

that they had gone out of business. *Id.* Attached to the motion was the Affidavit (Dated 10/16/08) of a DEA Diversion Investigator. In her Affidavit, the Investigator stated that on September 4, 2008, she had spoken with the Program Director of the Colorado Board of Pharmacy and had been told that the Foothills Family Pharmacy of Lafayette had been closed since January 2008. Affidavit at 1–2. The Investigator further stated that she had also spoken with an Inspector for the Colorado Board who advised her that Calvin Tyree, the owner of Foothills Family Pharmacy of Boulder, had submitted the document required to close the pharmacy. *Id.* at 2. The Investigator further stated that she had confirmed the latter pharmacy's closing with some of its former employees. *Id.*

On November 18, 2008, I issued an Order granting Respondents fifteen days to respond to the Government's motion. Neither Respondent has filed a response.

Based on the Affidavit, I find that each Respondent has discontinued business or professional practice. Under 21 CFR 1301.52, "the registration of any person shall terminate if and when such person dies, ceases legal existence, or discontinues business or professional practice." Accordingly, I will grant the Government's motion and declare that each Respondent's registration has terminated. I will also order that any pending applications submitted by either Respondent be denied.

Order

Pursuant to the authority vested in me under 5 U.S.C. 554(e), as well as 28 CFR 0.100(b) & 0.104, I grant the Government's motion and hereby declare terminated DEA Certificate of Registration, BF8528361, issued to Foothills Family Pharmacy of Boulder, Colorado, and DEA Certificate of Registration, BF8933334, issued to Foothills Family Pharmacy of Lafayette, Colorado. I further order that any pending applications of Foothills Family Pharmacy of Boulder, Colorado, and Foothills Family Pharmacy of Lafayette, Colorado, be, and they hereby are, denied. This Order is effective immediately.

Dated: January 27, 2009.

Michele M. Leonhart,

Deputy Administrator.

[FR Doc. E9–2330 Filed 2–3–09; 8:45 am]

BILLING CODE 4410–09–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–302; NRC–2009–0039]

Florida Power Corporation Notice of Receipt and Availability of Application for Renewal of Crystal River Unit 3 Nuclear Generating Plant Facility Operating License No. DPR–72 for an Additional 20-Year Period

The U.S. Nuclear Regulatory Commission (NRC) has received an application, dated December 16, 2008, from Florida Power Corporation, filed pursuant to Section 104b of the Atomic Energy Act of 1954, as amended, and Title 10 of the *Code of Federal Regulations* Part 54 (10 CFR Part 54), to renew the operating license for the Crystal River Unit 3 Nuclear Generating Plant (CR–3). Renewal of the license would authorize the applicant to operate the facility for an additional 20-year period beyond the period specified in the current operating license. The current operating license for CR–3 expires on December 3, 2016. CR–3 is a pressurized-water reactor designed by Combustion Engineering that is located in Citrus County, Florida. The acceptability of the tendered application for docketing, and other matters including an opportunity to request a hearing, will be the subject of subsequent **Federal Register** notices.

Copies of the application are available to the public at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852 or through the internet from the NRC's Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room under Accession Number ML090080053. The ADAMS Public Electronic Reading Room is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. In addition, the application is available at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications.html>. Persons who do not have access to the Internet or who encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR reference staff at 1–800–397–4209, extension 4737, or by e-mail to pdr@nrc.gov.

A copy of the license renewal application for CR–3 is also available to local residents near the site at the Coastal Region Library, 8619 W. Crystal St., Crystal River, FL 34428–4468.

Dated at Rockville, Maryland, this 29th day of January, 2009.

For the Nuclear Regulatory Commission.

Brian E. Holian,

Director, Division of License Renewal, Office of Nuclear Reactor Regulation.

[FR Doc. E9–2323 Filed 2–3–09; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 030–36545; NRC–2009–0038]

Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment to Byproduct Materials License No. 29–30906–01, for Unrestricted Release of the Signum Biosciences, Inc.'s Facility in Monmouth Junction, NJ

AGENCY: Nuclear Regulatory Commission.

ACTION: Issuance of Environmental Assessment and Finding of No Significant Impact for License Amendment.

FOR FURTHER INFORMATION CONTACT:

Steve Hammann, Health Physicist, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania; telephone 610–337–5399; fax number 610–337–5269; or by e-mail: stephen.hammann@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. 29–30906–01. This license is held by Signum Biosciences, Inc. (Licensee), for its facility located at 1 Deer Park Drive in Monmouth Junction, New Jersey (Facility). Issuance of the amendment would authorize release of the Facility for unrestricted use. The Licensee requested this action in a letter dated April 14, 2008. 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**.