UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-4005

November 16, 2007

MEMORANDUM TO: Docket File No. 030-31988

FROM: Robert Evans, Senior Health Physicist
Nuclear Materials Safety Branch B
Division of Nuclear Materials Safety

SUBJECT: CLOSURE MEMORANDUM FOR DECOMMISSIONING OF THE SOUTHWEST FISHERIES SCIENCE CENTER, CONTROL NO. 471280

The purpose of this Memorandum is to document the closure of the decommissioning review for the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Southwest Fisheries Science Center (the licensee) located in LaJolla, California.

The licensee submitted a final status survey report to the NRC by letter dated February 27, 2007 (ML070710043). The NRC acknowledged receipt of the report by letter dated March 16, 2007 (ML070750117). The licensee's request was processed as a Group 2 decommissioning project in accordance with the guidance provided in NUREG-1757, Consolidated NMSS Decommissioning Guidance, Volume 1, Revision 2. As stated in NUREG-1757, Volume 1, Table 1.2, "Principle Regulatory Features of Decommissioning Groups," safety evaluation reports are not required for Group 2 projects. Accordingly, a safety evaluation report was not conducted for this licensing action.

Table 1.2 provides the principle regulatory features of the seven decommissioning groups. Provided below is a status of each of the principle regulatory features for a Group 2 project:

Principle Regulatory Feature	Status
NEPA Compliance - Completion of an Environmental Assessment	EA & FONSI were published in the Federal Register on October 22, 2007 (72 FR 59561), ML072840964
Restricted or Unrestricted Use	Licensee requested unrestricted use
Decommissioning Plan Required - Yes or No	Decommissioning Plan is not required for a Group 2 decommissioning project
Decommissioning Plan Review Documentation	Not Applicable
Radioactive Material Disposition Documentation	Completed NRC Form 314 dated March 9, 2007 (ML070710043)

Method for Demonstrating Site is Suitable for Release - Survey or Demonstration	Final status survey report was submitted to NRC by letter dated February 27, 2007 (ML070710043)
Confirmatory or Side-by-Side Survey	A confirmatory surveying was determined to be unnecessary
Closeout Inspection	A closeout inspection was determined to be unnecessary
FRN Used to Inform the Public of Staff Actions	FONSI announcement is the only required notification per NUREG-1757
Documentation Used to Support License Termination	License Amendment to terminate the license

The NRC staff considered whether a consultation with EPA was required per the EPA-NRC Memorandum of Understanding dated October 9, 2002. An EPA consultation was not required because the contamination was limited to internal building surfaces only; there was no groundwater or outdoor soil contamination resulting from previous licensed operations.

The licensee's final status survey report dated February 27, 2007, discussed the decommissioning of only one room, although other locations of use were previously licensed by the NRC. Attached to this Memorandum is an Enclosure that describes the previously licensed locations of use and the documentation that subsequently authorized the release of these locations from the license. In addition, the licensee was licensed to use hydrogen-3 (tritium), although the final status survey report does not discuss tritium. As described in the Enclosure, the licensee stated that it had never procured or used tritium at any location.

Our review of the final status survey report is complete. The results of the final survey meet the criteria of NUREG-1757 and similar guidance documents; therefore, the NRC approves the final status survey report. An amendment to License No. 04-29022-01 is the appropriate course of action, authorizing the release of the Southwest Fisheries Science Center and termination of the license as requested by the licensee in its February 27, 2007, letter.

Docket No.: 030-31988
License No.: 04-29022-01
Control No.: 471280

bcc w/enclosure (via ADAMS e-mail distribution):
LDWert
CLCain
DBSpitzberg
RSBrowder
JFKatanic
RJEvans
RIV Nuclear Materials File - 5th Floor

SUNSI Review Completed: RJE ADAMS: ■ Yes □ No Initials: RJE
■ Publicly Available □ Non-Publicly Available □ Sensitive ■ Non-Sensitive

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STATUS OF PREVIOUSLY LICENSED RADIONUCLIDES AND LOCATIONS OF USE

A docket file review identified a number of locations of use and radionuclides that were not included in the final status survey report. The status of each location of use and previously licensed radionuclides are provided below.

Status of Previously Licensed Radioactive Material

The NRC issued License No. 04-29022-01 during January 1991. The license was amended six times since 1991. Four radionuclides were listed in the license: sulfur-35, carbon-14, hydrogen-3 (tritium), and phosphorus-32. The final status survey report dated February 27, 2007, discussed only one radionuclide: carbon-14. The NRC staff conducted a review to determine whether the other three radionuclides should have been considered during the implementation of the final status survey.

The licensee was authorized to possess sulfur-35 between 1991 and 2006. The licensee was also authorized to possess phosphorus-32 between 1995 and 2006. Since both of these radionuclides have radioactive decay half-lives of less than 120 days, they were not considered in the final status survey report and the Environmental Assessment.

The licensee was licensed to possess 25 mCi of tritium between February 1992 and November 1995. The NRC staff attempted to determine whether tritium was ever used by the licensee. No record of tritium use was identified in the docket file. By Email dated August 16, 2007 (ML072400541), the licensee concluded that it could not find any evidence that tritium was ever purchased or used at any laboratory. Accordingly, tritium contamination was not considered in the Environmental Assessment.

Status of Previously Licensed Locations of Use

In addition to the La Jolla Shores Drive location (Room D-229, the location listed in the current amendment to the license), several additional locations of use had been previously authorized on the license. Provided below is a Table of the locations of use and the documentation that removed these locations from the license. Because the NRC had previously released these locations, the licensee was not required to include them in the final status survey report. However, the entire facility is required to comply with the radiological criteria for licensed termination specified in Subpart E to 10 CFR Part 20. A review of the docket file indicated that the previously released locations met the 25-millirem per year criteria established in 10 CFR 20.1402.

Previous Locations of Use

Locations of Use	Documentation that Released the Location	Decommissioning Records on File?
Tiburon Laboratory, Tiburon, California	Amendment 4 dated 03/20/02	Licensee letter dated 12/14/01
Bodega Marine Laboratory, Bodega Bay, California	Amendment 4 dated 03/20/02	Licensee letter dated 12/14/01
Any NOAA research ship	License required Licensee to certify decontamination of every ship upon completion of each research project	None on file, but a list of historical uses was included in the final status survey report
LaJolla Shores Drive, Rooms C-201, 205, 206, 219	Amendment 2 dated 11/22/95	Email dated 08/16/07 included a copy of 01/08/96 survey
LaJolla Shores Drive, Room C-223	Amendment 5 dated 10/16/03	Licensee letter dated 09/12/03