

September 7, 1995

40-7102/
40-8948

Mr. Olen Ackman
Ohio Environmental Protection Agency
Division of Emergency & Remedial Response
Southeast District Office
2195 Front Street
Logan, OH 43138

PDR per
Cathy
Pollard

Dear Mr. Ackman:

Enclosed please find a notice published in the August 21, 1995 Federal Register announcing our intent to revise the scope of the environmental impact statement that we are preparing for the Shieldalloy facility in Cambridge, Ohio. Several new decommissioning alternatives proposed by Shieldalloy will now be evaluated, as discussed in the notice.

If you have any questions, please contact me at (301)-415-6663.

Sincerely,

[Original signed by]

James E. Kennedy, Sr. Project Manager
Low-Level Waste and Decommissioning
Projects Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Enclosure: As stated
cc: Shieldalloy Cambridge Distribution List

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issues,³ formal expressions of intent to file an OFA under 49 CFR

1152.27(c)(2),⁴ and trail use/rail banking requests under 49 CFR 1152.29⁴ must be filed by August 31, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by September 11, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any pleading filed with the Commission should be sent to applicant's representative: Nathan R. Fenno, 1 Railroad Ave., Cooperstown, NY 13326.

If the notice of exemption contains false or misleading information, the exemption is void *ab initio*.

CNY has filed an environmental report which addresses the abandonment's effects, if any, on the environmental and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by August 25, 1995. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA is available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: August 15, 1995.

By the Commission, David M. Konachnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 95-20635 Filed 8-18-95; 8:45 am]

GILLING CODE 7936-01-P

[Docket No. AB-12 (Sub-No. 151X)]

Southern Pacific Transportation Company—Abandonment Exemption—In Ventura County, CA

Southern Pacific Transportation Company (SPT) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon 5.38 miles of its Ventura Branch from milepost 397.3, at or near the Ventura Junction rail station, to milepost 402.68, at or near the Canet rail station, in Ventura County, CA.

SPT has certified that: (1) no local traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Commission or with any U.S. District Court or has been decided in favor of the complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1.05.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to use of this exemption, any employee affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10505(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on September 20, 1995, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking

¹ A stay will be issued routinely by the Commission in those proceedings where an informed decision on environmental issues (whether raised by a party or by the Commission's Section of Environmental Analysis in its independent investigation) cannot be made prior to the effective date of the notice of exemption. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C. 2d 377 (1989). Any entity seeking a stay on environmental concerns is encouraged to file its request as soon as possible in order to permit the Commission to review and act on the request before the effective date of this exemption.

² See *Exempt. of Rail Abandonment Offers of Finan. Assist.*, 4 I.C.C. 2d 164 (1987).

requests under 49 CFR 1152.29³ must be filed by August 31, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by September 11, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any pleading filed with the Commission should be sent to applicant's representative: Gary A. Laakso, Southern Pacific Building, One Market Plaza, San Francisco, CA 94105.

If the notice of exemption contains false or misleading information, the exemption is void *ab initio*.

SPT filed an environmental report which addresses the effects of the abandonment, if any, on the environment and historic resources. The Commission's Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by August 25, 1995. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: August 11, 1995.

By the Commission, David M. Konachnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 95-20634 Filed 8-18-95; 8:45 am]

GILLING CODE 7936-01-P

NUCLEAR REGULATORY COMMISSION

Decommissioning of Shieldalloy Metallurgical Corporation's Facility in Cambridge, Ohio: Notice of Revision to the Scope of an Environmental Impact Statement

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Notice of intent to revise the scope of an environmental impact statement (EIS).

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) intends to revise the scope of an EIS for decommissioning Shieldalloy Metallurgical Corporation's

³ The Commission will accept a late-filed trail use request as long as it retains jurisdiction to do so.

¹ A stay will be issued routinely by the Commission in those proceedings where an informed decision on environmental issues (whether raised by a party or by the Commission's Section of Environmental Analysis in its independent investigation) cannot be made prior to the effective date of the notice of exemption. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C. 2d 377 (1989). Any entity seeking a stay on environmental concerns is encouraged to file its request as soon as possible in order to permit the Commission to review and act on the request before the effective date of this exemption.

² See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C. 2d 164 (1987).

³ The Commission will accept a late-filed trail use request as long as it retains jurisdiction to do so.

(SMC's) facility located in Cambridge, Ohio.

ADDRESSES: Documents referred to in this notice may be examined at the Commission's Public Document Room (PDR), 2120 L Street (Lower Level), NW, Washington, DC, or at the local PDR in the Guernsey County District Public Library, 800 Steubenville Avenue, Cambridge, Ohio.

FOR FURTHER INFORMATION CONTACT: James E. Kennedy, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555, Telephone: 301-415-6668.

SUPPLEMENTARY INFORMATION:

Background

On November 28, 1993, the NRC published, in the Federal Register (58 FR 62384) a Notice of Intent to prepare an EIS for the proposed stabilization of slag piles containing radioactive waste, located at the SMC, Cambridge, Ohio, facility, and to conduct scoping for the EIS. NRC's requirements for EIS scoping are contained in 10 CFR 51.28 and 51.29. The scoping process included a public scoping meeting held in Byesville, Ohio, on December 13, 1993. NRC also invited the public and interested agencies, organizations, and individuals to submit written suggestions and comments for consideration in the scoping process. The EIS scoping process was described in a "Summary Report" published in May 1994. The "Summary Report" identified five alternatives to be considered in the EIS. These were: (1) Onsite stabilization and disposal (the licensee's proposed action); (2) off site disposal; (3) onsite separation processing with off site disposal; (4) onsite dilution and disposal; and (5) no action.

In a possibly related matter, NRC determined, in 1993, that slag from the site, when it was owned by Foote Mineral Company (FMC) may have been used as fill at off site locations. To date, NRC inspections have identified 17 locations with slag having elevated levels of radioactivity. Radiation surveys and slag analyses that NRC conducted in 1994 indicate that the slag does not pose an immediate health and safety risk to residents. However, some action may be necessary at specific locations, to minimize the long-term risk associated with the slag. To determine the nature and extent of the off site slag contamination, Cyprus Foote Mineral Company (CFMC) (successor to FMC), is conducting an investigation. Any needed remediation will be based on the CFMC's further

measurements and analyses and NRC's subsequent review of this information.¹

In addition to the issues that fall under NRC's jurisdiction, there are other environmental issues, associated with decommissioning the Cambridge site, that are regulated by other State and Federal agencies, including the U.S. Environmental Protection Agency, the Ohio Environmental Protection Agency (OEPA), and the Ohio Department of Health. As a result of these other environmental issues, SMC and CFMC are conducting a remedial investigation/feasibility study (RI/FS) for the SMC, Cambridge, Ohio, facility. The RI/FS is in response to a consent order for a preliminary injunction agreed to, in principle, by OEPA, SMC, and CFMC. This RI/FS concerns the remediation of hazardous wastes, industrial wastes, water pollution, and other wastes associated with the Cambridge facility. Some of these wastes may be located in the two slag piles. Because the RI/FS is expected to result in information needed by NRC to develop the EIS, NRC staff is participating in discussions between the companies and OEPA concerning the development of the RI/FS for this site.

Revision to the Scope of the EIS

At meetings with the OEPA in December 1994, attended by NRC staff, SMC representatives indicated that decommissioning alternatives under consideration for the SMC, Cambridge, Ohio, facility should include the relocation of off site slag that may have originated from this facility. Because this new alternative would impact the EIS under development by NRC, NRC staff requested a formal proposal from SMC concerning the inclusion of this alternative, on January 5, 1995. In a letter dated January 25, 1995, SMC requested that the EIS be modified to include an analysis of the relocation of the off site slag to the SMC, Cambridge, Ohio, site.

On April 20, 1995, PTI Environmental Services, Inc. (PTI), acting on behalf of legal counsel for SMC and CFMC, submitted a Preliminary Draft Feasibility Study (FS) for the SMC, Cambridge, site to OEPA. The FS included additional information concerning this requested revision to the scope of the EIS. In the discussion of this alternative, the FS assumes that 10,000 yd³ of slag, that may have been produced at the site and used off site, will be excavated and relocated to the

West Slag Pile. Only slag that was originally produced at the site and is similar to slag in the West Slag Pile would be brought back onsite. The FS estimates an area of 75,000 ft² for the relocated slag. By comparison, the existing West Slag Pile has an estimated volume of approximately 220,000 yd³, covering an area of 359,000 ft². Because CFMC is still conducting the characterization of the off site slag, the volume and radiological composition of this slag have not been determined.

In addition, the preliminary draft FS identified additional site remediation alternatives that would impact the scope of the EIS. These additional alternatives involve the placement of wetland soils, onsite sediments (from drainage ditches), and off site sediments (from Chapman Run) on the West Slag Pile. SMC formally requested NRC staff to expand the scope of the EIS to include these alternatives. In a letter dated July 5, 1995, the preliminary draft FS estimates the volumes of each of these materials to be approximately 26,000 yd³, 80 yd³, and 7,400 yd³, respectively. Radiological contamination of these materials is not expected. The principal chemical contaminant is expected to be vanadium.

Section 51.29(c) of the U.S. Code of Federal Regulations (Title 10) states that the appropriate NRC staff director may, at any time before the issuance of the draft EIS, revise the scoping determinations, as appropriate, if substantial changes are made in the proposed action, or if significant new circumstances or information arise that bear on the proposed action or its impacts. Under the provisions of Section 51.29(c), the staff has determined that the licensee's proposed new alternatives, concerning the relocation of the off site slag and the disposal of wetland soils, onsite sediments, and off site sediments, constitute a significant change in the proposed action. Therefore, the staff intends to revise the scope of the EIS to examine the potential environmental impacts of these alternatives, in addition to those alternatives identified in the Scoping Process Summary Report. The revised list of alternatives is described below.

Decommissioning Alternatives To Be Considered

1. *Onsite stabilization and disposal* (licensee's proposed action).

a. *Without off site slag, soils, or sediments*—Radioactive contamination would be consolidated, stabilized, covered, and graded in a manner to provide long-term protection against

¹ Documents (letters and reports) related to the slag review program are available for public review at the Guernsey County District Public Library, 800 Steubenville Avenue, Cambridge, Ohio.

wind and water erosion and to minimize ground water contamination. This alternative would also likely include land use restrictions and/or other institutional controls, to prevent or reduce potential intrusion into the waste, to monitor the long-term effectiveness of the disposal, and to take mitigative measures as necessary to protect the public and environment.

b. With off site slag only—This alternative is similar to Alternative 1.a, with the addition of approximately 10,000 yd³ of off site slag to the West Pile before stabilization and capping.

c. With soils and sediments only—This alternative is similar to Alternative 1.a, with the addition of approximately 33,500 yd³ of chemically contaminated soils and sediments to the West Pile before stabilization and capping.

d. With off site slag, soils, and sediments—This alternative is similar to Alternative 1.b, with the addition of approximately 33,500 yd³ of chemically contaminated soils and sediments to the West Pile before stabilization and capping.

2. Off site disposal—Radioactive contamination would be exhumed from the site and disposed of off site at a licensed low-level waste disposal facility. Radioactive contamination onsite would be reduced down to levels that NRC presently considers acceptable for release for unrestricted use (e.g., 10 pCi/g total uranium (with decay products) and 10 pCi/g thorium-232 and thorium-238 and other criteria such as exposure rate and radon concentrations).

3. Onsite separation processing with off site disposal—Radioactive contamination would be processed using physical or chemical methods to separate more highly concentrated contamination from lower concentrations that could be stabilized onsite. Higher concentration wastes would be sent off site to a licensed disposal facility. Radioactive contamination onsite would be reduced down to levels that NRC presently considers acceptable for release for unrestricted use.

4. Onsite dilution and disposal—Existing radioactive contamination would be blended with clean fill, to reduce average concentrations of uranium and thorium to levels that NRC presently considers acceptable for release for unrestricted use. Diluted contamination would then be graded onsite and released for unrestricted use.

5. No action—Radioactive contamination would be abandoned in its present configuration without any additional processing or stabilization. This alternative does not consider any

protective measures, such as land use restrictions or other institutional controls, that might mitigate or prevent intrusion into the waste or long-term release and transport of contamination in the environment. (The no-action alternative is only included for the purpose of comparison with the other alternatives.)

The EIS will evaluate these alternative decommissioning approaches with respect to: (1) The incremental impact to workers, members of the public, and the environment both radiological and non-radiological resulting from each alternative; and (2) the costs associated with each alternative. The EIS will also include a comparative evaluation of the decommissioning approaches based on the associated impacts and costs. The evaluation is described in great detail in the November 28, 1993, Federal Register notice (58 FR 62384).

EIS Development Schedule

NRC intends to prepare and issue for public comment a draft EIS in March 1996. The comment period would be for 90 days. The final EIS is scheduled for publication in January 1997. This schedule has been delayed because information resulting from the RI/FS is needed to conduct the EIS analyses. Further delays may occur if needed information is not submitted in a timely manner. Subsequent to completion of the final EIS, the NRC would review and act on a license amendment from the licensee requesting authorization for decommissioning the site, including the decommissioning plan as required in 10 CFR 40.42(d). Depending on the resolution of the licensee's financial restructuring under Chapter 11 of the bankruptcy code, the NRC may terminate or postpone development of the EIS.

Dated at Rockville, Maryland, this 14th day of August 1995.

For the U.S. Nuclear Regulatory Commission,
Michael F. Weber,

Chief, Low-Level Waste and Decommissioning Projects Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 95-20639 Filed 8-18-95; 8:45 am]

BILLING CODE 7560-01-P

Advisory Committee on the Medical Uses of Isotopes: Meeting Notice

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Notice of meeting.

SUMMARY: The U.S. Nuclear Regulatory Commission will convene a

subcommittee meeting of the Advisory Committee on the Medical Uses of Isotopes (ACMUI) on September 17, 18, and 29, 1995. The subject of the subcommittee meeting is to discuss draft licensing guidance of certain types of medical use to be incorporated into Regulatory Guide 10.8, "Guide for the Preparation of Applications for Medical Use Programs." The schedule for discussion of the guidance is as follows:

(1) Mobile nuclear medicine: morning of September 27, 1995;

(2) Radioactive drug therapy:

afternoon of September 27, 1995;

(3) Remote afterloading brachytherapy: September 28, 1995; and

(4) Manual brachytherapy, followed by teletherapy and gamma stereotactic radiosurgery: September 29, 1995.

DATES: The meeting will begin at 8 a.m. on September 27, 28, and 29, 1995.

ADDRESSES: U.S. Nuclear Regulatory Commission, Two White Flint North, 11545 Rockville Pike, Room T2B1 Rockville, MD 20852-2738.

FOR FURTHER INFORMATION CONTACT: Josephine M. Piccone, Ph.D., U.S. Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, MS T8F5, Washington, DC 20555, Telephone (301) 415-7270.

For administrative information, contact Torre Taylor at (301) 415-7900.

Conduct of the Meetings

1. The staff is seeking ACMUI input on draft medical use licensing guidance currently under development. The ACMUI subcommittee does not intend to accept comments from members of the public during the subcommittee meeting, because of the amount of material to be discussed in a relatively short timeframe. The proposed licensing guidance is scheduled to be published for public comment in early 1996.

2. The transcripts of the subcommittee meeting will be available for inspection, and copying, for a fee, at the NRC Public Document Room, 2120 L Street NW., Lower Level, Washington, DC 20555, (202) 634-3273, on or about October 20, 1995.

3. Seating for the public will be on a first-come, first-served basis.

This meeting will be held in accordance with the Atomic Energy Act of 1954, as amended (primarily Section 181a); the Federal Advisory Committee Act (5 U.S.C. App); and the Commission's regulations in Title 10, U.S. Code of Federal Regulations, Part 7.

Dated: August 15, 1995.

Andrew L. Bates,

Advisory Committee Management Officer.

[FR Doc. 95-20640 Filed 8-18-95; 8:45 am]

BILLING CODE 7560-01-01