



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

July 8, 2019

Jason C. Nelson, General Counsel
Legal Department
Kickapoo Traditional Tribe of Texas
P.O. Box 2505
Eagle Pass, Texas 78852

SUBJECT: FINAL ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED
AMENDMENT OF THE U.S. ARMY'S SOURCE MATERIAL LICENSE FOR
THE JEFFERSON PROVING GROUND (DOCKET NUMBER: 40-8838)

Dear Mr. Nelson:

The U.S. Nuclear Regulatory Commission (NRC) is reviewing a request by the U.S. Department of the Army (Army) to amend the Army's source material license (SUB-1435) from "possession-only for decommissioning" to "possession-only" and to exempt the Army from the NRC's decommissioning timeliness requirements in Title 10 of the *Code of Federal Regulations* 40.42(d). The license currently authorizes possession-only for decommissioning of up to 80,000 kilograms (176,370 pounds) of depleted uranium metal, alloy, and/or other forms, kept onsite in a restricted area known as the "Depleted Uranium Impact Area" at the Jefferson Proving Ground in southeastern Indiana. If the NRC grants the amendment and the exemption requests, the NRC staff anticipates establishing a license condition that would exempt the Army from the need to submit a decommissioning plan for 20 years, at which time the Army would be required to submit a license amendment request and provide a basis for continuing the exemption.

As part of its review, the NRC staff prepared a draft environmental assessment (EA) and draft finding of no significant impact, which were published for a 30-day public comment period beginning February 4, 2019 (see *Federal Register* notice 84 FR 1522, dated February 4, 2019). The NRC staff reviewed the public comments on the draft EA and prepared the final EA, which includes an appendix that summarizes and responds to the comments we received on the draft EA. A copy of the final EA is enclosed.

You may also access the final EA electronically: The NRC Agencywide Documents Access and Management System (<http://www.nrc.gov/reading-rm/adams.html>) Accession Number for the final EA is ML19169A022, or you can access it directly at <https://www.nrc.gov/docs/ML1916/ML19169A022.pdf>.

J. Nelson

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If you have any questions about the proposed licensing action or the environmental review, please contact Ms. Christine Pineda, Project Manager for the EA, at (301) 415-6789 or via e-mail at Christine.Pineda@nrc.gov.

Sincerely,

/RA Jessie Quintero Acting for/

Cintha I. Román, Chief
Environmental Review Branch
Division of Fuel Cycle Safety, Safeguards,
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket No. 40-8838
License No. SUB-1435

Enclosure:
Final Environmental Assessment

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DATED: July 8, 2019

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R. Nelson, NMSS/DUWP

ADAMS Accession Numbers: ML19186A322 (P), ML19186A371 (L) *via e-mail

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