

NUCLEAR REGULATORY COMMISSION
DOCKET NO. 030-06068
February 11, 2004

Environmental Assessment and Finding of No Significant Impact
Related Amendment of U.S. Nuclear Regulatory Commission
Materials License No. 37-02401-01,
Issued to Canberra Industries, Inc.

The U.S. Nuclear Regulatory Commission (NRC) is considering terminating Materials License Number 37-02401-01 and authorizing the release of the licensee's facilities in Warrington, Pennsylvania, for unrestricted use and has prepared an Environmental Assessment (EA) and a Finding of No Significant Impact (FONSI) in support of this action.

SUMMARY: The NRC reviewed the results of the decommissioning of the Canberra Industries, Inc. facility in Warrington, Pennsylvania. Canberra Industries, Inc. was authorized by NRC from February 9, 1981 to use radioactive materials for research and development and distribution purposes at the Warrington, Pennsylvania site. In 2003, Canberra Industries, Inc. ceased operations with licensed materials at the Warrington, Pennsylvania site, and requested that NRC terminate the license. Canberra Industries, Inc. has conducted surveys of the facility and determined that the facility meets the license termination criteria in Subpart E of 10 CFR Part 20. The NRC staff has evaluated Canberra Industries, Inc. request and the results of the surveys, and has developed an EA in accordance with the requirements of 10 CFR Part 51. The NRC has determined that a Finding of No Significant Impact (FONSI) is appropriate for the proposed action.

Introduction

Canberra Industries, Inc. requested release for unrestricted use of the building at 125 Titus Avenue, Warrington, Pennsylvania where work with licensed materials was authorized by NRC License No. 37-02401-01 and termination of the license. The building is 34,000 square feet of general office and laboratory space located in an industrial complex area.

License No. 37-02401-01 was issued in 1981 and amended periodically since that time. NRC-licensed activities performed at the Warrington site were limited to manufacturing and testing of radiation detection equipment using strontium-90 cesium-137, cobalt-60, and americium-241/beryllium sealed sources; cesium-137, cobalt-60, and barium-133 liquid sources; and tritium (hydrogen-3), krypton-85 and xenon-133 gaseous sources. No outdoor areas were affected by the use of licensed materials.

Licensed activities ceased completely in September 2003 and the licensee requested release of the facility for unrestricted use and termination of the license. Based on the licensee's historical knowledge of the site and the conditions of the facility, the licensee determined that only routine decontamination activities, in accordance with licensee radiation safety procedures, were required. A decommissioning plan was not required to be submitted to the NRC. The licensee surveyed the facility, decontaminated or remediated areas as needed, and provided

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documentation that the facility meets the license termination criteria specified in Subpart E of 10 CFR Part 20, and does not require additional decommissioning activities to be performed. The licensee demonstrated this using the screening criteria described in 65 FR 37186. The licensee subsequently requested that the facility be released for unrestricted use and that the license be terminated.

The Proposed Action

The proposed action is to terminate Materials License No. 37-02401-01 and release the facility at 125 Titus Avenue, Warrington, Pennsylvania for unrestricted use. By letter dated September 12, 2003, Canberra Industries, Inc. stated that no further actions are required to remediate the facility and provided survey results which demonstrate that the Warrington facility is in compliance with the radiological criteria for license termination in Subpart E, 10 CFR Part 20, "Radiological Criteria for License Termination."

Purpose and Need for the Proposed Action

The purpose of the proposed action is to amend NRC Materials License No. 37-02401-01, to allow for the release of the Warrington, Pennsylvania facility for unrestricted use and terminate the license. The licensee needs this license change because it no longer plans to conduct licensed activities at this facility. NRC is fulfilling its responsibilities under the Atomic Energy Act to make a timely decision on a proposed license amendment for release of facilities for unrestricted use and termination of a license that ensures protection of public health and safety and the environment. The licensee has requested the action to reduce their regulatory burden since they no longer intend to conduct licensed activities at this location.

Alternative to the Proposed Action

Since the facility at the Warrington, Pennsylvania site has already been surveyed and found acceptable for release for unrestricted use, the only alternative to the proposed action of termination of the license and release of the Warrington, Pennsylvania site for unrestricted use is no action. The no-action alternative is not acceptable because the licensee does not plan to perform any activities with licensed materials at this location and does not plan to maintain staff to perform licensed activities. Maintaining the areas under a license would impose an unnecessary regulatory burden and would reduce options for future use of the property.

The Affected Environment and Environmental Impacts

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The affected environment was described in the Introduction. The licensee has completed all necessary remediation at the site. The NRC staff has reviewed the surveys performed by Canberra Industries, Inc. to demonstrate compliance with the 10 CFR 20.1402 license termination criteria. Based on its review, the staff has determined that the affected environment and environmental impacts associated with the release for unrestricted use of the Canberra Industries, Inc. 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). The staff also finds that the proposed release for unrestricted use of the Canberra Industries, Inc. facilities is in compliance with Title 10, Code of Federal Regulations, Part 20.1402, "Radiological Criteria for Unrestricted Use." The NRC has found no other activities in the area that could result in cumulative impacts. As discussed above, the effect of the no action alternative would be to restrict potential benefits from future uses of the site.

Agencies and Persons Consulted

NRC staff have determined that the proposed action will not affect listed species or critical habitat. Therefore, no further consultation is required under Section 7 of the Endangered Species Act. Likewise, the NRC staff have determined that the proposed action is not the type of activity that has the potential to cause effects on historic properties. Therefore, no further consultation is required under Section 106 of the National Historic Preservation Act.

NRC provided a draft of its Environmental Assessment to the Commonwealth of Pennsylvania for review. On January 13, 2004 the Commonwealth of Pennsylvania responded by electronic mail and agreed with the conclusions of the EA.

Conclusions and Finding of No Significant Impact

Based on its review, the NRC staff has concluded that the completed action complies with 10 CFR Part 20. NRC has prepared this EA in support of the proposed license amendment to terminate the license and release the facility for unrestricted use. On the basis of the EA, NRC has concluded that the impacts from the proposed action are not expected to be significant and has determined not to prepare an environmental impact statement for the proposed action.

List of Preparers

Kathy Dolce Modes, Health Physicist, Division of Nuclear Materials Safety, Region I

List of References

1. NRC License No. 37-02401-01 inspection and licensing records.

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2. Final Status Survey Results for Canberra Industries, Inc., Warrington, Pennsylvania, dated September 12, 2003, [ADAMS Accession No. ML032590641] and additional information dated November 7, 2003, [ADAMS Accession No. ML033360457].
3. Federal Register Notice, Volume 65, No. 114, page 37186, dated Tuesday, June 13, 2000, "Use of Screening Values to Demonstrate Compliance With The Federal Rule on Radiological Criteria for License Termination."
4. Title 10 Code of Federal Regulations, Part 20, Subpart E, "Radiological Criteria for License Termination."
5. Title 10, Code of Federal Regulations, Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions."
6. NUREG-1496, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities."

The application for the license amendment and supporting documentation are available for inspection at NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. Any questions with respect to this action should be referred to Kathy Dolce Modes, Nuclear Materials Safety Branch 2, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406, telephone (610) 337-5251, fax (610) 337-5269.

Dated at King of Prussia, Pennsylvania this 11th day of February 2004

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by John D. Kinneman

John D. Kinneman, Chief
Nuclear Materials Safety Branch 2
Division of Nuclear Materials Safety
Region I

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