



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION 2
 290 BROADWAY
 NEW YORK, NY 10007-1866

P-9

AUG 08 2003

John R. Wray
 Decommissioning and Laboratory Branch
 Division of Nuclear Materials Safety
 Nuclear Regulatory Commission, Region 1
 475 Allendale Road
 King of Prussia, Pennsylvania 19406

31-08292-06
 03034751

Dear Mr. Wray:

The Environmental Protection Agency (EPA) reviewed the draft environmental assessment (EA) and Finding of No Significant Impact (FONSI) that considers terminating Materials Licence No. 31-02892-06, and authorizing the release of the licensee's facility at the St. Albans Extended Care Center in Queens, New York, for unrestricted use.

The former nuclear/radiation therapy area at St. Albans Extended Care Center has undergone remediation several times since the initial remedial action was performed in 1964. Contamination exceeding present day environmental standards was discovered by the U.S. Army Corps of Engineers in 1992 during a review of this previous Department of Defense (DOD) medical radiation facility. As such, the Nuclear Regulatory Committee (NRC) Licence, which was terminated in 1973, was reinstated in 1998 so that additional decontamination could take place, and the facility could be released for unrestricted use and Licence No. 31-02892-06 could be terminated.

Based on review of the EA, and its supporting documentation (the Final Remediation Action Report contains the Final Status Survey as Appendix B), EPA identified two issues. The first concerned the statement about liquids meeting Derived Concentration Guideline Levels (DCGLs) for liquids when there were no such levels for liquids established for this project. The second issue was the listing of the investigation level in a table of DCGLs for this project. As a result of these two issues, a conference call was held on July 1, 2003 with staff from NRC Region 1, the USACE's New York and Baltimore Districts, and EPA Region 2 to discuss our concerns. EPA is pleased to note that our initial concerns with the EA were adequately addressed and that the draft Memorandum for the Record (MFR) released on July 30, 2003 accurately reflects the issues and resolutions reached in the conference call. As such, EPA has no objections to the implementation of the proposed action and does not anticipate significant adverse environmental impacts would result from the termination of License No. 31-02892-06 and the release of the facility for unrestricted use.

Thank you for the opportunity to comment. Should you have any questions concerning this letter, please contact Mark Westrate of my staff at (212) 637-3789.

Sincerely yours,

Grace Musumeci, Chief
 Environmental Review Section
 Strategic Planning and Multi-Media Programs Branch

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