2006, a license renewal application from AREVA NP, Inc. (AREVA), requesting renewal of License No. SNM-1227 at its Richland fuel fabrication facility located in Richland, Washington. License No. SNM-1227 authorizes the licensee to possess and use special nuclear material for the manufacture of fuel for nuclear power plants.

The Richland facility has been licensed by the Atomic Energy Commission and its successor, the NRC, to manufacture low-enriched uranium fuel for nuclear power plants. The license was renewed in 1996 for a period of 10 years, expiring on November 30, 2006. By applications dated October 24 and December 13, 2006, AREVA requested renewal of their license for a period of 40 years. The NRC will review the license renewal application for compliance with applicable sections of regulations in Title 10 of the Code of Federal Regulations (10 CFR)—Energy, Chapter I—Nuclear Regulatory Commission. The license renewal application included an Environmental Report, which the NRC will review and use to prepare an environmental assessment to assist in the NRC's determination on the license renewal application, as required by 10 CFR Part 51, Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions, and the National Environmental Policy Act.

An NRC administrative review, documented in a letter to AREVA dated February 7, 2007, (ML070320061) found the application acceptable to begin a technical review. Because AREVA filed the application for renewal not less than 30 days before the expiration of the date stated in the existing license, the existing license will not expire until the Commission makes a final determination on the renewal application, in accordance with the timely renewal provision of 10 CFR 70.38(a)(1). If the NRC approves the renewal application, the approval will be documented in NRC License No. SNM-1227. However, before approving the proposed renewal, the NRC will need to make the findings required by 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 and/or an Environmental Impact Statement.

## II. Opportunity To Request a Hearing

The NRC hereby provides notice that this is a proceeding on an application for a license renewal. In accordance with the general requirements in subpart C of 10 CFR part 2, as amended on January 14, 2004 (69 FR 2182), any person whose interest may be affected by this proceeding and who desires to participate as a party must file a written request for a hearing and a specification of the contentions which the person seeks to have litigated in the hearing.

In accordance with 10 CFR 2.302(a), a request for a hearing must be filed with the Commission either by:

1. *First class mail addressed to:* Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, *Attention:* Rulemakings and Adjudications Staff;

2. *Courier, express mail, and expedited delivery services:* Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, *Attention:* Rulemakings and Adjudications Staff, between 7:45 a.m. and 4:15 p.m., Federal workdays;

3. E-mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, *hearingdocket@nrc.gov*; or

4. By facsimile transmission addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC, *Attention:* Rulemakings and Adjudications Staff, at (301) 415-1101; verification number is (301) 415-1966.

In accordance with 10 CFR 2.302(b), all documents offered for filing must be accompanied by proof of service on all parties to the proceeding or their attorneys of record as required by law or by rule or order of the Commission, including:

1. The applicant, AREVA NP, Inc. 2101 Horn Rapids Road, Richland Washington, 99254, *Attention:* Robert Link; and

2. The NRC staff, by delivery to the Office of the General Counsel, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, or by mail addressed to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Hearing requests should also be transmitted to the Office of the General Counsel, either by means of facsimile transmission to (301) 415-3725, or via email to *ogcmailcenter@nrc.gov*.

The formal requirements for documents contained in 10 CFR 2.304 (b), (c), (d), and (e), must be met. In accordance with 10 CFR 2.304(f), a document filed by electronic mail or facsimile transmission need not comply

with the formal requirements of 10 CFR 2.304 (b), (c), and (d), as long as an original and two (2) copies otherwise complying with all of the requirements of 10 CFR 2.304 (b), (c), and (d) are mailed within two (2) days thereafter to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, *Attention:* Rulemakings and Adjudications Staff.

In accordance with 10 CFR 2.309(b), a request for a hearing must be filed by May 14, 2007.

In addition to meeting other applicable requirements of 10 CFR 2.309, the general requirements involving a request for a hearing filed by a person other than an applicant must state:

1. The name, address, and telephone number of the requester;

2. The nature of the requester's right under the Act to be made a party to the proceeding;

3. The nature and extent of the requester's property, financial or other interest in the proceeding;

4. The possible effect of any decision or order that may be issued in the proceeding on the requester's interest; and

5. The circumstances establishing that the request for a hearing is timely in accordance with 10 CFR 2.309(b).

In accordance with 10 CFR 2.309(f)(1), a request for hearing or petitions for leave to intervene must set forth with particularity the contentions sought to be raised. For each contention, the request or petition must:

1. Provide a specific statement of the issue of law or fact to be raised or controverted;

2. Provide a brief explanation of the basis for the contention;

3. Demonstrate that the issue raised in the contention is within the scope of the proceeding;

4. Demonstrate that the issue raised in the contention is material to the findings that the NRC must make to support the action that is involved in the proceeding;

5. Provide a concise statement of the alleged facts or expert opinions which support the requester's/petitioner's position on the issue and on which the requester/petitioner intends to rely to support its position on the issue; and

6. Provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. This information must include references to specific portions of the application (including the applicant's environmental report and safety report) that the requester/petitioner disputes and the supporting reasons for each dispute, or, if the requester/petitioner

believes the application fails to contain information on a relevant matter as required by law, the identification of each failure and the supporting reasons for the requester's/petitioner's belief.

In addition, in accordance with 10 CFR 2.309(f)(2), contentions must be based on documents or other information available at the time the petition is to be filed, such as the application, supporting safety analysis report, environmental report or other supporting documents filed by an applicant or licensee, or otherwise available to the petitioner. On issues arising under the National Environmental Policy Act, the requester/petitioner shall file contentions based on the applicant's environmental report. The requester/petitioner may amend those contentions or file new contentions if there are data or conclusions in the NRC draft, or final environmental impact statement, environmental assessment, or any supplements relating thereto, that differ significantly from the data or conclusions in the applicant's documents. Otherwise, contentions may be amended or new contentions filed after the initial filing only with leave of the presiding officer.

Each contention shall be given a separate numeric or alpha designation within one of the following groups:

1. Technical—primarily concerns issues relating to matters discussed or referenced in the Safety Evaluation Report for the proposed action.

2. Environmental—primarily concerns issues relating to matters discussed or referenced in the Environmental Report for the proposed action.

3. Emergency Planning—primarily concerns issues relating to matters discussed or referenced in the Emergency Plan as it relates to the proposed action.

4. Physical Security—primarily concerns issues relating to matters discussed or referenced in the Physical Security Plan as it relates to the proposed action.

5. Miscellaneous—does not fall into one of the categories outlined above.

If the requester/petitioner believes a contention raises issues that cannot be classified as primarily falling into one of these categories, the requester/petitioner must set forth the contention and supporting bases, in full, separately for each category into which the requester/petitioner asserts the contention belongs with a separate designation for that category.

Requesters/petitioners should, when possible, consult with each other in preparing contentions and combine similar subject matter concerns into a

joint contention, for which one of the co-sponsoring requesters/petitioners is designated the lead representative. Further, in accordance with 10 CFR 2.309(f)(3), any requester/petitioner that wishes to adopt a contention proposed by another requester/petitioner must do so in writing within ten days of the date the contention is filed, and designate a representative who shall have the authority to act for the requester/petitioner.

In accordance with 10 CFR 2.309(g), a request for hearing and/or petition for leave to intervene may also address the selection of the hearing procedures, taking into account the provisions of 10 CFR 2.310.

### 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 Agencywide Documents 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:

Document	ADAMS Accession No.	Date
Transmittal letter .....	ML063110083	10/24/06
License renewal application public version .....	ML063110089	10/24/06
Environmental Report .....	ML063110087	10/31/06
Additional information .....	ML063530128	12/13/06
NRC acceptance letter .....	ML070320061	02/07/07

If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC 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, O-1-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 8th day of March, 2007.

For the U.S. Nuclear Regulatory Commission.

**Gary Janosko,**

*Deputy Director, Fuel Facility Licensing Directorate, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety And Safeguards.*

[FR Doc. E7-4750 Filed 3-14-07; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 70-3098]

### Notice of License Application for Possession and Use of Byproduct, Source, and Special Nuclear Materials for the Mixed Oxide Fuel Fabrication Facility, Aiken, SC, and Opportunity To Request a Hearing

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of license application, and opportunity to request a hearing.

**DATES:** A request for a hearing must be filed by May 14, 2007.

**FOR FURTHER INFORMATION CONTACT:** David Tiktinsky, Senior Project

Manager, MOX Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555. *Telephone:* (301) 415-6195; *fax number:* (301) 415-5369; *e-mail:* [dht@nrc.gov](mailto:dht@nrc.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Introduction

The Nuclear Regulatory Commission (NRC) has received, by letter dated September 27, 2006, November 16, 2006 (document withheld based on 10 CFR 2.390), and January 4, 2007 (a public redacted version), a license application and supporting documents from Shaw AREVA MOX Services (MOX Services), requesting a license for possession and use of byproduct, source, and special nuclear materials for the Mixed Oxide Fuel Fabrication Facility (MFFF) to be located on the Savannah River Site in Aiken, SC.

On March 30, 2005, the NRC issued a Construction Authorization (CA) to MOX Services (formerly known as Duke, Cogema, Stone and Webster) for a MFFF to be located at the Savannah River Site in Aiken, South Carolina (ML050660392). The NRC staff's technical basis for issuing the CA was set forth in NUREG-1821, "Final Safety Evaluation Report on the Construction Authorization Request for the Mixed Oxide Fuel Fabrication Facility at the Savannah River Site, South Carolina" (ML050660399). The results of the staff's environmental review related to the issuance of the CA are contained in NUREG-1767, "Environmental Impact Statement on the Construction and Operation of a Mixed Oxide Fuel Fabrication Facility at the Savannah River Site, South Carolina—Final Report" (ML050240233, ML050240250).

A License Application (LA) was submitted to the NRC on September 27, 2006, requesting the approval for the possession and use of byproduct, source, and special nuclear materials for the MFFF. In the process of performing the Acceptance/Acknowledgment review of the LA, the staff identified some parts of the submittal that required modifications in order for the NRC to complete the initial review. The preliminary review of the LA indicated that much of the information required by Part 70 (in particular, 10 CFR 70.22 and 10 CFR part 70, subpart H) to be in an operating license application was contained in the Integrated Safety Analyses (ISA) Summary. The staff also believed that some of the information that was identified to be withheld as proprietary should be publically available.

On November 7, 2006, the NRC sent a letter to Mr. David Stinson, President of MOX Services indicating the modifications that were needed in order for the NRC to complete its initial Acceptance/Acknowledgment review. A revised LA was submitted to the NRC on November 16, 2006 (document was withheld under 10 CFR 2.390).

The U.S. NRC staff performed an acknowledgment/ acceptance review of the revised MFFF license submittals to determine if sufficient information was provided for the staff to begin a detailed technical review.

The submittals generally addressed the requirements of an operating license for a facility specified in 10 CFR part 70, and the items specified in NUREG-1718, "Standard Review Plan for the Review of an Application for a Mixed Oxide Fuel Fabrication Facility." The staff accepted the application for technical review and docketing. The