

statement of good cause for the extension. Any request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Rulemakings and Adjudications Staff, Washington, DC 20555. Copies also shall be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Materials Litigation and Enforcement at the same address, to the Regional Administrator, NRC Region II, 61 Forsyth Street, SW., Suite 23T85, Atlanta, Georgia, 30303-8931, and to the Certificate Holder. Because of continuing disruptions in delivery of mail to United States Government offices, it is requested that answers and requests for hearing be transmitted to the Secretary of the Commission either by means of facsimile transmission to 301-415-1101 or by e-mail to hearingdocket@nrc.gov and also to the Office of the General Counsel either by means of facsimile transmission to 301-415-3725 or by e-mail to OGCMailCenter@nrc.gov. If a person other than the licensee requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.309(d) and (f).

If a hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section IV above shall be final 20 days from the date of this Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section IV shall be final when the extension expires if a hearing request has not been received. An answer or a request for hearing shall not stay the immediate effectiveness of this order.

Dated this 27th day of January 2005.

For the Nuclear Regulatory Commission.

Frank J. Congel,

Director, Office of Enforcement.

[FR Doc. 05-2243 Filed 2-4-05; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 030-17541]

Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for Exxonmobil Biomedical Sciences, Inc.'s Facility in Annandale, NJ

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability.

FOR FURTHER INFORMATION CONTACT: Betsy Ullrich, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania, 19406, telephone (610) 337-5040, fax (610) 337-5269; or by email: EXU@NRC.GOV.

SUPPLEMENTARY INFORMATION:

I. Introduction

The Nuclear Regulatory Commission (NRC) is issuing a license amendment to Exxonmobil Biomedical Sciences, Inc. for Materials License No. 29-19396-01, to authorize release of its facility in Annandale, 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 Annandale, New Jersey facility for unrestricted use. Exxonmobil Biomedical Sciences, Inc. was authorized by NRC from December 14, 1999, to use radioactive materials for research and development purposes at the site. On October 25, 2004, Exxonmobil Biomedical Sciences, Inc. requested that NRC release the facility for unrestricted use. Exxonmobil Biomedical Sciences, 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 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 Exxonmobil

Biomedical Sciences, Inc. 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 Exxonmobil Biomedical Sciences, Inc.'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 Related to an Amendment of U.S. Nuclear Regulatory Commission Materials License No. 29-19396-01 ML050280058; and the Radiological Decommissioning Report, ExxonMobil Biomedical Sciences, Inc., 1545 Route 22 East, Annandale, New Jersey, October 24, 2004 (ML043100336). 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 ADAMS web site. Interested members of the public may obtain copies of the reference 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, Maryland, and can be contacted at (800) 397-4209 or (301) 415-4737, or by email to pdr@nrc.gov. The PDR reproduction contractor will copy documents for a fee. The PDR is open from 7:45 a.m. to 4:15 p.m., Monday through Friday, except on Federal holidays.

Dated at King of Prussia, Pennsylvania, this 28th day of January, 2005.

For the Nuclear Regulatory Commission.

James Dwyer,

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

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Nuclear Waste; Notice of Meeting

The Advisory Committee on Nuclear Waste (ACNW) will hold its 157th meeting on February 23-25, 2005, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Wednesday, December 8, 2004 (69 FR 71084).

The schedule for this meeting is as follows:

Wednesday, February 23, 2005

10:30 a.m.-10:40 a.m.: Opening Statement (Open)—The ACNW Chairman will open the meeting with brief opening remarks, outline the topics to be discussed, and indicate items of interest.

10:40 a.m.-11:20 a.m.: ACNW 2005 Action Plan (Open)—The ACNW Committee will discuss changes to the 2005 Action Plan resulting from COMSECY-04-0077, dated January 19, 2005.

11:20 a.m.-12:20 p.m.: Time-of-Compliance for a Proposed High-Level Waste (HLW) Repository (Open)—The Committee will continue its discussions on time-of-compliance for a proposed HLW and determine the need and timing of a possible Working Group Meeting on this subject.

1:20 p.m.-3 p.m.: Low-Level Radioactive Waste (LLW) Issues (Open)—The Committee will be briefed by the Chairman on the current status of

LLW management in the U.S. and LLW issues faced by the industry, regulators and stakeholders.

3 p.m.-5:30 p.m.: Preparation for Meeting with the NRC Commissioners (Open)—The Committee will discuss the proposed presentation topics for its meeting with the NRC Commissioners, which is scheduled to be held between 9:30 a.m. and 11:30 a.m. on Wednesday, March 16, 2005.

Thursday, February 24, 2005

8:30 a.m.-8:35 a.m.: Opening Statement (Open)—The ACNW Chairman will make opening remarks regarding the conduct of today's sessions.

8:35 a.m.-9:25 a.m.: Status of High-Significance Agreements Associated with the Proposed High-Level Waste Repository (Open)—The Committee will be briefed by an NRC representative on the status of high-significance agreements between NRC and DOE concerning the proposed HLW repository at Yucca Mountain.

9:25 a.m.-10:15 a.m.: Preparation of ACNW Reports (Open)—The Committee will discuss proposed ACNW reports on the Agreement State Program and Resolution of High-Significance Agreements.

10:30 a.m.-12 Noon: Discussion with Commissioner Merrifield (Open)—The Committee will interact with Commissioner Merrifield on areas of mutual interest in the waste management area.

1 p.m.-5:30 p.m.: Center for Nuclear Waste Regulatory Analyses (CNWRA) Report—Accomplishments and Future Projects (Open)—The Committee will be briefed by NMSS and the CNWRA representatives regarding recent technical accomplishments and future project plans of NRC's technical assistance contractor.

Friday, February 25, 2005

8:30 a.m.-8:35 a.m.: Opening Statement (Open)—The ACNW Chairman will make opening remarks regarding the conduct of today's sessions.

8:35 a.m.-9:45 a.m.: Preparation of ACNW Reports (Open)—The Committee will continue its discussion of proposed ACNW reports on the Agreement State Program and Resolution of High-Significance Agreements.

9:45 a.m.-12 Noon: 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. Discussions may include forthcoming

meeting with Commissioners (Agenda Item #5).

Procedures for the conduct of and participation in ACNW meetings were published in the **Federal Register** on October 18, 2004 (69 FR 61416). In accordance with these procedures, oral or written statements may be presented by members of the public. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Persons desiring to make oral statements should notify Mr. Michael P. Lee, (Telephone 301-415-6887), between 7:30 a.m. and 4 p.m. ET, as far in advance as practicable so that appropriate arrangements can be made to schedule the necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during this meeting will be limited to selected portions of the meeting as determined by the ACNW Chairman. Information regarding the time to be set aside for taking pictures may be obtained by contacting the ACNW office prior to the meeting. In view of the possibility that the schedule for ACNW meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should notify Mr. Lee as to their particular needs.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted, therefore can be obtained by contacting Mr. Lee.

ACNW meeting agenda, meeting transcripts, and letter reports are available through the NRC Public Document Room at pdr@nrc.gov, or by calling the PDR at 1-800-397-4209, or from the Publicly Available Records System (PARS) component of NRC's document system (ADAMS) which is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> or <http://www.nrc.gov/reading-rm/doc-collections/> (ACRS & ACNW Mtg schedules/agendas).

Video Teleconferencing service is available for observing open sessions of ACNW meetings. Those wishing to use this service for observing ACNW meetings should contact Mr. Theron Brown, ACNW Audiovisual Technician (301-415-8066), between 7:30 a.m. and 3:45 p.m. e.t., at least 10 days before the meeting to ensure the availability of this service. Individuals or organizations requesting this service will be responsible for telephone line charges and for providing the equipment and facilities that they use to establish the video teleconferencing link. The