

NUCLEAR REGULATORY COMMISSION

Docket No. 70-36

**Notice of Availability of Environmental Assessment and Finding of No Significant Impact
for License Amendment for Westinghouse Electric Company, LLC, Festus, Missouri**

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability.

FOR FURTHER INFORMATION CONTACT: Amy M. Snyder, Senior Project Manager,
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SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is issuing a license amendment to Materials License Number SNM-00033 issued to Westinghouse Electric Company LLC (WEC) to authorize dismantlement and demolition of sites buildings down to building slabs and foundations at grade at its Hematite Facility in Festus, Missouri. NRC has prepared an Environmental Assessment (EA) in support of this amendment in accordance with the requirements of 10 CFR Part 51. Based on the EA, the NRC has concluded that a Finding of No Significant Impact is appropriate. The amendment will be issued following the publication of this Notice.

II. EA Summary

The purpose of the proposed amendment is to authorize the dismantlement and demolition of site buildings down to building slabs and foundations at grade at the licensee's Hematite Facility located in Festus, Missouri. Specifically, WEC under Nuclear Materials License Number SNM-00033 proposes to conduct dismantlement and demolition of Buildings 101, 110, 115, 120, 230, 231, 235, 240, 245, 252, 253, 254, 255, 256, 260, and 261 down to building slabs and foundations at grade at the WEC Hematite site in Festus, Missouri. The licensee's October 5, 2004 license amendment request was noticed in the *Federal Register* on November 16, 2004 (69 FR 67187). This *Federal Register* notice also provided an opportunity for a hearing on this licensing action.

In accordance with the conditions currently described in Nuclear Materials License Number SNM-00033, the licensee has been performing remediation of residual radioactivity and other industrial contaminants from internal building equipment and components for the building complexes. The radioactive contamination at WEC's Hematite site located in Festus, Missouri consists of soils and building and equipment contaminated with uranium, fission products, and by-product material from licensed operations that occurred from the mid 1950's until 2001.

The staff has prepared the EA in support of the proposed license amendment. The NRC staff has reviewed the license amendment request for the WEC Hematite Facility and examined the impacts of this license amendment request. Potential impacts include water resource impact (e.g., water may be used for dust control), air quality impacts from dust emissions, temporary local traffic impacts resulting from transporting the building debris offsite, beneficial local economic effects due to the creation of jobs to perform dismantlement and demolition, human health impacts, noise impacts from equipment operation, scenic quality impacts, and waste management impacts.

Based on its review of the licensee's amendment application, the staff has determined that overall, no significant impact on surface and groundwater are anticipated and that no significant air quality, noise, land use, and off-site radiation exposure impacts are expected building dismantlement and demolition down to the building slabs and foundations at grade. Through the staff's evaluation of the licensee's amendment application, staff concluded that there will be no surface or subsurface soil disturbances as the buildings are proposed to be removed only down to the grade and concrete slab level. There are no flood plains or wetlands present within the central site tract where the building demolition will take place. The central site tract soil consists primary of impermeable soil. Furthermore, WEC has committed to using the best practices to manage all potential impacts during building demolition. No significant air quality impacts are anticipated because of the contamination controls and dust suppression techniques that will be implemented by WEC during building dismantlement and demolition. As previously noted, WEC has submitted a license amendment request describing the work to be performed and its strategy for controlling radiation fugitive emissions and discharge. WEC has committed to have procedures to perform building demolition that will provide guidance for controlling emissions and runoff.

Additionally, WEC has committed to evaluate its existing building characterization data and further pre-demolition characterization data prior to demolition to verify radiological conditions and controls which WEC has committed to incorporate in implementing building demolition procedures, as noted above. Work activities are not anticipated to result in radiation exposures to individual members of the public in excess of ten percent of the 10 CFR 20.1301 limits. Also, WEC's environmental monitoring program must implement the requirements of Nuclear Materials License Number SNM-00033, Chapter 3, Radiation Protection, and Chapter 5 Environmental Protection. WEC has acknowledged that building demolition activities will necessarily require that building stack monitoring be terminated and has committed to shift

radiation protection of the public and the environment compliance demonstration to air monitoring devices located around the site to assure that all pathways for release of radioactive material are monitored. Additionally, WEC has committed to expand its current liquid effluent monitoring program to incorporate additional potential discharge points as identified by Westinghouse and the Missouri Department of Natural Resources (MDNR) during consideration of the renewal of the National Pollutant Discharge Elimination System discharge permit. Moreover, WEC has committed to modify and supplement approved environmental monitoring plans, policies, and procedures that support the license, before and during the proposed work, as necessary, to support building dismantlement and demolition.

Staff evaluated the temporary local traffic impacts resulting from transporting the building debris offsite due to the licensee's proposed request. WEC ceased fuel production operations at the Hematite Facility and has no future plans of operating the site as a nuclear fuel processing facility. The only potential waste streams from the facility will result from the demolition process. Based on characterization data, WEC proposes to segregate and analyze the waste as required by the disposal facility site's waste acceptance criteria. WEC proposes that clean debris will be characterized and will meet radiological free release criteria for radiological and hazardous contamination. WEC also states that clean debris will be containerized, transported and disposal of it at permitted facility. This indicates that WEC does not plan on leaving any building demolition debris or associated waste at the site. The risk to human health from the transportation of all radioactive material in the U.S. was evaluated in NUREG-0170, "Final Environmental Statement on the Transportation of Radioactive Materials by Air and Other Modes." The principal radiological environmental impact during normal transportation is minimal direct radiation exposure to transport worker and nearby persons from radioactive material in the package. The average annual individual dose from all radioactive material transportation in the U.S. was calculated to be approximately 0.5 mrem, well below the 10 CFR

20.1301 limit of 100 mrem for a member of the public. WEC estimates that 2 to 3 truck loads of demolition waste will leave the site per working day compared to an average daily traffic flow of approximately 2,570 vehicles per day (2002 data) on State Route P. The trucks will then travel on State Route A to Interstate 55. The trucks once entering the above Interstate Highways will then travel to their intended destinations, i.e., Envirocare of Utah, permitted disposal facility in Tennessee, sanitary landfill, etc. Staff agrees that this estimate is reasonable. Furthermore, regulations designed to ensure adequate containment of transported materials discussed 10 CFR 71, apply to this proposed action. Thus, waste management and transportation impacts from the building dismantlement and demolition are not expected to be significant.

Occupational health was also considered in the Final Environmental Impact Statement on the Transportation of Radioactive Material by Air and Other Modes, NUREG-0170. The Department of Transportation regulations in 49 CFR 177.842(g), adopted by NRC in 1979 through reference in 10 CFR 71, require that the radiation dose may not exceed 0.02 mSv (2 mrem) per hour in any position normally occupied by an individual in a motor vehicle. Staff has determined that the shipment of these materials under the proposed license amendment would not affect the assessment of environmental impacts or the conclusions in the Final Environmental Impact Statement on the Transportation of Radioactive Material by Air and Other Modes.

Staff has determined that Implementation of the proposed action would directly impact the potentially historical resources at the Hematite facility. The plan to remove these buildings would result in the permanent loss of these buildings from the historical record. Due to the potential historical significance and the proposed impacts to these buildings, the U.S. National Park Service (NPS), the U.S. Fish and Wildlife Service (FWS), and State Historic Preservation Office (SHPO) of Missouri were consulted. The NPS and SHPO required a Historic American

Engineering Record (HAER) be compiled for each of the buildings on site (HAER file No. MO-311), as a result of a draft Memorandum of Agreement (MOA) between WEC and SHPO. The SHPO's initial opinion was that the proposed demolitions will have an adverse effect on the National Register of Historic Places eligible district. The NPS advised WEC that it may proceed with demolition in accordance with stipulations outlined in the MOA with the Missouri SHPO. NPS further advised WEC that a letter of final approval for this large HAER project will be provided upon receipt of the complete, revised documentation. SHPO in a letter dated January 4, 2005 to NRC states: "While all parties involved in the project have followed the stipulations in the draft MOA in good faith, please be aware that an executed MOA is necessary to complete the Section 106 process. In order for the project to move forward, it is acceptable to our office that Westinghouse and NRC proceed with the project, in accordance with the draft MOA." The FWS has provided that their evaluation and search of existing information indicates no federally listed, proposed, or candidate species or critical habitat occurs on or near the project site.

The NRC has evaluated whether cumulative environmental impacts could result from an incremental impact of the proposed action when added to other past, present, or reasonably foreseeable future actions in the area. The proposed NRC approval of the License Amendment, when combined with known effects on resource areas at the site, including future further site remediation are not anticipated to result in any cumulative impacts at the site.

Approval of the license amendment will not cause any significant impacts on the health and safety of the public or on the environment due to mitigation measures that WEC is committing to use. The NRC staff has concluded that exposures to workers will be low and well within the limits specified in 10 CFR 20. Dismantlement and demolition of the buildings, as proposed by the amendment, will result in an overall reduction of radioactive material at the WEC Hematite which will reduce the long term potential for release of radiological

contamination to the environment. No significant radiologically contaminated effluents are expected during building dismantlement and demolition. No significant radiation exposure to any member of the public is expected.

III. Finding of No Significant Impact

On the basis of the EA, NRC has concluded that there are no significant environmental impacts from the proposed amendment and has determined not to prepare an environmental impact statement.

IV. Further Information

Documents related to this action, including the application for amendment and supporting documentation, are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, you can access the NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The ADAMS accession numbers for the documents related to this notice are:

Document	ADAMS accession number
Materials License Number SNM-00033	ML043560294
License amendment request	ML051310063
License amendment supplement to request	ML050250347
NRC Letter to SHPO	ML043070040
NRC Letter to MDNR	ML050180102
NRC Letter to FWS	ML043140063
Request for Additional Information (RAI)	ML051720051
RAI Response	ML052140426
SHPO letter to NRC	ML050130140

MDNR letter to NRC	MLXXXXXXXX
FWS letter to NRC	ML043520384
EA	MLXXXXXXXX

If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by email to pdr@nrc.gov.

These documents may also be viewed electronically on the public computers located at the NRC's PDR, O 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Rockville, Maryland this XXX day of August, 2005.

For the Nuclear Regulatory Commission.

Daniel M. Gillen, Deputy Director
Decommissioning Directorate
Division of Waste Management
and Environmental Protection
Office of Nuclear Material Safety
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