

## NUCLEAR REGULATORY COMMISSION

### Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

**AGENCY:** U.S. Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of the OMB review of information collection and solicitation of public comment.

**SUMMARY:** The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

1. Type of submission, new, revision, or extension: Revision.

2. The title of the information collection: 10 CFR Part 21, "Reporting of Defects and Noncompliance."

3. The form number if applicable: Not Applicable.

4. How often the collection is required: On occasion, as necessary in order for NRC to meet its responsibilities to conduct a detailed review of defects in basic components of nuclear power plants or failures to comply that could create a substantial safety hazard.

5. Who will be required or asked to report: All directors and responsible officers of firms and organizations building, operating, or owning NRC licensed facilities as well as directors and responsible officers of firms and organizations supplying basic components and safety related design, analysis, testing, inspection, and consulting services of NRC licensed facilities or activities.

6. An estimate of the number of annual responses: 105 (70 plus 35 recordkeepers).

7. The estimated number of annual respondents: 35.

8. An estimate of the total number of hours needed annually to complete the requirement or request: 7,579 hours (4,970 hours for reporting and 2,609 hours for recordkeeping).

9. An indication of whether section 3507(d), Public Law 104-13 applies: N/A.

10. Abstract: Reports submitted under 10 CFR 21 are reviewed by the NRC staff to determine whether the reported defects or failures to comply in basic

components at NRC licensed facilities or activities are potentially generic safety problems.

These reports have been the basis for the issuance of numerous NRC Information Notices, Generic Letters, and Bulletins that have contributed to the improved safety of the nuclear industry.

The records required to be maintained in accordance with 10 CFR 21.51 are subject to inspection by the NRC to determine compliance with the subject regulation. These records fall into four categories: Records relating to evaluations defined by 10 CFR 21.3, records of previously submitted reports pursuant to 10 CFR 21.21, records of procedures required to assure compliance with 10 CFR 21, and procurement documents necessary to ensure that background specifications are available to evaluate potential defects and failures to comply.

Industry organizations, such as the Institute for Nuclear Power Operations (INPO) and the Nuclear Energy Institute (NEI), are urged to share and distribute such information to all affected parties as it becomes available. The NRC further disseminates significant generic information to all affected parties via NRC Information Notices, Generic Letters, and Bulletins, and encourages the elimination of duplicate reporting. Computer databases are used extensively by the NRC and the nuclear industry for tracking these reports.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by September 24, 2007. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date. Nathan Frey, Desk Officer, Office of Information and Regulatory Affairs (3150-0035), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted to [Nathan.Frey@omb.eop.gov](mailto:Nathan.Frey@omb.eop.gov) or submitted by telephone at (202) 395-4650.

The NRC Clearance Officer is Margaret A. Janney, 301-415-7245.

Dated at Rockville, Maryland, this 16th day of August, 2007.

For the Nuclear Regulatory Commission.

**Margaret A. Janney,**  
NRC Clearance Officer, Office of Information Services.

[FR Doc. E7-16675 Filed 8-22-07; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-33804]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment to Byproduct Materials License No. 37-30211-01, for Unrestricted Release of the Genisphere Facility in Philadelphia, PA

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Issuance of Environmental Assessment and Finding of No Significant Impact for license amendment.

#### FOR FURTHER INFORMATION CONTACT:

Dennis Lawyer, Health Physicist, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania; telephone 610-337-5366; fax number 610-337-5393; or by e-mail: [drl1@nrc.gov](mailto:drl1@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to Byproduct Materials License No. 37-30211-01. This license is held by Genisphere (the Licensee), for the space it leases from the Philadelphia College of Osteopathic Medicine (PCOM) located at 4170 City Avenue in Philadelphia, Pennsylvania (the Facility). Issuance of the amendment would authorize release of the Facility for unrestricted use. The Licensee requested this action in a letter dated March 19, 2007, and responded to an information request by letter dated May 11, 2007. The NRC has prepared an Environmental Assessment (EA) in support of this proposed action in accordance with the requirements of Title 10, Code of Federal Regulations (CFR), Part 51 (10 CFR Part 51). Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate with respect to the proposed action. The amendment will be issued to the Licensee following the publication of this FONSI and EA in the **Federal Register**.

## II. Environmental Assessment

### *Identification of Proposed Action*

The proposed action would approve the Licensee's March 19, 2007 license amendment request, resulting in release of the Facility for unrestricted use. License No. 37-30211-01 was issued on February 27, 1996, pursuant to 10 CFR Part 30, and has been amended periodically since that time. This license authorizes the Licensee to use unsealed byproduct material in connection with conducting research and development activities on laboratory bench tops and in hoods at this Facility and their facility located at 2801 Sterling Drive, Hatfield, Pennsylvania. The proposed action pertains only to the cessation of licensed activities at the Facility, and the license will thus not be terminated if the proposed action is approved.

The Facility is situated within the eight acre PCOM site and consists of approximately 8,000 square feet of office space and laboratories. The Facility is located in a mixed residential/commercial area. Within the Facility, the radionuclide of concern was hydrogen-3, because of its half-life being greater than 120 days. Use of this licensed material was confined to Rooms 316 and 319 of Evans Hall, an area of approximately 1050 square feet.

In December 2003, the Licensee ceased licensed activities at the Facility, and initiated a survey and decontamination of the Facility. Based on the Licensee's historical knowledge of the site and the conditions of the Facility, the Licensee determined that only routine decontamination activities, in accordance with their NRC-approved, operating radiation safety procedures, were required. The Licensee was not required to submit a decommissioning plan to the NRC because worker cleanup activities and procedures are consistent with those approved for routine operations. The Licensee conducted surveys of the Facility and provided information to the NRC to demonstrate that it meets the criteria in Subpart E of 10 CFR Part 20 for unrestricted release.

### *Need for the Proposed Action*

The Licensee has ceased conducting licensed activities at the Facility and seeks the unrestricted use of its Facility.

### *Environmental Impacts of the Proposed Action*

The historical review of licensed activities conducted at the Facility shows that such activities involved use of the following radionuclides with half-lives greater than 120 days: Hydrogen-3. Prior to performing the final status

survey, the Licensee conducted decontamination activities, as necessary, in the areas of the Facility affected by these radionuclides.

The Licensee conducted a final status survey of the Facility on February 19, 2004, but delayed making a final decision about whether or not to resume licensed activities there. The final status survey report was attached to the Licensee's letter dated May 11, 2007. The Licensee elected to demonstrate compliance with the radiological criteria for unrestricted release as specified in 10 CFR 20.1402 by using the screening approach described in NUREG-1757, "Consolidated NMSS Decommissioning Guidance," Volume 2. The Licensee used the radionuclide-specific derived concentration guideline levels (DCGLs), developed there by the NRC, which comply with the dose criterion in 10 CFR 20.1402. These DCGLs define the maximum amount of residual radioactivity on building surfaces, equipment, and materials, that will satisfy the NRC requirements in Subpart E of 10 CFR Part 20 for unrestricted release. The Licensee's final status survey results were below these DCGLs and are in compliance with the As Low As Reasonably Achievable (ALARA) requirement of 10 CFR 20.1402. The NRC thus finds that the Licensee's final status survey results are acceptable.

Based on its review, the staff has determined that the affected environment and any environmental impacts associated with 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 Nuclear Facilities" (NUREG-1496) Volumes 1-3 (ML042310492, ML042320379, and ML042330385). The staff finds there were no significant environmental impacts from the use of radioactive material at the Facility. The NRC staff reviewed the docket file records and the final status survey report to identify any non-radiological hazards that may have impacted the environment surrounding the Facility. No such hazards or impacts to the environment were identified. The NRC has identified no other radiological or non-radiological activities in the area that could result in cumulative environmental impacts.

The NRC staff finds that the proposed release of the Facility for unrestricted use is in compliance with 10 CFR 20.1402. Based on its review, the staff considered the impact of the residual radioactivity at the Facility and concluded that the proposed action will

not have a significant effect on the quality of the human environment.

### *Environmental Impacts of the Alternatives to the Proposed Action*

Due to the largely administrative nature of the proposed action, its environmental impacts are small. Therefore, the only alternative the staff considered is the no-action alternative, under which the staff would leave things as they are by simply denying the amendment request. This no-action alternative is not feasible because it conflicts with 10 CFR 30.36(d), requiring that decommissioning of byproduct material facilities be completed and approved by the NRC after licensed activities cease. The NRC's analysis of the Licensee's final status survey data confirmed that the Facility meets the requirements of 10 CFR 20.1402 for unrestricted release. Additionally, denying the amendment request would result in no change in current environmental impacts. The environmental impacts of the proposed action and the no-action alternative are therefore similar, and the no-action alternative is accordingly not further considered.

### *Conclusion*

The NRC staff has concluded that the proposed action is consistent with the NRC's unrestricted release criteria specified in 10 CFR 20.1402. Because the proposed action will not significantly impact the quality of the human environment, the NRC staff concludes that the proposed action is the preferred alternative.

### *Agencies and Persons Consulted*

NRC provided a draft of this Environmental Assessment to the Commonwealth of Pennsylvania's Department of Environmental Protection, Bureau of Radiation Protection for review on July 3, 2007. On July 5, 2007, Commonwealth of Pennsylvania's Department of Environmental Protection, Bureau of Radiation Protection responded by electronic mail. The State agreed with the conclusions of the EA, and otherwise had no comments.

The NRC staff has determined that the proposed action is of a procedural nature, and will not affect listed species or critical habitat. Therefore, no further consultation is required under Section 7 of the Endangered Species Act. The NRC staff has also determined that the proposed action is not the type of activity that has the potential to cause effects on historic properties. Therefore, no further consultation is required

under section 106 of the National Historic Preservation Act.

### III. Finding of No Significant Impact

The NRC staff has prepared this EA in support of the proposed action. On the basis of this EA, the NRC finds that there are no significant environmental impacts from the proposed action, and that preparation of an environmental impact statement is not warranted. Accordingly, the NRC has determined that a Finding of No Significant Impact is appropriate.

### IV. Further Information

Documents related to this action, including the application 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 documents related to this action are listed below, along with their ADAMS accession numbers.

1. NUREG-1757, "Consolidated NMSS Decommissioning Guidance;"
2. Title 10 Code of Federal Regulations, Part 20, Subpart E, "Radiological Criteria for License Termination;"
3. Title 10, Code of Federal Regulations, Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions;"
4. NUREG-1496, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities;"
5. Genisphere, Amendment Request Letter dated March 19, 2007 [ML070810465];
6. Genisphere, Deficiency Response Letter dated May 11, 2007 [ML071340235].

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 Region I, 475 Allendale Road, King of Prussia this 16th day of August 2007.

For the Nuclear Regulatory Commission.

**James P. Dwyer,**

*Chief, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region I.*

[FR Doc. E7-16701 Filed 8-22-07; 8:45 am]

**BILLING CODE 7590-01-P**

### SMALL BUSINESS ADMINISTRATION

#### Disaster Declaration #10970; Florida Disaster #FL-00027; Declaration of Economic Injury

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a notice of an Economic Injury Disaster Loan (EIDL) declaration for the State of Florida, dated 08/16/2007.

*Incident:* Drought.

*Incident Period:* 04/01/2007 and continuing.

*Effective Date:* 08/16/2007.

*EIDL Loan Application Deadline Date:* 05/16/2008.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the Administrator's EIDL declaration, applications for economic injury disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties:

Broward, Charlotte, Duval, Lafayette, Lee, Martin, Okeechobee, Palm Beach, and Suwannee.

Contiguous Counties: Florida:

Baker, Clay, Collier, Columbia, Desoto, Dixie, Gilchrist, Glades, Hamilton, Hendry, Highlands, Indian River, Madison, Miami-Dade, Nassau, Osceola, Polk, Sarasota, St. Johns, St. Lucie, and Taylor.

The Interest Rate is: 4.000.

The number assigned to this disaster for economic injury is 109700.

The State which received an EIDL Declaration # is Florida.

(Catalog of Federal Domestic Assistance Number 59002).

Dated: August 16, 2007.

**Steven C. Preston,**

*Administrator.*

[FR Doc. E7-16716 Filed 8-22-07; 8:45 am]

**BILLING CODE 8025-01-P**

### SMALL BUSINESS ADMINISTRATION

#### Privacy Act Systems of Records

**AGENCY:** Small Business Administration.

**ACTION:** Notice of new routine use; request for comment.

**SUMMARY:** The Small Business Administration (SBA) is adding a new routine use to each of the agency's Privacy Act Systems of Records. This new routine use will allow SBA to disclose to appropriate agencies, entities and persons pertinent information for purposes of preventing, minimizing or remedying any harm that may result from a breach of the data maintained in those records.

**DATES:** Written comments on the new routine use must be received on or before October 9, 2007. The routine use will be effective without further action at the end of the comment period, unless comments received require a contrary determination.

**ADDRESSES:** Written comments should be directed to Lisa J. Babcock, Chief, Freedom of Information/Privacy Acts Office, U.S. Small Business Administration, 409 3rd Street, SW., Washington, DC 20416.

**FOR FURTHER INFORMATION CONTACT:** Lisa J. Babcock, Chief, Freedom of Information/Privacy Acts Office, (202) 401-8203.

**SUPPLEMENTARY INFORMATION:** On May 22, 2007, the Office of Management and Budget (OMB) issued Memorandum M-07-16, "Safeguarding Against and Responding to the Breach of Personally Identifiable Information." The memorandum includes a recommendation for agencies to adopt a routine use specifically applying to the disclosure of such information in the event of a suspected or confirmed breach. This new routine use is in response to that recommendation and is intended to facilitate timely and effective response in the event of a breach by allowing disclosure to those persons, agencies and entities that are in a position to assist the agency in notifying affected individuals or in preventing, minimizing or remedying harm from the breach.

The Privacy Act requires agencies to publish notice in the **Federal Register** when there is a revision, including addition of routine uses, to an agency's