

April 18, 2007

Ms. Kathleen Clark  
Endangered and Nongame Species Program  
Division of Fish and Wildlife  
2201 Route 631  
Woodbine, New Jersey 08270

SUBJECT: CONCURRENCE WITH DETERMINATION OF NO ADVERSE EFFECT ON  
NESTING AND FORAGING BALD EAGLES FOR PROPOSED  
DECOMMISSIONING PLAN FOR THE SHIELDALLOY METALLURGICAL  
CORPORATION NEWFIELD, NEW JERSEY SITE

Dear Ms. Clark:

By letter dated October 21, 2005, Shieldalloy Metallurgical Corporation (SMC) submitted to the U.S. Nuclear Regulatory Commission (NRC), a proposed decommissioning plan (DP) for its Newfield, New Jersey site. A revised supplemental DP was accepted for NRC staff review on October 11, 2006. The NRC staff is preparing an Environmental Impact Statement (EIS) to document its evaluation of the potential environmental impacts from SMC's proposed plan and alternatives to that plan. The EIS is being prepared in accordance with the requirements of the National Environmental Policy Act of 1969, as amended, as specified in 10 CFR Part 51 of NRC's regulations. In conjunction with its review, the NRC staff also is considering the potential impact of the proposed plan on endangered and threatened species or on critical habitat within the area of influence for the proposed action, in accordance with the Endangered Species Act.

The SMC site is located in southern New Jersey about 64 miles southwest of Trenton, in the Borough of Newfield, Gloucester County. A small portion of the site is located in the City of Vineland, Cumberland County, New Jersey. The southern property line is bounded by the Hudson Branch stream which ultimately flows into the Maurice River.

SMC is proposing to consolidate residual radioactive materials into the existing storage yard covering approximately 2.8 hectares (7 acres), where the majority of materials are currently located, covering them with an engineered barrier, and then conducting long-term maintenance. Existing unvegetated piles of materials would be consolidated into a single pile and covered with vegetation thus reducing the footprint of the existing piles. If the proposed action is determined to be acceptable, the NRC would then issue a long-term control license that would require monitoring and maintenance of the engineered barrier, land use restrictions, and institutional controls. Enclosure 1 is a topographic map showing the site and vicinity. Enclosure 2 is an aerial photograph showing the proposed location of the consolidated materials.

Based on 2005 correspondence between representatives for Shieldalloy and the U.S. Fish and Wildlife Service regarding the occurrence of threatened and endangered species in the vicinity of the SMC site, it appears that an occasional transient bald eagle could forage in the vicinity of the SMC facility.

K. Clark

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SMC's proposed decommissioning activities would be conducted within previously disturbed areas of the site. These disturbed areas are largely void of vegetative cover and would not be expected to attract foraging bald eagles based on the absence of suitable habitat for prey species. Consequently, the NRC staff believes the proposed action would have no effect on foraging bald eagles within the proposed action area of influence. We request your concurrence with NRC's determination.

If you have any questions concerning this matter, please contact Ms. Patti Swain of my staff. Ms. Swain can be reached by phone at (301) 415-5405 or by e-mail at [pbs2@nrc.gov](mailto:pbs2@nrc.gov).

Sincerely,

**/RA/**

Gregory F. Suber, Acting Branch Chief  
Environmental Review Branch  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials  
and Environmental Management Programs

Docket No: 40-7102  
License No: SMB-743

Enclosures:

1. Topographic Map
2. Aerial Photograph

cc: John C. Staples, USFWS

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Gregory F. Suber, Acting Branch Chief  
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**Enclosure 1 - Topographic Map of the SMC Site and Vicinity  
ML071070163**

**Enclosure 2 - Aerial Photograph Showing Location of  
Proposed Engineered Barrier  
ML07170173**