

sediment, trash, building rubble, structures, and any other contaminated material at the Cushing site during remediation and disposal activities.

Kerr-McGee remediated the site under a consent order with the Oklahoma Department of Environmental Quality. Kerr-McGee submitted its Decommissioning Plan (DP) on August 17, 1998, and NRC approved the DP on August 20, 1999. The licensee conducted decommissioning activities at the Cushing site in accordance with the approved DP from January 2000 to June 2005. In accordance with the DP, the licensee conducted final status surveys (FSSs) to demonstrate that the facility and site meet the criteria for unrestricted release as stated in Condition 11(N) of SNM-1999. Details of the FSS results were submitted to the NRC in 15 separate FSS reports (FSSRs). Kerr-McGee also submitted a dose assessment demonstrating that the post remediation conditions at the site meet the unrestricted release criteria of 10 CFR part 20, subpart E. Kerr-McGee submitted a request for termination of its SNM License on June 15, 2005 (ML051680329), with revisions on May 11, 2006 (ML061380781).

NRC conducted a number of independent confirmatory surveys to verify FSS results obtained and reported by the licensee. Confirmatory surveys consisted of surface scans for beta and gamma radiation, direct measurements for total beta activity, collection of smear samples for determining removable radioactivity levels, and collection and analysis of soil samples.

The Commission has concluded, based on the considerations discussed above, that: (i) The remaining dismantlement has been performed in accordance with the approved DP; (ii) The FSS and associated documentation demonstrate that the Cushing site meet the criteria for decommissioning and release of the site for unrestricted use that are stipulated in Condition 11(N) of SNM-1999. Further, FSSs demonstrated that the post-remediation condition of the site results in a dose less than the 25 mrem (millirem)/year (yr) unrestricted release criteria of 10 CFR part 20, subpart E; and (iii) Kerr-McGee has met the Part 70 requirements for forwarding of specific records to NRC prior to license termination. Therefore, the Commission is terminating SNM License No. SNM-1999.

FOR FURTHER INFORMATION CONTACT: See the application dated June 15, 2005, with revisions on May 11, 2006, and the Safety Evaluation Report dated May 18, 2006, available for public inspection at the Commission's Public Document

Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agency-wide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html> (ADAMS Accession Nos. ML051680329, ML061380781, and ML060960070).

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.

Dated at Rockville, Maryland this 18th day of May, 2006.

For the Nuclear Regulatory Commission.

Daniel M. Gillen,

Deputy Director, Decommissioning Directorate, Division of Waste Management and Environmental Protection, Office of Nuclear Material Safety and Safeguards.

[FR Doc. E6-8274 Filed 5-26-06; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-266, 50-301, 50-282, and 50-306]

Nuclear Management Company, LLC; Point Beach Nuclear Plant, Units 1 and 2; Prairie Island Nuclear Generating Plant, Units 1 and 2; Exemption

1.0 Background

The Nuclear Management Company, LLC (NMC, licensee) is the holder of Facility Operating License Nos. DPR-24, DPR-27, DPR-42, and DPR-60, which authorize operation of the Point Beach Nuclear Plant (PBNP), Units 1 and 2, and the Prairie Island Nuclear Generating Plant (PINGP), Units 1 and 2. The licenses provide, among other things, that the facilities are subject to all rules, regulations, and orders of the Nuclear Regulatory Commission (NRC, Commission) now or hereafter in effect.

The PBNP facility consists of two pressurized-water reactors located in Manitowoc County, Wisconsin, and the PINGP facility consists of two pressurized-water reactors located in Goodhue County, Minnesota.

2.0 Request/Action

Title 10 of the *Code of Federal Regulations* (10 CFR), section 50.71, "Maintenance of records, making of reports," paragraph (e)(4) states, in part, "Subsequent revisions [to the updated

Final Safety Analysis Report (FSAR)] must be filed annually or 6 months after each refueling outage provided the interval between successive updates does not exceed 24 months." When two units share a common FSAR, the rule has the effect of making the licensee update the FSAR about every 12 to 18 months. The current rule, as revised on August 31, 1992 (57 FR 39353), was intended to provide some reduction in regulatory burden by limiting the frequency of required updates. The burden reduction, however, can only be realized by single-unit facilities or multiple-unit facilities that maintain separate FSARs for each unit. For multiple-unit facilities with a common FSAR, the phrase "each refueling outage" increases rather than decreases the regulatory burden. While the NRC did not provide in the rule for multiple-unit facilities sharing a common FSAR, it stated that, "[w]ith respect to the concern about multiple facilities sharing a common FSAR, licensees will have maximum flexibility for scheduling updates on a case-by-case basis" (57 FR 39355). PBNP and PINGP are two-unit sites, each site sharing a common updated FSAR¹. This rule requires the licensee to update the PBNP FSAR and PINGP FSAR annually or within 6 months after each unit's refueling outage.

In summary, the exemption from the requirements of 10 CFR 50.71(e)(4) would allow periodic updates of the PBNP and PINGP updated FSARs once per fuel cycle, within 6 months following completion of each PBNP, Unit 1, refueling outage and within 6 months of each PINGP, Unit 2, refueling outage, respectively, not to exceed 24 months from the last submittal for either site.

3.0 Discussion

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 50 when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present. Section 50.12(a)(2)(ii) of 10 CFR states that special circumstances are present when "[a]pplication of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule." The underlying

¹ The updated FSAR at PINGP is called the Updated Safety Analysis Report (USAR).

purpose of the rule was to relieve licensees of the burden of filing annual FSAR revisions while assuring that such revisions are made at least every 24 months.

The NRC staff examined the licensee's rationale to support the exemption request and concluded that it would meet the underlying purpose of 10 CFR 50.71(e)(4). The licensee's proposed schedule for the PBNP FSAR and PINGP FSAR updates will ensure that the FSAR will be kept current for all units within 24 months of the last revision. The proposed schedule satisfies the maximum 24-month interval between FSAR revisions specified by 10 CFR 50.71(e)(4). The requirement to revise the FSAR annually or within 6 months after refueling outages for each unit, therefore, is not necessary to achieve the underlying purpose of the rule.

Based on a consideration of the licensee's proposed exemption, the NRC staff concludes that literal application of 10 CFR 50.71(e)(4) would require the licensee to update the same document within 6 months after a refueling outage for either unit at each site, a more burdensome requirement than intended by the regulation.

Therefore, the NRC staff concludes that, pursuant to 10 CFR 50.12(a)(2)(ii), special circumstances are present.

4.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Also, special circumstances are present. Therefore, the Commission hereby grants NMC an exemption from the requirements of 10 CFR 50.71(e)(4) to submit updates to the PBNP FSAR and PINGP FSAR annually or within 6 months of each unit's refueling outage. The licensee will be required to submit updates of the PBNP and PINGP updated FSARs once per fuel cycle, within 6 months following completion of each PBNP, Unit 1, refueling outage and within 6 months of each PINGP, Unit 2, refueling outage, respectively, not to exceed 24 months from the last submittal for either site.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (71 FR 28889).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 22nd day of May 2006.

For the Nuclear Regulatory Commission.

Catherine Haney,

Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. E6-8262 Filed 5-26-06; 8:45 am]

BILLING CODE 7590-01-P

POSTAL SERVICE

Sunshine Act, Board of Governors; Meeting

TIMES AND DATES: 8:30 a.m., Tuesday, June 6, 2006; and 9 a.m., Wednesday, June 7, 2006.

PLACE: Indianapolis, Indiana, at the Westin Hotel, 50 South Capitol Avenue.

STATUS: June 6—8:30 a.m. (Closed); June 7—9 a.m. (Closed).

MATTERS TO BE CONSIDERED:

Tuesday, June 6, at 8:30 a.m. (Closed)

1. Labor Negotiations Planning.
2. Rate Case Planning.
3. Strategic Planning.
4. Financial Update.
5. Personnel Matters and Compensation Issues.

Wednesday, June 7, at 9 a.m. (Closed—if needed.)

1. Continuation of Tuesday's agenda.

FOR FURTHER INFORMATION CONTACT:

Wendy A. Hocking, Secretary of the Board, U.S. Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260-1000. Telephone (202) 268-4800.

Wendy A. Hocking,

Secretary.

[FR Doc. 06-4993 Filed 5-25-06; 3:21pm]

BILLING CODE 7710-12-M

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act; Meeting

Federal Register Citation of Previous Announcement: [71 FR 28892, May 18, 2006]

STATUS: Closed Meeting.

PLACE: 100 F Street, NE., Washington, DC.

DATE AND TIME OF PREVIOUSLY ANNOUNCED MEETING: Thursday, May 25, 2006 at 2 p.m.

CHANGE IN THE MEETING: Additional Item and Time Change.

The Closed Meeting scheduled for Thursday, May 25, 2006 at 2 p.m. has been changed to Thursday, May 25, 2006 at 1 p.m. with the following item being added: Congressional request for non-public documents.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552(b)(2), (6) and (7) and 17 CFR 200.402(a)(2), (6) and (7) permit consideration of the scheduled matter at the Closed Meeting.

Commissioner Atkins, as duty officer, determined that Commission business required the above change and that no earlier notice thereof was possible.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact the Office of the Secretary at (202) 551-5400.

Dated: May 24, 2006.

Nancy M. Morris,

Secretary.

[FR Doc. 06-4955 Filed 5-25-06; 10:46 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-53852; File No. SR-FICC-2006-04]

Self-Regulatory Organizations; Fixed Income Clearing Corporation; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Clarify Provisions in the Rules of the Government Securities Division Relating to the GCF Forward Mark Component of the Funds-Only Settlement Process

May 23, 2006.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ notice is hereby given that on March 24, 2006, the Fixed Income Clearing Corporation ("FICC") filed with the Securities and Exchange Commission ("Commission") the proposed rule change described in Items I, II, and III below, which items have been prepared primarily by FICC. FICC filed the proposed rule change pursuant to section 19(b)(3)(A)(iii) of the Act² and Rule 19b-4(f)(4) thereunder³ so that the proposal was effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested parties.

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78s(b)(3)(A)(iii).

³ 17 CFR 240.19b-4(f)(4).