

NUCLEAR REGULATORY COMMISSION
DOCKET NO. 030-05982
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Environmental Assessment Related to an Amendment
of U.S. Nuclear Regulatory Commission Materials License No. 37-00030-02,
Issued to Safety Light Corporation

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to renew Materials License Number 37-00030-02, which will authorize characterization and decommissioning under specified conditions at the Safety Light Corporation (SLC or licensee) facility in Bloomsburg, Pennsylvania, and has prepared an Environmental Assessment (EA) in support of this action.

SUMMARY: NRC proposes to renew SLC's license for characterization and other decommissioning activities through December 2007 and, pursuant to 10 CFR 30.11, grant SLC exemptions from the financial assurance requirements for decommissioning contained in 10 CFR 30.32 and 30.35. Specifically, this action will require SLC to submit work plans and health and safety plans to the NRC for approval prior to beginning other decommissioning activities as described in the licensee's Decommissioning Plan. Additionally, this action would provide for an orderly cessation of activities so that the remediation of the site may continue under the authority of the U.S. Environmental Protection Agency (EPA), since the SLC is listed on the National Priorities List (NPL). This action addresses radioactive material already present at the site from past operations and does not authorize an increase in the amount of material specified by the license. This renewed license would also require SLC to make prescribed monthly deposits into the decommissioning trust fund during the license renewal period. The NRC has determined that a Finding of No Significant Impact (FONSI) is appropriate for the proposed action.

Introduction

On April 24, 2004, SLC requested a license renewal of NRC License No. 37-00030-02. License No. 37-00030-02 was last renewed on December 28, 1999, for a period of five years with an expiration date of December 31, 2004. Previously the licensee had conducted a radiological characterization of the facility and disposed of some of the legacy radioactive material. Current activities conducted under this license at the Bloomsburg, Pennsylvania site include providing security and maintaining control over radioactive materials on the site from past operations. Due to a lack of financial assurance the licensee has not been able to dispose of the remaining radioactive material possessed under this license, and requested an exemption to specific financial assurance requirements. In an April 27, 2005, rulemaking (70 FR 21644), the SLC facility was added to the NPL under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

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The Proposed Action

The proposed action is to renew Materials License No. 37-00030-02 to authorize characterization and other decommissioning activities, with specific conditions that require that the licensee submit work plans and health and safety plans to the NRC for approval prior to performing any decommissioning activities at the Bloomsburg, Pennsylvania facility. In addition, all licensed activities will cease at the Bloomsburg site by December 31, 2007. SLC has agreed to develop a plan for orderly shutdown of its licensed activities and make prescribed monthly deposits into the decommissioning trust fund. The plan will include provisions, which are listed in the Settlement Agreement between NRC, SLC and Pennsylvania Department of Environmental Protection, as approved by the Atomic Safety and Licensing Board on June 29, 2005 (Adams Accession No. ML051800476). The ASLB decision became a final agency action on August 8, 2005.

The Need for the Proposed Action

The purpose of the proposed action is to renew NRC Materials License No. 37-00030-02 in accordance with the terms of the Settlement Agreement, so that SLC continues to possess and maintain control of the radioactive material from past operations in accordance with specified conditions. Additionally, if SLC were to undertake any new decommissioning activities, this action would require SLC to submit specific work plans and health and safety plans to the NRC for approval prior to beginning other decommissioning activities as described in the licensee's Decommissioning Plan. NRC is fulfilling its responsibilities under the Atomic Energy Act of 1954, as amended, to make a timely decision on a proposed license amendment and to require additional plans to be submitted for NRC approval prior to performing any decommissioning activities to ensure protection of public health and safety and the environment.

Environmental Impacts of the Proposed Action

The licensee does not have sufficient financial assurance to complete remediation activities. The issuance of this amendment covers existing material already present on the site from past operations and does not authorize an increase in the amount of material authorized by the license. By renewing the license, NRC can also require completion of certain actions to provide for an orderly cessation of licensed activities, and require SLC to cooperate with EPA in its evaluation and conduct of future remediation activities. Maintaining the facility under a license does not impose an unnecessary regulatory burden. No changes are being made to the type or amounts of effluents that may be released from the site, and no significant increase in public radiation exposure is expected. The actions to be taken by the licensee are also in the public interest, and the exemption of specific financial assurance requirements until December 31, 2007, will not endanger life or property or common defense and security.

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Environmental Impacts of the Alternatives to the Proposed Action

Since the material already exists at the SLC site in Bloomsburg, Pennsylvania, the alternative to the proposed action to renew the license with specified conditions would be for NRC to take no action. The no-action alternative is not acceptable because the license would remain in timely renewal, without the benefit of requiring the licensee to continue to submit funds to a decommissioning trust fund.

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 has 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.

The NRC discussed the proposed license amendment with EPA and the Pennsylvania Department of Environmental Protection. These agencies agreed with the conclusions of the EA.

Conclusions

Based on its review, the NRC staff has concluded that the proposed action complies with 10 CFR Part 20 and 10 CFR Part 30.11. The NRC staff has prepared this EA in support of the proposed action to amend License No. 37-00030-02. 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 FONSI is appropriate.

List of Preparers

Robert Prince, Health Physicist, Division of Nuclear Materials Safety, Region I

List of References

1. NRC License No. 37-00030-02 inspection and licensing records.
2. Joint Settlement Agreement approved by ASLB on June 29, 2005 (ML051800476).

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>. Any questions with respect to this action should be referred to Robert Prince, Decommissioning Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406, telephone (610) 337-5376, fax (610) 337-5269.

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Dated at King of Prussia, Pennsylvania this 20th day of September, 2005.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Marie Miller, Chief
Decommissioning Branch
Division of Nuclear Materials Safety
Region I

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