

UNITED STATES NUCLEAR REGULATORY COMMISSION

ENVIROCARE OF UTAH, INC.

11e.(2) BYPRODUCT MATERIAL DISPOSAL FACILITY

DOCKET NO. 40-8989

ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT

The U.S. Nuclear Regulatory Commission is issuing an exemption from the requirement of 10 CFR Part 40, Appendix A, Criterion 7 for at least a full year of preoperational monitoring prior to any major site construction at the Envirocare of Utah, Inc. (Envirocare) 11e.(2) byproduct material disposal site near Clive, Utah.

ENVIRONMENTAL ASSESSMENT

Identification of Proposed Action:

The proposed action would grant Envirocare an exemption from the requirements of 10 CFR Part 40, Appendix A, Criterion 7 for at least one full year of preoperational monitoring for organic constituents in the Point of Compliance (POC) wells prior to major site construction at the 11e.(2) byproduct material disposal facility. In accordance with 10 CFR 40.14, the NRC staff, upon its own initiative, has proposed this exemption.

The Need for the Proposed Action:

Envirocare of Utah, Inc. has conducted preoperational monitoring in the POC wells for hazardous constituents specified in License Condition 11.1 of Byproduct Material License SMC-1559. Envirocare has completed at least one full year of preoperational monitoring for all hazardous constituents in the POC wells at the site with the exception of the nine organic constituents.

Sampling of the organic constituents in the POC wells was conducted by Envirocare in November of 1993, and February, April, and July of 1994. In order to complete one full year of preoperational monitoring, however, Envirocare would need to take another round of samples from the POC wells in November, 1994 prior to any major site construction. Envirocare, however, wants to begin disposal operations in early September, 1994 in order to receive the 11e.(2) byproduct material from the West Chicago Kerr McGee facility.

The purpose for requiring one full year of preoperational monitoring data is to establish the background ground-water quality based on data which is representative of seasonal variations, and to assure a statistically significant number of samples is taken. The staff has determined that the sampling conducted by Envirocare for the organic constituents provides adequate representative samples from each of the four seasons and provides a statistically significant number of samples. In addition, each of these four samplings has shown that the nine organic constituents in each well are at or below the lower limit of detection. Envirocare, in its submittal dated August 31, 1994, has also proposed that the background ground-water quality for the organic constituents in the POC wells be set at the lower limit of detection. Therefore, the NRC staff concludes that the background ground-water quality values for the nine organic constituents set at the lower limit of detection, as indicated by the sampling results, provide the same level of protection for public health, safety, and the environment from non-radiological hazards at the site as would be achieved by full compliance with 10 CFR Part 40, Appendix A, Criterion 7.

Environmental Impact of the Proposed Action:

The proposed action does not involve any significant environmental

impacts. Since the proposed action does not involve a change in facility operation or configuration, there is reasonable assurance that the proposed action would not increase the probability or the consequences of an accident, or reduce the level of protection for public health, safety, and the environment from radiological and non-radiological hazards. No changes would be made in the types or quantities of effluents that may be released offsite. Further, there would be no significant increase in the allowable individual or cumulative radiation exposure. Accordingly, the NRC concludes that this proposed action would result in no significant radiological environmental impact.

With regard to potential non-radiological impacts, the proposed action does not affect non-radiological plant effluents and has no other environmental impact. Therefore, the NRC concludes that there are no significant non-radiological impacts associated with the proposed action.

#### Alternatives to the Proposed Action:

Since the NRC has concluded that there are no significant environmental impacts associated with the proposed action, any alternative with equal or greater environmental impacts need not be evaluated.

#### Alternative Use of Resources:

This action does not involve the use of resources not previously considered in the Environmental Impact Statement (NUREG-1476, August, 1993).

#### Agencies and Persons Consulted:

The NRC staff initiated this exemption. The NRC staff did not consult with any other agency or persons regarding the environmental impact of the proposed action.

#### FINDING OF NO SIGNIFICANT IMPACT:

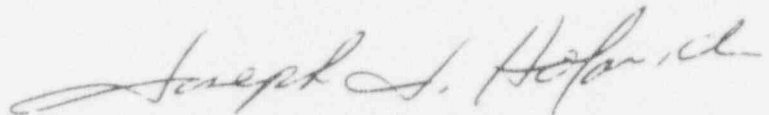
Based upon this environmental assessment, the staff concludes that the

proposed action will not have a significant effect on the quality of the human environment. Therefore, the NRC has determined not to prepare an environmental impact statement for the proposed exemption.

For further details with respect to this action, see the NRC staff's Safety Evaluation Report regarding the licensee's background ground-water quality submittal dated September 8, 1994, which is available for public inspection at the NRC's Public Document Room, Gelman Building, 2120 L Street, N.W., Washington, DC 20555.

Dated at Rockville, Maryland,  
this 8th day of September, 1994.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script, reading "Joseph J. Holonich".

Joseph J. Holonich, Chief  
High-Level Waste and Uranium Recovery  
Projects Branch  
Division of Waste Management  
Office of Nuclear Material Safety and  
Safeguards