

NUCLEAR REGULATORY COMMISSION  
DOCKET NO. 030-02981  
April 21, 2005

Environmental Assessment Related to an Amendment  
of U.S. Nuclear Regulatory Commission Materials License No. 37-01317-01,  
Issued to Allegheny General Hospital

The U.S. Nuclear Regulatory Commission (NRC) is considering amending Materials License Number 37-01317-01 and authorizing the release of the licensee's facilities at 3290 William Pitt Way in Pittsburgh, Pennsylvania, for unrestricted use and has prepared an Environmental Assessment (EA) in support of this action.

**SUMMARY:** The NRC reviewed the results of the decommissioning of the Allegheny General Hospital facility at 3290 William Pitt Way in Pittsburgh, Pennsylvania. Allegheny General Hospital was authorized by NRC from March 31, 1994, to use radioactive materials for research and development purposes at the site. In 1998, Allegheny General Hospital ceased operations with licensed materials at the 3290 William Pitt Way site, and in 2004 requested that NRC release the facility for unrestricted use. Allegheny General Hospital 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 Allegheny General Hospital's request and the results of the surveys, and has developed an EA in accordance with the requirements of 10 CFR Part 51. The NRC has determined that a Finding of No Significant Impact (FONSI) is appropriate for the proposed action.

### Introduction

Allegheny General Hospital requested release for unrestricted use of Building 9, Suite 125 at 3290 William Pitt Way, Pittsburgh, Pennsylvania, as authorized by the NRC License No. 37-01317-01. Building 9, Suite 125 is approximately 3400 square feet of general office and laboratory space located in an industrial area.

License No. 37-01317-01 was issued by NRC in 1975 and amended periodically since that time. Prior to 1975, similar licensed activities were conducted under a license issued by the Atomic Energy Commission. NRC-licensed activities performed at the 3290 William Pitt Way site in Pittsburgh, Pennsylvania, were limited to research and development procedures using carbon-14, hydrogen-3, and phosphorus-32. No outdoor areas were affected by the use of licensed materials.

Licensed activities ceased completely in November 1998, and in 2004 the licensee requested release of the facility for unrestricted use. 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

Allegheny General Hospital  
Environmental Assessment

this using the screening criteria described in 65 FR 37186. The licensee subsequently requested that the facility be released for unrestricted use.

### **The Proposed Action**

The proposed action is to amend Materials License No. 37-01317-01 and release the facility at 3290 William Pitt Way, Pittsburgh, Pennsylvania, for unrestricted use. By letter dated September 29, 2004, Allegheny General Hospital stated that no further actions are required to remediate the facility and on April 7, 2004 provided survey results from 1998 which demonstrate that the 3290 William Pitt Way facility in Pittsburgh, Pennsylvania is in compliance with the radiological criteria for license termination in Subpart E, 10 CFR Part 20, "Radiological Criteria for License Termination."

### **Purpose and Need for the Proposed Action**

The purpose of the proposed action is to amend NRC Materials License No. 37-01317-01, to allow for the release of Building 9, Suite 125, 3290 William Pitt Way, Pittsburgh, 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 Allegheny General Hospital 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 Building 9, Suite 125, 3290 William Pitt Way, Pittsburgh, Pennsylvania, 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 facilities at 3290 William Pitt Way 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 3290 William Pitt Way site has already been surveyed and found acceptable for release for unrestricted use, the only alternative to the proposed action of amendment of the license and release of the 3290 William Pitt Way site for unrestricted use is no action. The no-action alternative is not acceptable because the licensee does not plan to

Allegheny General Hospital  
Environmental Assessment

perform any activities with licensed materials at these locations and does not plan to maintain staff to perform licensed activities. Maintaining the areas under a license would impose an unnecessary regulatory burden. The effect of the no-action alternative would be to restrict potential benefits from future uses of the site.

### **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.

NRC provided a draft of its EA to the Pennsylvania Department of Environmental Protection for review. On March 24, 2005, the Pennsylvania Department of Environmental Protection responded by electronic mail and agreed with the conclusions of the EA.

### **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 No. 37-01317-01. 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**

Tara L. Weidner, Health Physicist, Division of Nuclear Materials Safety, Region I  
Sandra Gabriel, Senior Health Physicist, Division of Nuclear Materials Safety, Region I

### **List of References**

1. NRC License No. 37-01317-01 inspection and licensing records.
2. Closeout survey results for Building 9, Suite 125, 3290 William Pitt Way, Pittsburgh, Pennsylvania, attachment to letter dated April 7, 2004 [ADAMS Accession No. ML042020449].
3. Letter dated September 29, 2004 [ADAMS Accession No. ML042750483]
4. Electronic mail dated March 24, 2005 [ADAMS Accession No. ML050880370]

Allegheny General Hospital  
Environmental Assessment

5. 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."
6. Title 10 Code of Federal Regulations, Part 20, Subpart E, "Radiological Criteria for License Termination."
7. Title 10, Code of Federal Regulations, Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions."
8. 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 Sandra Gabriel, Medical Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406, telephone (610) 337-5182, fax (610) 337-5269.

Dated at King of Prussia, Pennsylvania this 21st day of April, 2005

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

Pamela J. Henderson, Chief  
Medical Branch  
Division of Nuclear Materials Safety  
Region I

Allegheny General Hospital  
 Environmental Assessment

SSIP Review Complete: PJHenderson 4/21/05

DOCUMENT NAME: E:\Filenet\ML050900146.wpd

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	N	DNMS/RI	N	DNMS/RI			
NAME	SGabriel		PHenderson					
DATE	3/29/05		4/21/05					

OFFICIAL RECORD COPY

Allegheny General Hospital  
Environmental Assessment