



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

December 11, 1998

DOCKET: 70-622

LICENSEE: Department of the Army

FACILITY: U.S. Army Armament Research, Development
and Engineering Center
Picatinny Arsenal, New Jersey

SUBJECT: SAFETY EVALUATION REPORT: APPLICATION DATED
NOVEMBER 19, 1998, LICENSE EXTENSION (TAC NO. 31333)

BACKGROUND

By letter dated November 19, 1998, the Department of the Army, U.S. Army Armament Research, Development and Engineering Center (ARDEC) requested an amendment to Materials License SNM-561 to extend their license for five years in accordance with 10 CFR 70.38(a)(2).

DISCUSSION

ARDEC has requested a five year extension to their current January 31, 1999, license expiration date. Part 70.38(a)(2), allows a five year extension of the expiration date in the current license if the licensee is not subject to provisions listed in 70.38(a)(3). The staff has determined the following with regard to ARDEC and each of the provisions listed below.

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| § 70.38(a)(3)(i) | An evaluation or an emergency plan is not required in accordance with 10 CFR 70.22(i), because the licensee is exempted from the requirement for a criticality monitoring system in 10 CFR 70.24; |
| § 70.38(a)(3)(ii) | The licensee is not subject to the financial assurance requirements of 10 CFR 70.25, because the material authorized in the license (plutonium sealed sources and batteries) is not unsealed special nuclear material; |
| § 70.38(a)(3)(iii) | The licensee is not listed in the Site Decommissioning Management Plan List published in NUREG-1444, Supplement 1 (November 1995); |
| § 70.38(a)(3)(iv) | The renewal of License SNM-561 meets the categorical exclusion requirements of 10 CFR 51.22(c)(14), and therefore neither an environmental assessment nor environmental impact statement is required; |

- § 70.38(a)(3)(v) The licensee was inspected before February 15, 1996 and the inspection did not result in the citation of any violations or in issuance of any orders or confirmatory action letters; and,
- § 70.38(a)(3)(vi)
- § 70.38(a)(3)(vii) A criticality monitoring system is not required in accordance with 10 CFR 70.24, because of the material authorized under this license, as documented in the Safety Evaluation Report for renewal dated January 14, 1994;

ENVIRONMENTAL REVIEW

Based on information submitted by ARDEC, the staff has determined that this revision is an administrative change and will not adversely affect the health and safety or the environment. Accordingly, the staff has determined that the criteria in 10 CFR 51.22(c)(11) for categorically excluding an action from an environmental review have been met. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is necessary for this proposed action.

CONCLUSION

Based on the information submitted by ARDEC, the staff has determined that the requirements of 10 CFR 70.38(a)(2) have been met, and License SNM-561 shall be deemed to have an expiration date five years after the expiration date of the current license. Therefore, the license expires on January 31, 2004. The staff concludes that the proposed change will have no adverse affect on the public health and safety or the environment. Approval of the amendment is recommended.

The NRC Region I inspection staff was contacted and has no objection to this licensing action.

Principal Contributors

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12/11/98