

August 25, 2005

Dr. Keith E. Asmussen, Director
Licensing, Safety & Nuclear Compliance
General Atomics
P.O. Box 85608
San Diego, CA 92186-9784

SUBJECT: GENERAL ATOMICS AMENDMENT 83 - REQUEST TO RELEASE THREE PORTIONS OF GENERAL ATOMICS' FACILITY TO UNRESTRICTED USE: "NON-IMPACTED REMAINING PORTION OF GENERAL ATOMICS BUILDING 41" (TAC L31883), "DEPARTMENT OF TOXIC SUBSTANCE CONTROL PERMITTED AREA (NWFP-1)" (TAC L31882), AND "REMAINING PORTIONS OF THE SORRENTO VALLEY SOUTH LAND AREA" (TAC L31897)

Dear Dr. Asmussen:

In accordance with your applications dated March 18, March 23, and May 25, 2005, and pursuant to Part 70 to Title 10 of the Code of Federal Regulations, Materials License SNM-696 is hereby amended to reflect the release of the following three sites.

The March 18, 2005 application applies to various labs/rooms associated with the northern portion of General Atomics (GA) building 41 not exposed to radioactive material (i.e., non-impacted areas). The March 23, 2005, application applies to the DTSC Permitted Area. This area consists of the south, decommissioned portion of Building 41 and adjacent land. The May 25, 2005, application applies to the Remaining Portions of Sorrento Valley South Land Area which consists of land surrounding the former Nuclear Waste Processing Facility site. Safety Condition S-1 has been revised to include the dates of March 18, 2005, March 23, 2005, and May 25, 2005.

Also, you brought to our attention in letter number 696-3885, dated Jun 30, 2005, that a typographical error exists in your license. In license amendment number 76, the NRC approved the reduction in possession limits, and the addition of License Condition SG-9.2 requiring Category III Interim Compensatory Measures. However, beginning with amendment number 77, dated July 11, 2003, the old values were reinserted and, License Condition SG-9.2 was deleted.

Accordingly, page 1, lines 6A through 6E of your license have been corrected to include the proper possession limits. In addition, pages 8 and 9 of your license have been corrected to include License Condition SG-9.2.

All other conditions of this license shall remain the same. Enclosed are copies of the revised Materials License SNM-696 (Enclosure 1) and the Safety Evaluation Report, which includes the Environmental Review (Enclosure 2).

If you have any questions regarding this matter, please contact Merritt N. Baker of my staff at (301) 415-6155 or via e-mail to mnb@nrc.gov.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Gary S. Janosko, Chief
Fuel Cycle Facilities Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket 70-734
License SNM-696
Amendment 83

Enclosures:

1. Materials License SNM-696
2. Safety Evaluation Report

cc: Edgar Bailey
State of California
Department of Health Services
Radiologic Health Branch, Mailstop 7610
Sacramento, CA 95899-7414

K. Asmussen

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Sincerely,

/RA/

Gary S. Janosko, Chief
Fuel Cycle Facilities Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket 70-734
License SNM-696
Amendment 83

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1. Materials License SNM-696
2. Safety Evaluation Report

cc: Edgar Bailey
State of California
Department of Health Services
Radiologic Health Branch, Mailstop 7610
Sacramento, CA 95899-7414

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DATE	08/ /05	08/18/05	08/24/05	08/25/05	08/25/05

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DOCKET: 70-734

LICENSEE: General Atomics
San Diego, CA

SUBJECT: GENERAL ATOMICS AMENDMENT 83 - REQUEST TO RELEASE THREE PORTIONS OF GENERAL ATOMICS' FACILITY TO UNRESTRICTED USE: "NON-IMPACTED REMAINING PORTION OF GENERAL ATOMICS BUILDING 41" (TAC L31883), "DEPARTMENT OF TOXIC SUBSTANCE CONTROL PERMITTED AREA (NWFP-1)" (TAC L31882), AND "REMAINING PORTIONS OF THE SORRENTO VALLEY SOUTH LAND AREA" (TAC L31897)

BACKGROUND

By letters dated March 18, 2005 (ML050970368), March 23, 2005 (ML050890362), and May 25, 2005 (ML051510281), General Atomics (GA) requested release of the "Non-impacted Remaining Portion of Building 41," the "DTSC Permitted Area," and the "Remaining Portions of the Sorrento Valley South Land Area," respectively.

GA has continued to decontaminate, and decommission a number of its licensed nuclear facilities and land areas in order to release them for unrestricted use. This has resulted in a decrease in the number of facilities currently being used for work involving Nuclear Regulatory Commission (NRC)-licensed radioactive material.

DISCUSSION

From May 2003 to the end of 2004, GA continued efforts to obtain the final surveys of a portion of the Nuclear Waste Processing Facility (NWPF), as well as nearby land areas located in the Sorrento Valley Site.

As part of NWPF, Building 41 was comprised of separate northern and southern sections. In 2003 and 2004, GA dismantled the south portion of the building. The remaining northern part is composed of various labs/rooms that have never been used for work involving use of radioactive material (i.e., non-impacted area). Radiological surveys indicate that no cross-contamination occurred into the remaining portion of the building.

The "DTSC Permitted Area" or simply 'NWPF-1' consists of the south portion of Building 41 and adjacent land areas. Prior to being decommissioned, NWPF-1 was used to store, treat, package, re-package and ship radioactive and/or mixed (radioactive and hazardous) wastes. During decommissioning, all of the NWPF-1 equipment and facilities (including walls, roof, and concrete floors of the south portion of Building 41) were dismantled and disposed as low level radioactive waste with the exception of the former NWPF-1 office area where three walls, the concrete pad for the floor, and the roof remain. Radioactively contaminated soil was removed from the site until radiation levels were well below the approved release criteria.

The "Remaining Portions of Sorrento Valley South Land Area" refers to land surrounding the former NWPF-1 site. The area includes a former temporary staging area east of the NWPF-1 site, a sidewalk north of Building 41, a utility pad used to house equipment for Building 41, a one-meter wide area along the entire southern boundary of NWPF-1, and undeveloped land at the eastern and southern boundaries of NWPF-1. Radioactive contamination (predominantly Cs-137), as a result of activities conducted at the adjacent NWPF-1, was discovered in a few locations. These locations were subsequently decontaminated to levels well below the NRC and State approved release criteria.

Final surveys were performed to verify that all three areas met the approved release criteria in the Site Decommissioning Plan, dated October 11, 1996. Confirmatory surveys were performed by NRC inspectors at the close of the project, and were documented in Inspection Reports 070-00734/04-001 (ML041560554) and 070-00734/05-001 (ML052060106).

ENVIRONMENTAL REVIEW

The release of these three areas from GA license SNM-696 is considered a change in process operations which does not affect the scope or nature of the licensed activity. Regulation 10 CFR 51.22(c)(11) allows for a categorical exclusion from preparing an environmental impact statement or an environmental assessment if the following requirements have been satisfied:

- i There is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite.
- ii There is no significant increase in the individual or cumulative occupational radiation exposure.
- iii There is no significant construction impact.
- iv There is no significant increase in the potential for or no consequences from radiological accidents.

There are no longer any nuclear fuel manufacturing activities being conducted at GA, nor does GA still have such capabilities. GA's special nuclear material license issued by the NRC has been amended to authorize possession only. No fuel processing activities are authorized. Since there are no longer any radioactive liquid or gaseous releases from the decontaminated portions of the facility, there will be no significant increase in the possibility of an offsite release and there will be no significant increase in individual or cumulative occupational radiation exposure. Consequently, there is no significant increase in the potential for, or no consequences from radiological accidents. Release of the "Non-impacted Portions of Building 41," the "DTSC Permitted Area," and the "Remaining Portions of Sorrento Valley South Land Area" involve no construction activity. Therefore, there will be no construction impact.

The staff has determined that the proposed changes do not adversely impact the public health and safety or the environment, and are categorically excluded from the requirement to prepare a site-specific environmental assessment. Therefore, in accordance with 10 CFR 51.22(c)(11), neither an environmental assessment nor an environmental impact statement is warranted for this action.

CONCLUSION

The NRC staff determined that the “Non-impacted Portions of Building 41,” the “DTSC Permitted Area,” and the “Remaining Portions of Sorrento Valley South Land Area” were surveyed and decommissioned in accordance with the approved Decommissioning Plan. Confirmatory surveys were performed by the NRC inspectors and the results meet the approved NRC release criteria. Therefore, the staff recommends approval of the amendment.

Region IV and the Division of Waste Management concur with this recommendation.

PRINCIPAL CONTRIBUTORS

Merritt N. Baker, NMSS/FCFB
Matthew Bartlett, NMSS/FCFB