

**November 14, 2005**

**NUCLEAR REGULATORY COMMISSION**

**DOCKET NUMBER 030-34406**

**ENVIRONMENTAL ASSESSMENT RELATED TO ISSUANCE OF A LICENSE**

**AMENDMENT TO BYPRODUCT MATERIAL LICENSE NO. 22-26786-01**

**FOR THE PARKER HUGHES INSTITUTE, ROSEVILLE, MINNESOTA**

Introduction

The U.S. Nuclear Regulatory Commission (NRC) staff has prepared this environmental assessment (EA) to support Parker Hughes Institute's (the licensee) September 27, 2005 request to release Bays 12 and 13 at 2657 Patton Road, Roseville, Minnesota, for unrestricted use. On April 18, 1997, the Atomic Energy Commission authorized the licensee to conduct radiological operations at this location. The primary radioactive materials used at the 2657 Patton Road facility were hydrogen-3, carbon-14, phosphorus-32, phosphorus-33, sulfur-35, and iodine-125. The EA has been developed 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 (FONSI) is appropriate for the proposed licensing action.

Proposed Action

The proposed action is to amend Byproduct Material License No. 22-26786-01 issued to Parker Hughes Institute, and release its Bays 12 and 13 at 2657 Patton Road for unrestricted use. The licensee provided survey results which demonstrated that Bays 12 and 13 were in compliance with 10 CFR 20.1402, "Radiological Criteria for Unrestricted Use." No radiological remediation activities are required to complete the proposed action.

### Need for the Proposed Action

Parker Hughes Institute is requesting this license amendment because it no longer plans to conduct NRC-licensed activities at Bays 12 and 13 of 2657 Patton Road facility. The NRC is fulfilling its responsibilities under the Atomic Energy Act to make a decision on the proposed license amendment for decommissioning that ensures that residual radioactivity is reduced to a level that is protective of the public health and safety and the environment, and allows the Bays 12 and 13 facility at 2657 Patton Road to be released for unrestricted use.

### Environmental Impacts of the Proposed Action

The NRC staff has reviewed the surveys performed by Parker Hughes Institute, which the licensee provided to demonstrate compliance with the license termination criteria in 10 CFR Part 20.1402 for unrestricted release. Based on its review, the staff has determined there were no radiological or non-radiological environmental impacts associated with the action since no radiological remediation activities were required to complete the proposed action. The staff has, therefore, concluded that the release of the Bays 12 and 13 facility at 2657 Patton Road for unrestricted use is 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). No outdoor areas were affected by the use of licensed materials.

### Alternatives to the Proposed Action

The only alternative to the proposed action of allowing decommissioning of the site is no action. Under the no-action alternative, the Bays 12 and 13 facility at 2657 Patton Road would remain under an NRC license and would not be released for unrestricted use. Denial of the license amendment request would result in no change to current conditions at the facility. The no-action alternative is not acceptable because it would result in violation of NRC's Timeliness Rule (10 CFR Part 30.36), which requires licensees to decommission their facilities when

licensed activities cease. This alternative would also impose an unnecessary regulatory burden and limit potential benefits from future uses of the facilities.

#### Agencies and Persons Consulted

This EA was prepared by Peter J. Lee, Ph.D., CHP, Health Physicist, Decommissioning Branch, Division of Nuclear Materials Safety, Region III. The NRC staff have determined that Section 7 consultation under the Endangered Species Act is not required as the proposed action does not have the potential to affect the physical environment and, therefore, will not affect listed or proposed endangered species. Additionally, the proposed action is not the type of activity that has the potential to affect historic properties; therefore, no additional consultation under Section 106 of the National Historic Preservation Act is required.

The NRC provided a draft of its Environmental Assessment (EA) to Mr. George Johns, Supervisor, Radiation Control Unit, State of Minnesota, for review on November 1, 2005. On November 3, 2005, Mr. Johns responded by phone and stated that the State had no objections to the proposed action.

#### Conclusion and Finding of No Significant Impact

The NRC staff concluded that the proposed action complies with the license termination criteria in Subpart E of 10 CFR Part 20 for unrestricted release. Based on its review, the staff has determined there are no environmental impacts associated with the unrestricted release of the Bays 12 and 13 facility at 2657 Patton Road, and the proposed licensing action is 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). Additionally, no non-radiological or cumulative impacts were identified. Therefore, the NRC has concluded that the proposed action will not have a significant effect on the quality of the human environment and has determined that an environmental impact statement for the proposed action is not necessary.

Further Information

In accordance with 10 CFR 2.390 of the NRC’s “Rules of Practice,” documents related to this action, including the application for amendment and supporting documentation, will be available electronically for public inspection and copying from the Publicly Available Records (PARS) of NRC’s document system (ADAMS), accessible from the NRC’s web site at <http://www.nrc.gov/reading-rm/adams.html>. The following references are available:

- Letter dated September 27, 2005, with enclosures, from Parker Hughes Institute, to NRC (ADAMS Accession No. ML052800438).
- Letter dated October 28, 2005, with enclosures, from Parker Hughes Institute, to NRC (ADAMS Accession No. ML053110124).
- NUREG-1748, "Environmental Review Guidance for Licensing Actions Associated with NMSS Programs"
- NUREG-1496, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities."

These documents may also be viewed electronically on the public computers located at the NRC’s Public Document Room (PDR), O 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC’s PDR Reference staff by telephone at 1-800-397-4209 or 301-415-4737, or by email to [pdr@nrc.gov](mailto:pdr@nrc.gov).

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