[7590-01-P]

NUCLEAR REGULATORY COMMISSION

DOCKET NO. 030-35882

NOTICE OF AVAILABILITY OF ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT FOR LICENSE AMENDMENT FOR PURDUE PHARMA, L.P.'S FACILITY IN CRANBURY, NEW JERSEY

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of Availability.

FOR FURTHER INFORMATION CONTACT: Betsy Ullrich, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania, 19406, telephone (610) 337-5040, fax (610) 337-5269; or by email: exu@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The Nuclear Regulatory Commission (NRC) is considering issuing a license amendment to Purdue Pharma, L.P. for Materials License No. 29-30698-01, to authorize release of its facility in Edgewater, 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.

II. EA Summary

The purpose of the proposed action is to authorize the release of two sections of the licensee's Cranbury, New Jersey, facility for unrestricted use. Purdue Pharma, L.P. was authorized by NRC from 2002 to use radioactive materials for research and development purposes at the site. On April 21, 2005, Purdue Pharma, L.P. requested that NRC release two sections of the facility for unrestricted use. Purdue Pharma, L.P. has conducted surveys of the two sections 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 two sections of the facility were remediated and surveyed prior to the licensee requesting the license amendment. The NRC staff has reviewed the information and final status survey submitted by Purdue Pharma, L.P. 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 Purdue Pharma, L.P.'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 radiological 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). Additionally, no non-radiological or cumulative impacts were identified. 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 Related to an Amendment of U.S. Nuclear Regulatory Commission Materials License No. 29-30698-01, Issued to Purdue Pharma, L. P. (ML052780150), the Purdue Pharma, L.P. letter dated April 21, 2005 (ML052590192) and the Purdue Pharma, L.P. letter dated June 30, 2005 (ML052590186). 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 (800) 397-4209 or (301) 415-4737, or by email to pdr@nrc.gov.

Documents related to operations conducted under this license not specifically referenced in this Notice may not be electronically available and/or may not be publicly

available. Persons who have an interest in reviewing these documents should submit a request to NRC under the Freedom of Information Act (FOIA). Instructions for submitting a FOIA request can be found on the NRC's web Site at

http://www.nrc.gov/reading-rm/foia/foia-privacy.html.

Dated at King of Prussia, Pennsylvania this 5th of October, 2005.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

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