

III, prior to restart from the midcycle outage, and any evidence of reactor coolant leakage found during the inspections will be reported by telephone within 24 hours of discovery to the Regional Administrator, NRC Region III, or designee.

If the Licensee determines that submittals made in accordance with these conditions contain proprietary information as defined by 10 CFR 2.390, the Licensee shall also provide a nonproprietary version in accordance with 10 CFR 2.390(b)(1)(ii). The Regional Administrator, NRC Region III, may, in writing, relax or rescind any of the above conditions upon demonstration by the Licensee of good cause.

#### V.

Any person adversely affected by this Confirmatory Order, other than the Licensee, may request a hearing within 20 days of its issuance. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time in which to request a hearing must be made in writing to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and must include a statement of good cause for the extension. Any request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Chief, Rulemakings and Adjudications Staff, Washington, DC 20555. Copies of the hearing request shall also be sent to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Materials Litigation and Enforcement at the same address, to the Regional Administrator for NRC Region III, 801 Warrenville Road, Lisle, Illinois 60532-4351, and to the Licensee. If a person requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.309(d).

If a hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained. An answer or a request for hearing shall not stay the immediate effectiveness of this Order.

For the Nuclear Regulatory Commission.

Dated this 8th day of March, 2004.

**J.E. Dyer,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 04-5849 Filed 3-15-04; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[Docket Number 030-04381]**

### **Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for Pfizer Inc., Terre Haute, IN**

**AGENCY:** Nuclear Regulatory Commission.

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

**FOR FURTHER INFORMATION CONTACT:** Dr. Peter J. Lee, Division of Nuclear Materials Safety, U.S. Nuclear Regulatory Commission, Region III, 801 Warrenville Road, Lisle, Illinois 60532-4351; telephone (630) 829-9870; or by e-mail at [pjl2@nrc.gov](mailto:pjl2@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

#### **I. Introduction**

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment Material License No. 13-10179-01 issued to Pfizer Inc. (the licensee), to terminate its license and authorize release of its Terra Haute, Indiana, facility for unrestricted use.

The NRC staff has prepared an Environmental Assessment (EA) in support of 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 Pfizer Inc.'s license and release its Terra Haute, Indiana, facility for unrestricted use. The NRC authorized Pfizer Inc. to utilize labeled compounds of H-3 and C-14 for research and development on July 17, 1964. On September 25, 2003, Pfizer Inc. submitted a license amendment request to terminate its license and release its Terra Haute facility for unrestricted use. Pfizer Inc. 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 release. The staff has examined Pfizer Inc.'s request and the information that the licensee has provided in support of its request, including the surveys performed by Pfizer Inc. to demonstrate compliance with 10 CFR 20.1402, "Radiological Criteria for Unrestricted Use," in order to ensure that the NRC's decision is protective of the public health and safety and the environment.

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

The staff has prepared the EA (summarized above) in support of Pfizer Inc.'s proposed license amendment to terminate its license and release the Terre Haute facility for unrestricted use. Based on its review, the staff has determined that the affected environment and the environmental impacts associated with the decommissioning of Pfizer Inc.'s facility are bound 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 Pfizer Inc. facility is in compliance with the 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 2.790 of the NRC's "Rules of Practice," Pfizer Inc.'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 Pfizer Inc.'s letter dated September 25, 2003, with enclosures (Accession No. ML040090414); and the EA summarized above (Accession No. ML040560303). 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 25th day of February, 2004.

**Christopher G. Miller,**

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

[FR Doc. 04-5857 Filed 3-15-04; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

### Sunshine Act Notice

**AGENCY:** Nuclear Regulatory Commission.

**DATES:** Weeks of March 15, 22, 29, April 5, 12, 19, 2004.

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

**STATUS:** Public and Closed.

#### MATTERS TO BE CONSIDERED:

*Week of March 15, 2004*

There are no meetings scheduled for the Week of March 15, 2004.

*Week of March 22, 2004—Tentative*

Tuesday, March 23, 2004

1:30 p.m. Briefing on Status of Office of Nuclear Security and Incident Response (NSIR) Programs, Performance, and Plans (Public Meeting) (Contact: Jack Davis, 301-415-7256).

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

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

Wednesday, March 24, 2004

9:30 a.m. Briefing on Status of Office of Nuclear Reactor Regulation (NRR) Programs, Performance, and Plans (Public Meeting) (Contact: Mike Case, 301-415-1275).

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

*Week of March 29, 2004—Tentative*

There are no meetings scheduled for the Week of March 29, 2004.

*Week of April 5, 2004—Tentative*

There are no meetings scheduled for the Week of April 5, 2004.

*Week of April 12, 2004—Tentative*

Tuesday, April 13, 2004

9:30 a.m. Briefing on Status of Office of Nuclear Regulatory Research (RES) Programs, Performance, and Plans (Public Meeting) (Contact: Alan Levin, 301-415-6656).

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

*Week of April 19, 2004—Tentative*

There are no meetings scheduled for the Week of April 19, 2004.

\* The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings call (recording)—(301) 415-1292.

Contact person for more information: Dave Gamberoni, (301) 415-1651.

The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/what-we-do/policy-making/schedule.html>.

This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (201-415-1969). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [dkw@nrc.gov](mailto:dkw@nrc.gov).

Dated: March 11, 2004.

**Dave Gamberoni,**

*Office of the Secretary.*

[FR Doc. 04-5969 Filed 3-12-04; 9:42 am]

**BILLING CODE 7590-01-M**

## NUCLEAR REGULATORY COMMISSION

### Biweekly Notice; Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations

#### I. Background

Pursuant to section 189a. (2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (the Commission or NRC staff) is publishing this regular biweekly notice. The Act requires the Commission publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from, January 20, 2004, through March 4, 2004. The last biweekly notice was published on March 2, 2004 (69 FR 9857).

### Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. Within 60 days after the date of publication of this notice, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. Should the