

NUCLEAR REGULATORY COMMISSION
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Environmental Assessment Related to Issuance of a License Amendment
of U.S. Nuclear Regulatory Commission Materials License No. SUB-834,
Department of the Army, Aberdeen, Maryland

Introduction

The U.S. Nuclear Regulatory Commission (NRC) has prepared this environmental assessment (EA) of the amendment of the Department of the Army's Materials License Number SUB-834, and the release of its Bomb Throwing Device (BTD) area at Aberdeen Proving Ground, Aberdeen, Maryland, for unrestricted use. The BTD area is operated by the Department of the Army at the Aberdeen Proving Grounds, Aberdeen, Maryland. The Department of the Army was authorized by AEC/NRC since June 4, 1965, to use radioactive materials for munitions testing and research and development purposes in the BTD area. Actual use of licensed material in the BTD area began in 1982. In 2005, the Department of the Army ceased operations with licensed materials in the BTD area, and requested that NRC release the area for unrestricted use. The Department of the Army has conducted surveys of the BTD area and determined that the area meets the license termination criteria in Subpart E of 10 CFR Part 20. The NRC staff has evaluated the Department of the Army's request and the results of the surveys, and has developed an EA in accordance with the requirements of 10 CFR Part 51. Based on the staff evaluation, the conclusion of the EA is a Finding of No Significant Impact (FONSI) on human health and the environment for the proposed licensing action.

The Department of the Army requested release for unrestricted use of the land mass and buildings associated with the BTD area located on the Aberdeen Proving Grounds in Aberdeen, Maryland, as authorized by the NRC License No. SUB-834. The land mass contained within the BTD area is approximately 46,000 square meters and the three remaining structures have a total footprint of 450 square meters. This tract of land is located within an active U.S. Army testing and research facility.

License No. SUB-834 was issued in 1965 and amended periodically since that time. NRC-licensed activities performed in the BTD area were limited to research and development and munitions testing using projectiles containing depleted uranium. Activities involving depleted uranium testing at the BTD area were conducted from 1982 to 1993. Outdoor areas were affected by the use of licensed materials.

The Proposed Action

The proposed action is to amend Materials License No. SUB-834 and release the BTD area at the Aberdeen Proving Grounds, Aberdeen, Maryland for unrestricted use. By letter dated March 14, 2005, the Department of the Army stated that no further actions are required to remediate the BTD area, and requested release of the area for unrestricted use. The Department of the Army stated that licensed activities ceased completely in March 2005. Based on the licensee's historical knowledge of the site and the conditions of the facility, the licensee

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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 BTM area, decontaminated or remediated areas as needed, and provided documentation that the area 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 this using the screening criteria described in 65 FR 37186.

Need for the Proposed Action

The purpose of the proposed action is to amend NRC Materials License No. SUB-834, to allow for the release of the BTM area for unrestricted use. The licensee needs this license change because it no longer plans to conduct licensed activities in the BTM area. 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 the Department of the Army 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 the Department of the Army's BTM area at the Aberdeen Proving Grounds, Aberdeen, Maryland, 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 Department of the Army's BTM area 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 BTM area at the Aberdeen Proving Grounds 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 BTM area for unrestricted use is denial of the proposed action (i.e. no action). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

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

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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 Environmental Assessment to the Maryland Department of the Environment for review. On September 29, 2005, the Maryland Department of the Environment responded by telephone 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. SUB-834. 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

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Betsy Ullrich, Senior Health Physicist, Division of Nuclear Materials Safety, Region I

List of References

1. NRC License No. SUB-834 inspection and licensing records.
2. "Radiological Final Status Survey Report, Bomb Throwing Device Site - Soils", Cabrera Services, dated December 2004 [ADAMS Accession No. ML052770370].
3. "Remediation and Final Status Survey, Bomb Throwing Device Site - Structures", Cabrera Services, dated December 2004 [ADAMS Accession No. ML052770376].
4. 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."
5. Title 10 Code of Federal Regulations, Part 20, Subpart E, "Radiological Criteria for License Termination."
6. Title 10, Code of Federal Regulations, Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions."
7. NUREG-1496, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities."

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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 Betsy Ullrich, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406, telephone (610) 337-5040, fax (610) 337-5269.

Dated at King of Prussia, Pennsylvania this 7th day of December 2005

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

James P. Dwyer, Chief
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