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Dated at Lisle, Illinois, this 30th day of April 2004.

**George M. McCann,**

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

[FR Doc. 04-10515 Filed 5-7-04; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket Number 030-01672]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for the Fort Wayne State Developmental Center, Fort Wayne, IN

**AGENCY:** Nuclear Regulatory Commission.

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

#### FOR FURTHER INFORMATION CONTACT:

William Snell, Division of Nuclear Materials Safety, U.S. Nuclear Regulatory Commission, Region III, 2443 Warrenville Road, Lisle, Illinois 60532; telephone (630) 829-9871; or by e-mail at [wgs@nrc.gov](mailto:wgs@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of an amendment to Material License No. 13-13530-01 issued to Fort Wayne State Developmental Center (the licensee), to terminate its license and release the licensee's Fort Wayne, Indiana facilities for unrestricted use.

The NRC staff has prepared this environmental assessment (EA) to support 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 the Fort Wayne State

Developmental Center's license and release the licensee's facilities in Fort Wayne, Indiana, for unrestricted use. The NRC licensed Fort Wayne State Developmental Center for in-vitro studies and tracer experiments in laboratory animals using hydrogen-3 (H-3), carbon-14 (C-14), phosphorus (P-32), and any byproduct material listed in Section 31.11(a) of 10 CFR Part 31. On October 9, 2003, Fort Wayne State Developmental Center submitted a request to terminate its license at its Fort Wayne, Indiana facilities, and release the facilities for unrestricted use. Fort Wayne State Developmental Center provided survey results which demonstrated that the facilities were in compliance with Title 10, Code of Federal Regulations, 10 CFR 20.1402, "Radiological Criteria for Unrestricted Use." No radiological remediation activities are required to complete the proposed action. The NRC staff has reviewed the information provided and surveys performed by Fort Wayne State Developmental Center to demonstrate compliance with the license termination criteria in Subpart E of 10 CFR 20.1402, "Radiological Criteria for Unrestricted Use," to ensure the NRC's decision is protective of public health and safety and the environment.

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

The staff has prepared the EA (summarized above) in support of Fort Wayne State Developmental Center's proposed license amendment to terminate its license and release the Fort Wayne, Indiana facilities for unrestricted use. Based on its review, the staff has determined that the affected environment and the environmental impacts associated with the decommissioning of Fort Wayne State Developmental Center's facilities 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). Additionally, no non-radiological impacts were identified. The staff also finds that the proposed release for unrestricted use of the Fort Wayne State Developmental Center's facilities is in compliance with 10 CFR 20.1402, and finds no other activities in the area that could result in cumulative impacts. 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," Fort Wayne State Developmental Center'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). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. These documents include Fort Wayne State Developmental Center's letter dated October 9, 2003, with enclosures (Accession No. ML040620687); and the EA summarized above (Accession No. ML041190657). 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 30th day of April 2004.

**George M. McCann,**

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

[FR Doc. 04-10516 Filed 5-7-04; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket Number 030-34325]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for Release of Facility for Unrestricted Use for the Department of Veterans Affairs Medical Center, Bath, NY

**AGENCY:** Nuclear Regulatory Commission.

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

#### FOR FURTHER INFORMATION CONTACT:

William Snell, Division of Nuclear Materials Safety, U.S. Nuclear Regulatory Commission, Region III, 2443 Warrenville Road, Lisle, Illinois 60532; telephone (630) 829-9871; or by e-mail at [wgs@nrc.gov](mailto:wgs@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

## I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the release of the Department of Veterans Affairs (DVA) Medical Center in Bath, New York, for unrestricted use.

The NRC staff has prepared this environmental assessment (EA) to support 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 release the DVA Medical Center in Bath, New York, for unrestricted use. Although the Bath, New York facility is not a permittee under the DVA NRC Master Material License (MML) Number 03-23853-01VA, the DVA requested the NRC review and approve the facility for unrestricted release because radioactive byproduct material was identified at the facility. The approval is consistent with a March 17, 2003, Letter of Understanding (LOU) between the NRC and DVA for DVA permittees. The LOU requires the DVA to submit for NRC review, permittee requests for the release of buildings for unrestricted use where radioactive materials with a half-life greater than 120 days were used. During a special inspection at the Medical Center in Bath, the DVA discovered radioactive materials in the form of five old stock vials of carbon-14, four carbon-14 standards, and four hydrogen-3 standards, which have half-lives greater than 120 days. On November 20, 2003, the DVA submitted a request to the NRC, consistent with the LOU, to release the Medical Center in Bath, New York, for unrestricted use. The DVA Medical Center provided survey results which demonstrated that the facilities were in compliance with Title 10, Code of Federal Regulations (CFR) 20.1402, "Radiological Criteria for Unrestricted Use." No radiological remediation activities are required to complete the proposed action. The NRC staff has reviewed the information provided and surveys performed by the DVA to demonstrate compliance with the license termination criteria in Subpart E of 10 CFR 20.1402, "Radiological Criteria for Unrestricted Use," to ensure the NRC's decision is protective of public health and safety and the environment.

## III. Finding of No Significant Impact

The staff has prepared the EA (summarized above) in support of the DVA's request to release the DVA Medical Center in Bath, New York, for unrestricted use. Based on its review, the staff has determined that the affected environment and the environmental impacts associated with the decommissioning of the DVA's facilities 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). Additionally, no non-radiological impacts were identified. The staff also finds that the proposed release for unrestricted use of the DVA's facilities is in compliance with 10 CFR 20.1402, and finds no other activities in the area that could result in cumulative impacts. 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," the DVA'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). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. These documents include DVA's letter dated November 20, 2003, with enclosures (Accession No. ML033280739); and the EA summarized above (Accession No. ML041210173). 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 30th day of April 2004.

**George M. McCann,**

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

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## NUCLEAR REGULATORY COMMISSION

### Sunshine Act Meetings

**AGENCY:** Nuclear Regulatory Commission.

**DATES:** Weeks of May 10, 17, 24, 31, June 7, 14, 2004.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

**MATTERS TO BE CONSIDERED:**

#### Week of May 10, 2004

*Monday, May 10, 2004*

1 p.m.—Briefing on Grid Stability and Offsite Power Issues (Public Meeting) (Contact: Cornelius Holden, 301-415-3036).

This meeting will be webcast live at the Web address—<http://www.nrc.gov>.

*Tuesday, May 11, 2004*

9:30 a.m.—Briefing on Status of Office of International Programs (OIP) Programs, Performance, and Plans (Public Meeting) (Contact: Ed Baker, 301-415-2344).

This meeting will be webcast live at the Web address—<http://www.nrc.gov>. 1:30 p.m.—Briefing on Threat Environment Assessment (Closed—Ex. 1).

#### Week of May 17, 2004—Tentative

There are no meetings scheduled for the Week of May 17, 2004.

#### Week of May 24, 2004—Tentative

*Tuesday, May 25, 2004*

1:30 p.m.—Discussion of Management Issues (Closed—Ex. 2).

*Wednesday, May 26, 2004*

10:30 a.m.—All Employees Meeting (Public Meeting).

1:30 p.m.—All Employees Meeting (Public Meeting).

#### Week of May 31, 2004—Tentative

*Wednesday, June 2, 2004*

9:30 a.m.—Briefing on Equal Employment Opportunity Program (Public Meeting) (Contact: Corenthis Kelley, 301-415-7380).