

of the General Counsel, U.S. Nuclear Regulatory Commission, Washington DC 20555; the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555; and the Executive Secretary,

U.S. Department of State, Washington, DC 20520.  
 In its review of the application for a license to export special nuclear material as defined in 10 CFR Part 110 and noticed herein, the Commission

does not evaluate the health, safety or environmental effects in the recipient nation of the material to be exported. The information concerning the application follows.

NRC EXPORT LICENSE APPLICATION FOR HIGH-ENRICHED URANIUM

Name of applicant Date of application Date received Application number Docket number	Material type	End use	Country of destination
DOE/NNSA—Y12 ..... September 7, 2004 September 24, 2004 XSNM03369 11005512	High-Enriched Uranium .....	To fabricate targets for irradiation in the National Research Universal (NRU) Reactor to produce medical isotopes	Canada.

For the Nuclear Regulatory Commission.  
 Dated this 24 day of January, 2005, at Rockville, Maryland.  
**Margaret M. Doane,**  
*Deputy Director, Office of International Programs.*  
 [FR Doc. 05-2134 Filed 2-3-05; 8:45 am]  
**BILLING CODE 7590-01-M**

**NUCLEAR REGULATORY COMMISSION**

[Docket No. 030-33635, License No.45-15200-04, EA-04-103]

**In the Matter of Soil Consultants, Inc., ATTN: Mr. Joseph W. Dixon, President, 9303 Center Street, Manassas, VA 20110-5547; Order Imposing Civil Monetary Penalty**

**I**

Soil Consultants, Inc. (Licensee) is the holder of Materials License No. 45-15200-04 issued by the Nuclear Regulatory Commission (NRC or Commission) on October 6, 2004, Amendment No. 03. The license authorizes the Licensee to use sealed source(s) contained in portable gauging devices (registered pursuant to 10 CFR 32.320 or equivalent Agreement State regulation) for measuring properties of materials in accordance with the conditions specified therein.

**II**

An investigation of the Licensee's activities was completed on February 11, 2004. The results of this investigation and the NRC's further consideration of this matter, including a predecisional enforcement conference held with you on August 12, 2004, indicated that the Licensee had not conducted its activities in full compliance with NRC requirements. A written Notice of Violation and

Proposed Imposition of Civil Penalty (Notice) was served upon the Licensee by letter dated October 6, 2004. The Notice states the nature of violation, the provision of the NRC's requirements that the Licensee had violated, and the amount of the civil penalty proposed for the violation.

The licensee responded to the Notice in letters dated November 5, 2004, and December 2, 2004. In its response, the Licensee denied a violation occurred.

**III**

After consideration of the Licensee's response and the statements of fact, explanation, and argument for mitigation contained therein, the NRC staff has determined, as set forth in the Appendix to this Order, that the violation occurred as stated and that the penalty proposed for the violation designated in the Notice should be imposed.

**IV**

In view of the foregoing and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282 and 10 CFR 2.205, *it is hereby ordered that:*

The Licensee pay a civil penalty in the amount of \$9,600 within 30 days of the date of this Order, in accordance with NUREG/BR-0254. In addition, at the time of making payment, the licensee shall submit a statement indicating when, and by what method, payment was made, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738.

**V**

The Licensee may request a hearing within 30 days of the date of this Order. Where good cause is shown, such as

requesting to engage in alternative dispute resolution, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and include a statement of good cause for the extension. A request for a hearing should be clearly marked as a "Request for an Enforcement Hearing" and shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Rulemaking 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, and to the Regional Administrator, NRC Region I, 475 Allendale Road, King of Prussia, PA 19406-1415. Because of continuing disruption in delivery of mail to United States Government offices, it is requested that requests for hearings 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](mailto: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](mailto:OGCMailCenter@nrc.gov).

If a hearing is requested, the Commission will issue an Order designating the time and place of the hearing. If the Licensee fails to request a hearing within 30 days of the date of this Order (or if written approval of an extension of time in which to request a hearing has not been granted), the provisions of this Order shall be effective without further proceedings. If payment has not been made by that time, the matter may be referred to the Attorney General for collection.

In the event that the Licensee requests a hearing as provided above, the issues to be considered at such hearing shall be:

(a) Whether the Licensee was in violation of the Commission's requirements as set forth in the Notice referred to in Section II above, and

(b) Whether, on the basis of such violation, this Order should be sustained.

Dated this 27th day of January 2005.

For the Nuclear Regulatory Commission.

**Frank J. Congel,**

*Director, Office of Enforcement.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-20885]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for Genzyme Biosurgery's Facility in Ridgefield, NJ

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability.

#### FOR FURTHER INFORMATION CONTACT:

Kathy Dolce Modes, Materials Security & Industrial Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406, telephone (610) 337-5251, fax (610) 337-5269; or by e-mail: [KAD@NRC.GOV](mailto:KAD@NRC.GOV).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The Nuclear Regulatory Commission (NRC) is issuing a license amendment to Genzyme Biosurgery for Materials License No. 29-23308-01, to authorize release of its facility in Ridgefield, 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 Ridgefield, New Jersey facility for unrestricted use. Genzyme Biosurgery was authorized by NRC from December 23, 1983, to use radioactive materials for research and development purposes at

the site. On June 4, 2004, Genzyme Biosurgery requested that NRC release the facility for unrestricted use.

Genzyme Biosurgery 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 Genzyme Biosurgery. 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 Genzyme Biosurgery'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 (ADAMS Accession No. ML050270048), "Report of the Decommissioning of the Genzyme Biosurgery Research and Development Laboratories for the Purpose of Surrendering the Company's Radioactive Materials License" included with the licensee's letter dated June 4, 2004 (ADAMS Accession No. ML041800154) and additional information dated October 15, 2004 (ADAMS Accession No. ML042990427). 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 NRC's Web site. Interested members of the public may obtain copies of the referenced 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, MD, and can be contacted at (800) 397-4209, (301) 415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated in King of Prussia, Pennsylvania this 27th day of January, 2005.

For the Nuclear Regulatory Commission.

**James P. Dwyer,**

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

[FR Doc. 05-2138 Filed 2-3-05; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 70-3098]

### Duke Cogema Stone and Webster's Proposed Mixed Oxide Fuel Fabrication Facility; Notice of Availability of Final Environmental Impact Statement

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability of final environmental impact statement.

#### FOR FURTHER INFORMATION CONTACT:

Matthew Blevins, Senior Project Manager, Environmental and Performance Assessment Directorate, Division of Waste Management and Environmental Protection, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 415-7684; e-mail: [mxb6@nrc.gov](mailto:mxb6@nrc.gov).

**SUMMARY:** Notice is hereby given that the U.S. Nuclear Regulatory