

NUCLEAR REGULATORY COMMISSION
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Environmental Assessment Related to Issuance of a License Amendment
of U.S. Nuclear Regulatory Commission Materials Licenses No. 37-03698-01 and SNM-719,
Pennsylvania Department of Environmental Protection in Harrisburg, Pennsylvania.

Introduction

The U.S. Nuclear Regulatory Commission (NRC) has prepared this environmental assessment (EA) of the amendment of Pennsylvania Department of Environmental Protection's (PADEP's) Materials License Nos. 37-03698-01 and SNM-719, and the release of its Evangelical Press Building, 3rd and Reilly Streets, Harrisburg, Pennsylvania, for unrestricted use. The Evangelical Press Building, Harrisburg, Pennsylvania, is operated by the PADEP in Harrisburg, Pennsylvania. The PADEP was authorized by NRC from December 1976 through August 2005 to use radioactive materials for instrument calibration, sample preparation, analysis of environmental samples and measuring the physical properties of materials at the site. In 2005, the PADEP ceased operations with licensed materials at the Evangelical Press Building, Harrisburg, Pennsylvania, and requested that NRC release the facility for unrestricted use. The PADEP 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 the PADEP's request and the results of the surveys, and has developed an EA in accordance with the requirements of 10 CFR Part 51. Based on the staff evaluation, the conclusion of the EA is a Finding of No Significant Impact (FONSI) on human health and the environment for the proposed licensing action.

The PADEP requested release for unrestricted use of the Evangelical Press Building, 3rd and Reilly Streets, Harrisburg, Pennsylvania as authorized by the NRC License Nos. 37-03698-01 and SNM-719. The building is 112,788 square feet general office and laboratory space located in a commercial area.

License No. 37-03698-01 was issued in 1962; however, licensed activities at the Evangelical Press Building, Harrisburg, Pennsylvania, did not begin until 1976. License No. SNM-719 was issued in 1979. Both licenses were amended periodically since licensed activities were started at the Evangelical Press Building, Harrisburg, Pennsylvania. NRC-licensed activities performed at the Evangelical Press Building, Harrisburg, Pennsylvania, were limited to laboratory procedures typically performed on bench tops and in hoods. No outdoor areas were affected by the use of licensed materials.

The Proposed Action

The proposed action is to amend Materials License Nos. 37-03698-01 and SNM-719 and release the facility at Evangelical Press Building, Harrisburg, Pennsylvania for unrestricted use. By letter dated August 19, 2005, the PADEP stated that no further actions are required to remediate the facility, and requested release of the facility for unrestricted use. The PADEP

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stated that licensed activities ceased completely in August 2005. 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 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.

Need for the Proposed Action

The purpose of the proposed action is to amend NRC Materials License Nos. 37-03698-01 and SNM-719, to allow for the release of the Evangelical Press Building, Harrisburg, Pennsylvania, for unrestricted use. 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 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.

Environmental Impacts of the Proposed Action

The affected environment was described in the Introduction. The licensee has completed all remediation at the site. The NRC staff has reviewed the surveys performed by Pennsylvania Department of Environmental Protection 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 Pennsylvania Department of Environmental Protection 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 Pennsylvania Department of Environmental Protection 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.

Environmental Impacts of the Alternatives to the Proposed Action

Since the facility at the Evangelical Press Building, 3rd and Reilly Streets, Harrisburg, Pennsylvania, has already been surveyed and found acceptable for release for unrestricted use, the only alternative to the proposed action of amendment of the licenses and release of the Evangelical Press Building, Harrisburg, Pennsylvania site for unrestricted use is denial of the proposed action (i.e. no action). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Agencies and Persons Consulted

The NRC staff has 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.

Conclusions

Based on its review, the NRC staff has concluded that the completed action complies with 10 CFR Part 20. The NRC staff have prepared this EA in support of the proposed action to amend License Nos. 37-03698-01 and SNM-719. On the basis of the EA, NRC has concluded that there are no significant environmental impacts and the license amendment does not warrant the preparation of an Environmental Impact Statement. Accordingly, it has been determined that a Finding of No Significant Impact is appropriate.

List of Preparers

Stephen Hammann, Health Physicist, Division of Nuclear Materials Safety, Region I

List of References

1. NRC License No. 37-03698-01 inspection and licensing records.
2. NRC License SNM-719 inspection and licensing records.
3. Amendment Request dated August 19, 2005. [ADAMS Accession No. ML060550247].
4. Request for Additional Information dated September 28, 2005. [ADAMS Accession No. ML052720490].
5. Final Status Survey Results for Pennsylvania Department of Environmental Protection, Evangelical Press Building, 3rd and Reilly Streets, Harrisburg, Pennsylvania, dated November 7, 2005. [ADAMS Accession No. ML060550248].
6. 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."
7. Title 10 Code of Federal Regulations, Part 20, Subpart E, "Radiological Criteria for License Termination."
8. Title 10, Code of Federal Regulations, Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions."

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9. 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 Steve Hammann, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406, telephone (610) 337-5399, fax (610) 337-5269.

Dated at King of Prussia, Pennsylvania this 23rd day of March, 2006

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

James P. Dwyer, Chief
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