

NUCLEAR REGULATORY COMMISSION

DOCKET NO. 030-19353

**NOTICE OF AVAILABILITY OF ENVIRONMENTAL ASSESSMENT AND FINDING OF NO
SIGNIFICANT IMPACT FOR LICENSE AMENDMENT FOR
INFICON, INC.'S FACILITY IN FAIRFIELD, NEW JERSEY**

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 email: KAD@NRC.GOV.

SUPPLEMENTARY INFORMATION:

I. Introduction

The Nuclear Regulatory Commission (NRC) is issuing a license amendment to INFICON, Inc. (INFICON) for Materials License No. 29-20512-01 to authorize release of its facility in Fairfield, 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 Fairfield, New Jersey facility for unrestricted use. INFICON was authorized by NRC from February 1999 to use radioactive materials for manufacturing and distribution purposes at the Fairfield, New Jersey site. On July 29, 2004, INFICON requested that NRC release the facility for unrestricted use. INFICON 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. INFICON will continue licensed activities at another location, as authorized by the license.

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 INFICON. 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 release the facility for unrestricted use. The NRC staff has evaluated INFICON'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. ML042990044], letter transmitting Final Status Survey Results dated July 29, 2004 [ADAMS Accession No. ML042120036], and supplemental information contained in letters dated August 11, 2004 [ADAMS Accession No. ML042390402] and September 22, 2004 [ADAMS Accession No. ML042710102]. 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 pdrr@nrc.gov.

These documents may be viewed electronically at the NRC Public Document Room (PDR), 01F21, One White Flint North, 11555 Rockville Pike, Rockville, MD, 20852. The PDR reproduction contractor will copy documents for a fee. The PDR is open from 7:45 a.m. to 4:15 p.m., Monday through Friday, except on Federal holidays.

Dated at King of Prussia, Pennsylvania this 8th day of November, 2004.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

John D. Kinneman, Chief
Materials Security & Industrial Branch
Division of Nuclear Materials Safety
Region I