

NRC PLR



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

DEC 11 1980

Mr. Newton Steers
6601 River Road
Bethesda, Maryland 20034

Dear Mr. Steers:

This is in response to your October 15, 1980 letter to Mr. John F. Ahearne, Chairman, Nuclear Regulatory Commission (NRC), expressing the concerns of several Montgomery County citizens over potential public health and safety risks raised because of the location of the Armed Forces Radiobiology Research Institute (AFRRI) research reactor in a heavily populated area. You also expressed a desire to have NRC hold public hearings and to develop an Environmental Impact Statement.

AFRRI has recently submitted a request for renewal of their operating license for a period of twenty (20) years. A notice advising the public of the receipt of the application and the intent of NRC to review the application was published in the Federal Register on November 25, 1980. A copy is enclosed for your information. As stated in the notice, any individual member of the public or organization whose interest may be affected may request a hearing and file a petition for leave to intervene as a party in the hearing. A copy of the NRC's rules of practice, 10 CFR Part 2, is enclosed for your information. The procedures for filing a petition to intervene are set out at 10 CFR § 2.714. If you desire to formally request a hearing and participate as a party, you should file a petition by December 26, 1980.

In regard to the preparation of an Environmental Impact Statement (EIS), the National Environmental Policy Act of 1969, as amended (NEPA) requires the preparation and issuance of an EIS for all major Federal actions which significantly affect the quality of the human environment. When it is unclear at the outset whether preparation of an EIS for the action in question is justified, the NRC regulations implementing NEPA, 10 CFR Part 51, require preparation of an Environmental Impact Appraisal (EIA) leading in turn to either (1) a finding of no significant impact and preparation of a negative declaration or (2) to a finding of significant impact and preparation of an EIS. In 1974, the NRC staff prepared a generic EIS for research reactors which concluded that "...there will be no significant environmental impact associated with the licensing of research reactors or critical facilities designed to operate at power levels of 2 megawatts or lower and that no environmental impact statements are required to be written...". Since the AFRRI reactor appears to meet the criteria of the generic EIA (i.e., has a power level of 1 megawatt), an EIS will most likely not be required for the AFRRI license renewal application review. However, in the event there is intervention and a hearing in the license renewal action described above, the issue of a need for an EIS may be raised at that time.

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Mr. Newton Steers

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You can be assured that the health and safety of the public is of the highest concern to the NRC and that these facets of the application will also be rendered intensive review and evaluation.

If you have further questions, please feel free to contact me or the NRC Project Manager for the AFRRRI research reactor (Mr. Harold Bernard, (492-8357)).

Sincerely,

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Enclosure:
Copy of 10 CFR
Part 2

No. SECY-80-1792

Logging Date 10/23/80

NRC SECRETARIAT

TO: Commissioner _____ Date _____
 Exec. Dir./Oper. _____ Gen. Counsel _____
 Cong. Liaison _____ Solicitor _____
 Public Affairs _____ Secretary _____

Incoming: Newton I. Steers

From: Newton Steers

To: Ahearne Date 10/15/80

Subject: concerned about the plans of the Armed Forces Radiobiology Res Institute located at the Nat'l Naval Medical Center in B. Md.--safety of public

- Prepare reply for signature of:
 - Chairman _____
 - Commissioner _____
 - EDO, GC, CL, SOL, PA, SECY
 - Signature block omitted
 - _____
 - Return original of incoming with response

For direct reply* Suspense: Nov 17

For appropriate action

For information

For recommendation

Rec'd Off. EDO
 Date 10/24/80
 Time 10:30

Remarks: RF

For the Commission: billie

*Send three (3) copies of reply to Secy Mail Facility