

In the event that the Licensee requests a hearing as provided above, the issues to be considered at such hearing shall be:

(a) Whether the Licensee was in violation of the Commission's requirements as set forth in the Notice referred to in Section II above, and

(b) Whether, on the basis of such violation, this Order should be sustained.

Dated this 27th day of January 2005.

For the Nuclear Regulatory Commission.

**Frank J. Congel,**

*Director, Office of Enforcement.*

[FR Doc. 05-2136 Filed 2-3-05; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-20885]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for Genzyme Biosurgery's Facility in Ridgefield, NJ

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability.

#### FOR FURTHER INFORMATION CONTACT:

Kathy Dolce Modes, Materials Security & Industrial Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406, telephone (610) 337-5251, fax (610) 337-5269; or by e-mail: [KAD@NRC.GOV](mailto:KAD@NRC.GOV).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The Nuclear Regulatory Commission (NRC) is issuing a license amendment to Genzyme Biosurgery for Materials License No. 29-23308-01, to authorize release of its facility in Ridgefield, New Jersey for unrestricted use. NRC has prepared an Environmental Assessment (EA) in support of this 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 action is to authorize the release of the licensee's Ridgefield, New Jersey facility for unrestricted use. Genzyme Biosurgery was authorized by NRC from December 23, 1983, to use radioactive materials for research and development purposes at

the site. On June 4, 2004, Genzyme Biosurgery requested that NRC release the facility for unrestricted use.

Genzyme Biosurgery 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 use.

The NRC staff has prepared an EA in support of the license amendment. The facility was remediated and surveyed prior to the licensee requesting the license amendment. The NRC staff has reviewed the information and final status survey submitted by Genzyme Biosurgery. Based on its review, the staff has determined that there are no additional remediation activities necessary to complete the proposed action. Therefore, the staff considered the impact of the residual radioactivity at the facility and concluded that since the residual radioactivity meets the requirements in subpart E of 10 CFR part 20, a Finding of No Significant Impact is appropriate.

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

The staff has prepared the EA (summarized above) in support of the license amendment to terminate the license and release the facility for unrestricted use. The NRC staff has evaluated Genzyme Biosurgery's request and the results of the surveys and has concluded that the completed action complies with the criteria in subpart E of 10 CFR part 20. The staff has found that the environmental impacts from the action are bounded by the impacts evaluated by NUREG-1496, Volumes 1-3, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Facilities" (ML042310492, ML042320379, and ML042330385). On the basis of the EA, the NRC has concluded that the environmental impacts from the action are expected to be insignificant and has determined not to prepare an environmental impact statement for the action.

##### IV. Further Information

Documents related to this action, including the application for the 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 ADAMS accession numbers for the documents related to

this notice are: Environmental Assessment (ADAMS Accession No. ML050270048), "Report of the Decommissioning of the Genzyme Biosurgery Research and Development Laboratories for the Purpose of Surrendering the Company's Radioactive Materials License" included with the licensee's letter dated June 4, 2004 (ADAMS Accession No. ML041800154) and additional information dated October 15, 2004 (ADAMS Accession No. ML042990427). Please note that on October 25, 2004, the NRC terminated public access to ADAMS and initiated an additional security review of publicly available documents to ensure that potentially sensitive information is removed from the ADAMS database accessible through the NRC's Web site. Interested members of the public may obtain copies of the referenced documents for review and/or copying by contacting the Public Document Room pending resumption of public access to ADAMS. The NRC Public Documents Room is located at NRC Headquarters in Rockville, MD, and can be contacted at (800) 397-4209, (301) 415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated in King of Prussia, Pennsylvania this 27th day of January, 2005.

For the Nuclear Regulatory Commission.

**James P. Dwyer,**

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

[FR Doc. 05-2138 Filed 2-3-05; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 70-3098]

### Duke Cogema Stone and Webster's Proposed Mixed Oxide Fuel Fabrication Facility; Notice of Availability of Final Environmental Impact Statement

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability of final environmental impact statement.

#### FOR FURTHER INFORMATION CONTACT:

Matthew Blevins, Senior Project Manager, Environmental and Performance Assessment Directorate, Division of Waste Management and Environmental Protection, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 415-7684; e-mail: [mxb6@nrc.gov](mailto:mxb6@nrc.gov).

**SUMMARY:** Notice is hereby given that the U.S. Nuclear Regulatory

Commission (NRC) is issuing a Final Environmental Impact Statement (FEIS) on the proposed construction and operation of a mixed oxide (MOX) fuel fabrication facility at the Savannah River Site in South Carolina. The FEIS is being issued as part of the NRC's decision-making process on whether to authorize Duke Cogema Stone & Webster (DCS), a contractor of the U.S. Department of Energy (DOE), to construct and operate the proposed MOX fuel fabrication facility (MOX facility).

The proposed MOX facility would convert depleted uranium dioxide and weapons-grade plutonium dioxide into MOX fuel. The FEIS discusses the purpose and need for the proposed MOX facility, and reasonable alternatives to the proposed action, including the no-action alternative. The FEIS also discusses the environment potentially affected by the proposal, presents and compares the potential environmental impacts resulting from the proposed action and its alternatives, and identifies mitigation measures that could eliminate or lessen the potential environmental impacts.

The FEIS is being issued as part of the NRC's decision-making process on whether to authorize DCS to begin construction of the proposed MOX facility. The FEIS will also be relevant to any later decision on whether to authorize DCS to operate the MOX facility. Based on the evaluation in the FEIS, the NRC environmental review staff have concluded that the proposed action will generally have small effects on the public and existing environment. This FEIS reflects the final analysis of environmental impacts of DCS's proposal and its alternatives including the consideration of public comments received by the NRC. In addition, the FEIS provides summaries of the substantive public comments on the draft EIS, and responses, as appropriate.

Several pages in the FEIS have been removed from public access based on the additional security reviews that the NRC initiated on October 25, 2004. The material on these pages is being withheld pursuant to 10 CFR 2.390(a).<sup>1</sup>

**ADDRESSES:** The NRC maintains an Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The FEIS and its appendices may be accessed through the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/>

[reading-rm/adams.html](http://www.nrc.gov/reading-rm/adams.html). 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). Please note that on October 25, 2004, the NRC suspended public access to ADAMS, and initiated an additional security review of publicly available documents to ensure that potentially sensitive information is removed from the ADAMS database accessible through the NRC's Web site. Pending resumption of public access to ADAMS, interested members of the public may obtain copies of the referenced documents that have undergone security screening by contacting the Public Document Room at the above phone number.

The FEIS is also available for inspection at the Commission's Public Document Room, U.S. NRC's Headquarters Building, 11555 Rockville Pike (first floor), Rockville, Maryland. Upon written request and to the extent supplies are available, a single copy of the FEIS can be obtained for a fee by writing to the Office of the Chief Information Officer, Reproduction and Distribution Services Section, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; by electronic mail at [DISTRIBUTION@nrc.gov](mailto:DISTRIBUTION@nrc.gov); or by fax at (301) 415-2289.

A selected group of documents associated with the MOX facility may also be obtained from the Internet on NRC's MOX facility Web page: <http://www.nrc.gov/materials/fuel-cycle-fac/mox/licensing.html> (case sensitive).

**SUPPLEMENTARY INFORMATION:** In January 2000, the DOE issued a Record of Decision pertaining to its surplus plutonium disposition program and the DOE's 1999 EIS related to this program (65 FR 1608). The fundamental purpose of the DOE program is to ensure that plutonium produced for nuclear weapons and declared excess to national security needs is converted to forms that are inaccessible and unattractive for use in nuclear weapons.

The FEIS for the proposed MOX facility was prepared by the staff of the NRC and its contractor, Argonne National Laboratory, in compliance with the National Environmental Policy Act (NEPA), and the NRC's regulations for implementing NEPA (10 CFR part 51). The proposed action involves a decision by NRC of whether to authorize DCS to construct and later operate the proposed MOX facility at the Savannah River Site to convert surplus weapons plutonium into MOX fuel.

If approved by the NRC, the proposed MOX facility would be built in the F-Area of the DOE's Savannah River Site (SRS). Feedstock (surplus plutonium dioxide and depleted uranium dioxide) would have to be transported to SRS to make the MOX fuel. To support operation of the proposed MOX facility, two other new facilities would have to be built by the DOE at the SRS. Infrastructure upgrades, such as construction waste transfer pipelines, electric utility line realignment, and addition of access roads, would also be required. Any MOX fuel made at the proposed MOX facility would be transported to mission reactors, where it would be irradiated.

The NRC published a Notice of Intent to prepare an Environmental Impact Statement for the proposed MOX facility, and to conduct a scoping process, in the **Federal Register** on March 7, 2001 (66 FR 13794). NRC staff subsequently held scoping meetings, and issued a Scoping Summary Report in August 2001. In April 2002, DOE issued an amended Record of Decision changing its planned approach for surplus weapons plutonium disposition (67 FR 19432). On August 22, 2002, the NRC announced public meetings to discuss changes in DCS Environmental Report (ER) that resulted from changes in DOE's plans (67 FR 54501). The meetings were held on September 17, 2002, in Savannah, Georgia, September 18, 2002, in Augusta, Georgia, and September 19, 2002, in Charlotte, North Carolina. On June 20, 2003, DCS submitted Revision 3 of its ER, and on August 13, 2003, DCS submitted Revision 4 of its ER, and on June 10, 2004, DCS submitted Revision 5 of its ER. These revisions are summarized in Appendix J of the FEIS.

The FEIS describes the proposed action, and alternatives to the proposed action, including the no-action alternative. The FEIS discussion of the no-action alternative evaluates the environmental impacts of the continued storage of surplus plutonium in various DOE locations nationwide, in the event NRC decides not to approve the proposed MOX facility. Alternatives considered but not analyzed in detail include alternate locations for the proposed MOX facility in the F-Area, alternative technology and design options, immobilization of surplus plutonium instead of producing MOX fuel, deliberately making off-specification MOX fuel, and the Parallax Project, the latter of which involves irradiating the MOX fuel in Canadian Deuterium-Natural Uranium Reactors. Additionally, the FEIS compares the impacts of using high-efficiency

<sup>1</sup> Please note that the MOX proceeding is governed by the old 10 CFR Part 2 provisions. Under the old regulation, the material being withheld is in accordance with 10 CFR 2.790(a).

particulate air filters to the impacts of using sand filters for removal of particulate air emissions.

After weighing the impacts, costs, and benefits of the proposed action and comparing alternatives (*see* Chapter 4 of the FEIS), the NRC staff, in accordance with 10 CFR 51.91(d), sets forth its final NEPA recommendation regarding the proposed action. The NRC staff recommends that, unless safety issues mandate otherwise, the action called for is the issuance of the proposed license to DCS with conditions to protect environmental values.

The NRC staff in the Division of Fuel Cycle Safety and Safeguards are currently completing the safety review of DCS' construction authorization request. The final decision is currently scheduled for the Spring of 2005.

Dated in Rockville, Maryland, this 21st day of December, 2004.

For the Nuclear Regulatory Commission.

**Scott C. Flanders,**

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

[FR Doc. 05-2137 Filed 2-3-05; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Nuclear Waste; Meeting on Planning and Procedures; Notice of Meeting

The Advisory Committee on Nuclear Waste (ACNW) will hold a Planning and Procedures meeting on February 23, 2005, Room T-2B3, 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 internal personnel rules and practices of ACNW, 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, February 23, 2005—8:30 a.m.—10 a.m.*

The Committee will discuss proposed ACNW activities and related matters. The purpose of this meeting is to 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. Michael P. Lee (Telephone: (301) 415-6887) 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: January 27, 2005.

**John H. Flack,**

*Acting Branch Chief, ACRS/ACNW.*

[FR Doc. 05-2135 Filed 2-3-05; 8:45 am]

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## OFFICE OF MANAGEMENT AND BUDGET

### Grants Related Information Collections Under OMB Review

**AGENCY:** Office of Management and Budget.

**ACTION:** Notice of submission for OMB review, comment request.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1980, as amended (44 U.S.C. 3501 *et seq.*), this notice announces that eight information collection renewal requests were submitted to the Office of Management and Budget's (OMB) Office of Information and Regulatory Affairs (OIRA) for processing under 5 CFR 1320.10. The first notice of these information collection renewals was published in the **Federal Register**, as required by the Paperwork Reduction Act, on October 29, 2004 [69 FR 63186], and invited the general public and Federal agencies to comment on the renewal without change of eight (8) standard forms: the SF-269, Financial Status Report (long form); SF-269A, Financial Status Report (short form); SF-272, Federal Cash Transactions Report; SF-272A, Federal Cash Transactions Report (continuation); SF-424A, Budget Information—Nonconstruction Programs; SF-424B, Assurances—Non-construction Programs; SF-424C, Budget Information—Construction Programs; and SF-424D, Assurances—Construction Programs. These forms are currently required by OMB Circular A-102, "Grants and Cooperative

Agreements with State and Local Governments," and Title 2 Code of Federal Regulations Part 215 (OMB Circular A-110, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations." These eight forms will continue to be used while interagency teams working under two streamlining initiatives (the Grants.gov E-Gov effort and the P.L.106-107 implementation work groups) complete the final consolidated data standards.

**DATES:** Comments must be submitted on or before March 7, 2005. Late comments will be considered to the extent practicable.

**ADDRESSES:** Due to potential delays in OMB's receipt and processing of mail sent through the U.S. Postal Service, we encourage respondents to submit comments electronically to ensure timely receipt. We cannot guarantee that comments mailed will be received before the comment closing date. Electronic mail comments may be submitted to: [ahunt@omb.eop.gov](mailto:ahunt@omb.eop.gov). Please include "Grant Forms" in the subject line and place the full body of your comments in the text of the electronic message (and as an attachment if you wish). Please include your name, title, organization, postal address, telephone number, and E-mail address in the text of the message. Comments may also be submitted via Facsimile to 202-395-7285. Comments may be mailed to Alexander Hunt, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10236, New Executive Office Building, 725 17th Street, NW., Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Phillips, Office of Federal Financial Management, Office of Management and Budget, (202) 395-3993. The standard forms can be downloaded from the OMB Grants Management home page (<http://www.whitehouse.gov/omb/grants>) by selecting the "Forms" option.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

*OMB Control No.:* 0348-0039.

*Title:* Financial Status Report (Long Form).

*Form No.:* SF-269.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* States, Local Governments, non-profit organizations.

*Number of Responses:* 100,000.

*Estimated Time Per Response:* 60 minutes.