

7. *Abstract:* NRC Form 327 is submitted by fuel facility licensees to account for special nuclear material. The data is used by NRC to assess licensee material control and accounting programs and to confirm the absence of (or detect the occurrence of) special nuclear material theft or diversion. NUREG/BR-0096 provides specific guidance and instructions for completing the form in accordance with the requirements appropriate for a particular licensee.

Submit, by July 9, 2004, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?
2. Is the burden estimate accurate?
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by telephone at 301-415-7233, or by Internet electronic mail to [infocollects@nrc.gov](mailto:infocollects@nrc.gov).

Dated at Rockville, Maryland, this 3rd day of May 2004.

For the Nuclear Regulatory Commission.

**Brenda Jo. Shelton,**

*NRC Clearance Officer, Office of the Chief Information Officer.*

[FR Doc. 04-10518 Filed 5-7-04; 8:45 am]

**BILLING CODE 7590-01-P**

**NUCLEAR REGULATORY COMMISSION**

[Docket Number 030-04783]

**Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment For the Dow Chemical Company, Midland, MI**

**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. 21-00265-06 issued to Dow Chemical Company (the licensee), to remove the 703 Incinerator from its license at its Midland, Michigan facilities, and release the incinerator 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 remove the 703 Incinerator from Byproduct Material License No. 21-00265-06, issued to the Dow Chemical Company in Midland, Michigan, and release the licensee's 703 Incinerator for unrestricted use. The 703 Incinerator had been used since 1959 to incinerate hazardous wastes and had been used since 1966 to incinerate materials containing small quantities of hydrogen-3 (H-3) and carbon-14 (C-14). On January 9, 2004, Dow Chemical Company submitted a request to remove the 703 Incinerator from its license at its Midland, Michigan facilities, and release the incinerator for unrestricted use. Dow Chemical Company provided survey results which demonstrated that the 703 Incinerator was 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 Dow Chemical Company 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 Dow Chemical Company's proposed license amendment to terminate its license and release the 703 Incinerator for unrestricted use. Based on its review, the staff has determined that the affected environment and the environmental impacts associated with the decommissioning of Dow Chemical Company'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 Dow Chemical Company'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," Dow Chemical Company'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 Dow Chemical Company's letter dated January 9, 2004, with enclosures (Accession No. ML041200347); and the EA summarized above (Accession No. ML041210129). 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. 04-10515 Filed 5-7-04; 8:45 am]

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## 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: