

All correspondence, documents and other materials shall be filed with the Panel Judges in accordance with 10 CFR 2.701.

Issued at Rockville, Maryland, this 14th day of September 2004.

**G. Paul Bollwerk, III,**

*Chief Administrative Judge, Atomic Safety and Licensing Board Panel.*

[FR Doc. 04-21255 Filed 9-21-04; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket Number 030-18228]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for Surmodics, Inc., Eden Prairie, MN

**AGENCY:** Nuclear Regulatory Commission.

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

**FOR FURTHER INFORMATION CONTACT:** Dr. Peter J. Lee, Division of Nuclear Materials Safety, U.S. Nuclear Regulatory Commission, Region III, 2443 Warrenville Road, Lisle, Illinois 60532-4352; telephone (630) 829-9870; or by e-mail at [pjl2@nrc.gov](mailto:pjl2@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment of Material License No. 22-20307-01 issued to SurModics, Inc. (the licensee), to terminate its license and authorize release of its Eden Prairie, Minnesota facility for unrestricted use.

The NRC staff has prepared an Environmental Assessment (EA) in support of this licensing 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 terminate SurModics, Inc.'s license and release its Eden Prairie, Minnesota facility for unrestricted use. On September 27, 1982, the NRC authorized SurModics, Inc. to use labeled compounds of phosphorus-32 (P-32), iodine-125 (I-125), tritium (H-3), carbon-14 (C-14), etc. for research and

development. On June 15, 2004, SurModics, Inc. submitted a license amendment request to terminate its license and release its Eden Prairie facility for unrestricted use. SurModics, Inc. has conducted surveys of the facility and provided information to the NRC to demonstrate that the site meets the license termination criteria in Subpart E of 10 CFR Part 20 for unrestricted release. The staff has examined SurModics, Inc.'s request and the information that the licensee has provided in support of its request, including the surveys performed by SurModics, Inc. to demonstrate compliance with 10 CFR 20.1402, "Radiological Criteria for Unrestricted Use," to ensure that the NRC's decision is protective of the public health and safety and the environment.

##### III. Finding of No Significant Impact

The staff has prepared the EA (summarized above) in support of SurModics, Inc.'s proposed license amendment to terminate its license and release the Eden Prairie facility for unrestricted use. Based on its review, the staff has determined that the affected environment and the environmental impacts associated with the decommissioning of SurModics, Inc.'s facility 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). No outdoor areas were affected by the use of licensed materials. Additionally, no non-radiological impacts or other activities that could result in cumulative impacts were identified. The staff also finds that the proposed release for unrestricted use of the SurModics, Inc.'s facility is in compliance with the 10 CFR 20.1402. On the basis of the EA, the staff has concluded that the environmental impacts from the proposed action would not be significant. Accordingly, the staff has determined that a FONSI is appropriate, and has determined that the preparation of an environmental impact statement is not warranted.

##### IV. Further Information

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," SurModics, Inc.'s request, the EA summarized above, and the documents related to this proposed action are available electronically for public inspection and copying from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at

<http://www.nrc.gov/reading-rm/adams.html>. These documents include SurModics, Inc.'s letter dated June 15, 2004, with enclosures (Accession No. ML042530661); and the EA summarized above (Accession No. ML042540419). These documents may also be viewed electronically on the public computers located at the NRC's Public Document Room (PDR), O 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee. 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](mailto:pdr@nrc.gov).

Dated at Lisle, Illinois, this 10th day of September 2004.

**Kenneth G. O'Brien,**

*Chief, Decommissioning Branch, Division of Nuclear Materials Safety, RIII.*

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## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards; Subcommittee Meeting on Planning and Procedures; Notice of Meeting

The ACRS Subcommittee on Planning and Procedures will hold a meeting on October 6, 2004, Room T-2B1, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed pursuant to 5 U.S.C. 552b(c)(2) and (6) to discuss organizational and personnel matters that relate solely to the internal personnel rules and practices of the ACRS, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.

The agenda for the subject meeting shall be as follows:

**Wednesday, October 6, 2004—1:30 p.m.—3:30 p.m.**

The Subcommittee will discuss proposed ACRS activities and related matters. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official, Mr. Sam Duraiswamy (telephone: 301-415-7364) between