

NUCLEAR REGULATORY COMMISSION  
DOCKET NO. 030-06021  
December 23, 2005

Environmental Assessment Related to Issuance of a License Amendment  
of U.S. Nuclear Regulatory Commission Materials License No. 37-01665-01,  
Rohm & Haas Company in Philadelphia, Pennsylvania

## **Introduction**

The U.S. Nuclear Regulatory Commission (NRC) has prepared this environmental assessment (EA) of the termination of Rohm & Haas Company's Materials License Number 37-01665-01, and the release of its Philadelphia, Pennsylvania site for unrestricted use. The Philadelphia Plant is operated by Rohm & Haas Company in Philadelphia, Pennsylvania. Rohm & Haas Company was authorized by NRC from December 31, 1956, to use radioactive materials for research and development purposes at the site. In 1995, Rohm & Haas Company ceased operations with licensed materials at the Philadelphia, Pennsylvania site. Rohm & Haas Company has conducted surveys of the facility and determined that the facility meets the license termination criteria in Subpart E of 10 CFR Part 20. The NRC staff has evaluated Rohm & Haas Company'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.

Rohm & Haas Company requested release for unrestricted use of the buildings at 5000 Richmond Street, Philadelphia, Pennsylvania, as authorized by the NRC License No. 37-01665-01 and termination of the license. The only areas of this facility where unsealed licensed material was used were Laboratories 260 and 181 in Building 60. Sealed sources were used in Buildings 60 and 70. These buildings contain 131,000 square feet of general office and laboratory space located in a mixed residential/commercial area.

License No. 37-01665-01 was issued in 1956 and amended periodically since that time. NRC-licensed activities performed at the Philadelphia, Pennsylvania site were limited to laboratory procedures typically performed on bench tops and in chemical fume hoods using hydrogen-3 and carbon-14. No outdoor areas were affected by the use of licensed materials.

## **The Proposed Action**

The proposed action is to terminate Materials License No. 37-01665-01 and release the facility at 5000 Richmond Street, Philadelphia, Pennsylvania, for unrestricted use. By letter dated April 26, 2005, Rohm & Haas Company stated that no further actions are required to remediate the facility, and requested release of the facility for unrestricted use and termination of the license. Rohm & Haas Company stated that licensed activities ceased completely in May 1995. Based on the licensee's historical knowledge of the site and the conditions of the facility, the licensee determined that only routine decontamination activities, in accordance with licensee

Rohm & Haas Company  
Environmental Assessment

radiation safety procedures, were required. A decommissioning plan was not required to be submitted to the NRC. The licensee surveyed the facility, decontaminated or remediated areas as needed, and provided documentation that the facility 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. 37-01665-01 to allow for the release of the Philadelphia Plant for unrestricted use and terminate the license. The licensee needs this license change because it no longer plans to conduct licensed activities at this facility. 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 and termination of a license 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 Rohm & Haas Company 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 Rohm & Haas Company facilities 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 Rohm & Haas Company facilities 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 facility at the Philadelphia Plant site has already been surveyed and found acceptable for release for unrestricted use, the only alternative to the proposed action of termination of the license and release of the Philadelphia Plant site 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

Rohm & Haas Company  
Environmental Assessment

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 Pennsylvania Department of Environmental Protection for review. On December 7, 2005, the Pennsylvania Department of Environmental Protection responded by electronic mail 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 terminate License No. 37-01665-01. 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**

John Nicholson, Division of Nuclear Materials Safety, Region I

### **List of References**

1. NRC License No. 37-01665-01 inspection and licensing records.
2. Final Status Survey and amendment request dated April 26, 2005 [ADAMS Accession No. ML051390274].
3. Letter dated May 16, 2005 providing additional information [ADAMS Accession No. ML051510089].
4. Letter dated May 27, 2005 providing additional information [ADAMS Accession No. ML051590269]
5. Letter dated May 31, 2005 providing additional information [ADAMS Accession No. ML051590359]
6. Letter dated June 29, 2005 providing additional information [ADAMS Accession No. ML051880162]
7. 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."

Rohm & Haas Company  
Environmental Assessment

8. Title 10 Code of Federal Regulations, Part 20, Subpart E, "Radiological Criteria for License Termination."
9. Title 10, Code of Federal Regulations, Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions."
10. NUREG-1496, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities."

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 John Nicholson, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406, telephone (610) 337-5236, fax (610) 337-5269.

Dated at King of Prussia, Pennsylvania this 23<sup>rd</sup> day of December, 2005

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

James P. Dwyer, Chief  
Commercial and R&D Branch  
Division of Nuclear Materials Safety  
Region I

Rohm & Haas Company  
Environmental Assessment

SISP Review Complete: JDwyer

DOCUMENT NAME: E:\Filenet\ML053570288.wpd

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	N	DNMS/RI	N				
NAME	Jnicholson JPD1		JDwyer					
DATE	12/23/2005		12/23/2005					

OFFICIAL RECORD COPY