

**NUCLEAR REGULATORY COMMISSION**

[Docket No. 70–143]

**Notice of Issuance of License Amendment 51 for Nuclear Fuel Services, Inc., Blended Low-Enriched Uranium Processing Facility, Erwin, TN****AGENCY:** Nuclear Regulatory Commission.**ACTION:** Notice of issuance of Amendment 51 to Materials License SNM–124.**FOR FURTHER INFORMATION CONTACT:**

Michael Lamastra, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T8 F42, Washington, DC 20555–0001, Telephone (301) 415–8139 or via email to [mxl2@nrc.gov](mailto:mxl2@nrc.gov).

**SUPPLEMENTARY INFORMATION:****I. Introduction**

Pursuant to 10 CFR 2.106, the U.S. Nuclear Regulatory Commission (NRC) is providing notice of the issuance of Amendment 51 to Special Nuclear Materials License SNM–124 to Nuclear Fuel Services, Inc. (NFS) authorizing the possession and use of special nuclear material in the Blended Low-Enriched Uranium Oxide Conversion Building and Effluent Processing Building at the licensee's site in Erwin, Tennessee. NFS' request for the proposed action was previously noticed in the **Federal Register** on December 24, 2003 (68 FR 74653), along with a notice of opportunity to request a hearing.

This amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and NRC's rules and regulations as set forth in 10 CFR chapter 1. Accordingly, this amendment was issued on July 30, 2004, and was effective immediately.

**II. Further Information**

The NRC has prepared a non-proprietary (public) version of the Safety Evaluation Report (SER) that documents the information that was reviewed and NRC's conclusion. In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," details with respect to this action, including the non-proprietary version of the SER and accompanying documentation included in the license amendment package, are available for inspection at the NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html> (ADAMS accession number ML042660436). These documents may

also be viewed electronically on the computers located at the NRC Public Document Room (PDR), O1F21 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 should contact the NRC PDR Reference Staff by telephone at 1 (800) 397–4209 or (301) 415–4737, or via e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 4th day of October, 2004.

For the Nuclear Regulatory Commission.

**John Lubinski,**

*Chief, Fuel Manufacturing Section, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards.*

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**BILLING CODE 7590–01–P****NUCLEAR REGULATORY COMMISSION**

[Docket No. 030–03258]

**Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for Brooke Army Medical Center, Sam Houston, TX****AGENCY:** Nuclear Regulatory Commission.**ACTION:** Notice of availability.**FOR FURTHER INFORMATION CONTACT:**

Rachel S. Browder, M.S., Health Physicist, Nuclear Materials Licensing Branch, Division of Nuclear Materials Safety, U.S. Nuclear Regulatory Commission, Region IV, Arlington Texas 76011. Telephone: (817) 276–6552; fax number: (817) 860–8263; e-mail: [rsb3@nrc.gov](mailto:rsb3@nrc.gov).

**SUPPLEMENTARY INFORMATION:****I. Introduction**

The Nuclear Regulatory Commission (NRC) is issuing a license amendment to Byproduct Materials License No. 42–01368–01 issued to Department of the Army, Brooke Army Medical Center, to authorize release of its Building 2630, "Department of Pathology and Laboratory Services," except for rooms 120 and 156, for unrestricted use. Building 2630 is located at 2473 Schofield Road, Fort Sam Houston, Texas, and is surrounded by veterinary facilities and recreational/dinner amenities. The NRC has prepared an Environmental Assessment (EA) in support of this amendment 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 amendment is to allow for the release of Building 2630, "Department of Pathology and Laboratory Services," except for rooms 120 and 156, located on the Brooke Army Medical Center campus in Fort Sam Houston, Texas, for unrestricted use. Brooke Army Medical Center is authorized by the NRC in License Number 42–01368–01 to use radioactive materials for medical research, diagnosis, therapy, *in vitro* studies, in addition to studies in laboratory animals. Brooke Army Medical Center obtained Building 2630 in 1968. The building originally housed the chemistry section of the Army Medical Lab. In 1975, the Army Medical Lab was consolidated with the Department of Pathology to form the Department of Pathology and Area Laboratory Services. This consolidation also consisted of Army Medical Lab's NRC license being combined with Brooke Army Medical Center's NRC License. Currently, Building 2630 is partially occupied and controlled by the Veterinary Clinic staff. On February 10, 2004, Brooke Army Medical Center requested that NRC release the facility for unrestricted use, except for rooms 120 and 156. Brooke Army Medical Center has conducted surveys of the building and submitted the Final Status Survey Report to the NRC to demonstrate that the building meets the license termination criteria in subpart E of 10 CFR part 20 for unrestricted use. There is no radiological contamination above the U.S. Army criteria for release or distinguishable from background as reflected by the survey results. No radiological remediation activities are required to complete the proposed action.

The staff has prepared an EA in support of the proposed license amendment to the NRC Byproduct Materials License No. 42–01368–01 issued to Department of the Army, Brooke Army Medical Center, to release Building 2630, except for rooms 120 and 156, for unrestricted use. The NRC is fulfilling its responsibilities under the Atomic Energy Act to make a decision on the proposed action for decommissioning which ensures residual radioactivity is reduced to a level that is protective of the public health and safety and the environment, and allows Brooke Army Medical Center to release Building 2630, except for rooms 120 and 156, for unrestricted use.