



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Ecological Services
6669 Short Lane
Gloucester, VA 23061

January 16, 2003

Ms. Orysia Masnyk Bailey
United States Nuclear Regulatory Commission
Region 2
Sam Nunn Atlanta Federal Center
61 Forsyth Street SW Suite 23T85
Atlanta, Georgia 30303-8931

Re: Merck & Company Elkton Facility,
Termination of Byproduct Materials
License, #2803, Rockingham
County, Virginia

Dear Ms. Bailey:

We have reviewed your December 19, 2002 request for information on Federally listed and proposed endangered and threatened species and designated critical habitat for the above referenced project. The following comments are provided under provisions of the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

Merck & Company, Inc. has submitted a request to terminate their byproduct materials license. Their facility is located in Elkton, Rockingham County, Virginia. Based on the project description and location, it appears that no impacts to Federally listed or proposed species or critical habitat will occur. Should project plans change, or if additional information on the distribution of listed or proposed species or designated critical habitat becomes available, this determination may be reconsidered.

If you have any questions or need further assistance, please contact Kerry Linehan of this office at (804) 693-6694, extension 127.

Sincerely,


for Karen L. Mayne
Supervisor
Virginia Field Office