

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 a 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.*

[FR Doc. 04-21252 Filed 9-21-04; 8:45 am]

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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

7:30 a.m. and 4:15 p.m. (e.t.) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted only during those portions of the meeting that are open to the public.

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 7:30 a.m. and 4:15 p.m. (e.t.). Persons planning to attend this meeting are urged to contact the above named individual at least two working days prior to the meeting to be advised of any potential changes in the agenda.

Dated: September 16, 2004.

**Michael R. Snodderly,**

*Acting Associate Director for Technical Support, ACRS/ACNW.*

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## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards; Meeting Notice

In accordance with the purposes of Sections 29 and 182b of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards (ACRS) will hold a meeting on October 7-9, 2004, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Monday, November 21, 2003 (68 FR 65743).

#### Thursday, October 7, 2004, Conference Room T-2B3, Two White Flint North, Rockville, Maryland

**8:30 a.m.-8:35 a.m.: Opening Remarks by the ACRS Chairman (Open)**—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

**8:35 a.m.-10:45 a.m.: Safety Evaluation of the Industry Guidelines Related to Pressurized Water Reactor (PWR) Sump Performance (Open)**—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and the Nuclear Energy Institute regarding the staff's evaluation of the industry guidelines associated with the resolution of Generic Safety Issue (GSI)-191, "Potential Impact of Debris Blockage on Emergency Recirculation During Design-Basis Accidents at PWRs" and related matters.

**11 a.m.-12:30 p.m.: Pre-Application Safety Assessment Report for the Advanced CANDU 700 (ACR-700) Design (Open)**—The Committee will hear presentations by and hold discussions with representatives of

the NRC staff regarding the staff's Safety Assessment Report related to the pre-application review of the ACR-700 design and related matters.

**1:30 p.m.-3 p.m.: Proposed Recommendations for Resolving GSI-185, "Control of Recriticality Following Small-Break LOCAs in PWRs" (Open)**—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and its contractors regarding the proposed recommendations for resolving GSI-185.

**3:15 p.m.-4:45 p.m.: Mitigating System Performance Index Program (Open)**—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the Mitigating System Performance Index Program.

**5 p.m.-7 p.m.: Preparation of ACRS Reports (Open)**—The Committee will discuss proposed ACRS reports on matters considered during this meeting. In addition, the Committee will discuss a proposed report responding to the August 25, 2004 EDO response to the May 21, 2004 ACRS letter on resolution of certain items identified by the ACRS in NUREG-1740, "Voltage-Based Alternative Repair Criteria."

#### Friday, October 8, 2004, Conference Room T-2B3, Two White Flint North, Rockville, Maryland

**8:30 a.m.-8:35 a.m.: Opening Remarks by the ACRS Chairman (Open)**—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

**8:35 a.m.-10 a.m.: Technology Neutral Framework for Future Plant Licensing (Open)**—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the technology neutral framework for licensing of future plant designs.

**10:15 a.m.-11:30 a.m.: Assessment of the Quality of the NRC Research Projects (Open)**—The Committee will discuss the preliminary results of the cognizant ACRS members' assessment of the research projects on Sump Blockage and on MACCS code.

**11:30 a.m.-12:15 p.m.: Divergence in Regulatory Approaches and Requirements Between U.S. and Other Countries (Open)**—The Committee will discuss the draft Final White Paper prepared by Dr. Nourbakhsh, ACRS Senior Staff Engineer, regarding divergence in regulatory approaches and requirements between U.S. and other Countries.

**1:15 p.m.-2:15 p.m.: Future ACRS Activities/Report of the Planning and Procedures Subcommittee (Open)**—The Committee will discuss the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the full Committee during future meetings. Also, it will hear a report of the Planning and Procedures Subcommittee on matters related to the conduct of ACRS business, including anticipated workload and member assignments.

**2:15 p.m.-2:30 p.m.: Reconciliation of ACRS Comments and Recommendations (Open)**—The Committee will discuss the responses from the NRC Executive Director for Operations (EDO) to comments and recommendations included in recent ACRS reports and letters. The EDO responses are expected to be made available to the Committee prior to the meeting.

**2:45 p.m.-7 p.m.: Preparation of ACRS Reports (Open)**—The Committee will discuss proposed ACRS reports.

#### Saturday, October 10, 2004, Conference Room T-2B3, Two White Flint North, Rockville, Maryland

**8:30 a.m.-2 p.m.: Preparation of ACRS Reports (Open)**—The Committee will continue its discussion of proposed ACRS reports.

**2 p.m.-2:30 p.m.: Miscellaneous (Open)**—The Committee will discuss matters related to the conduct of Committee activities and matters and specific issues that were not completed during previous meetings, as time and availability of information permit.

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 16, 2003 (68 FR 59644). In accordance with those procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Electronic recordings will be permitted only during the open portions of the meeting. Persons desiring to make oral statements should notify the Cognizant ACRS staff named below five days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during the meeting may be limited to selected portions of the meeting as determined by the Chairman.

Information regarding the time to be set aside for this purpose may be obtained by contacting the Cognizant ACRS staff prior to the meeting. In view of the