

the "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities" (NUREG-1496). Additionally, no non-radiological or cumulative impacts were identified. Therefore, the NRC has determined that the proposed action will not have a significant effect on the quality of the human environment.

#### *Alternatives to the Proposed Action*

The only alternative to the proposed action of releasing the licensee's former Building V, Domino Farms facility located at 24 Frank Lloyd Wright Drive for unrestricted use is to take no action. Under the no-action alternative, the licensee's facility would remain under an NRC license and would not be released for unrestricted use. Denial of the license amendment request would result in no change to current conditions at the Building V, Domino Farms facility. The no-action alternative is not acceptable because it is inconsistent with 10 CFR 30.36, which requires licensees who have ceased licensed activities to begin decommissioning activities or submit a decommissioning plan, which upon approval, will be used to conduct decommissioning activities. This alternative would impose an unnecessary regulatory burden in controlling access to the former Building V, Domino Farms facility, and limit potential benefits from the future use of the facility.

#### *Conclusion*

The NRC staff concluded that the proposed action is consistent with the NRC's unrestricted release criteria specified in 10 CFR 20.1402. Because the proposed action will not significantly impact the quality of the human environment, the NRC staff concludes that the proposed action is the preferred alternative.

#### *Agencies and Persons Consulted*

The NRC staff has determined that the proposed action will not affect listed species or critical habitats. Therefore, no further consultation is required under Section 7 of the Endangered Species Act. Likewise, the NRC staff has determined that the proposed action is not a type of activity that has potential to cause effect on historic properties. Therefore, consultation under Section 106 of the National Historic Preservation Act is not required.

The NRC consulted with the Michigan Department of Environmental Quality (DEQ). The Michigan DEQ, Waste and Hazardous Materials Division,

Radiological Protection and Medical Waste Section was provided the draft EA for comment on February 23, 2006. Mr. Bob Skowronek, Chief, Radioactive Material and Medical Waste Unit, with the Michigan DEQ, responded to the NRC by telephone on February 24, 2006, indicating that the State had no comments regarding the NRC Environmental Assessment for the release of the Warner-Lambert, Building V, Domino Farms facility.

#### **II. Finding of No Significant Impact**

On the basis of the EA in support of the proposed license amendment to release the site for unrestricted use, the NRC has determined that the proposed action will not have a significant effect on the quality of the human environment. Thus, the NRC has not prepared an environmental impact statement for the proposed action.

#### **III. Further Information**

Documents related to this action, including the application for amendment and supporting documentation, are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, you can access the NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. If you do not have access to ADAMS, or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). The documents and ADAMS accession numbers related to this notice are:

1. Carol Lentz, Pfizer, Inc., letter to Patricia Pelke, U.S. Nuclear Regulatory Commission, January 19, 2006 (ADAMS Accession No. ML060240154).
2. Carol Lentz, Pfizer, Inc., letter to Patricia Pelke, U.S. Nuclear Regulatory Commission, February 14, 2006 (ADAMS Accession No. ML060480083).
3. U.S. Nuclear Regulatory Commission, "Environmental Review Guidance for Licensing Actions Associated with NMSS Programs," NUREG-1748, August 2003.
4. U.S. Nuclear Regulatory Commission, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities," NUREG-1496, August 1994.
5. NRC, NUREG-1757, "Consolidated NMSS Decommissioning Guidance," Volumes 1-3, September 2003.

Documents may also be viewed electronically on the public computers located at the NRC's PDR, O 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Lisle, Illinois, this 9th day of March 2006.

For the Nuclear Regulatory Commission.

**James L. Cameron,**

*Chief, Decommissioning Branch, Division of Nuclear Materials Safety, Region III.*

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## **NUCLEAR REGULATORY COMMISSION**

### **Notice of Issuance of Final Design Approval and Final Safety Evaluation Report, Supplement 1, for AP1000 Standard Plant Design; Westinghouse Electric Company, LLC**

The U.S. Nuclear Regulatory Commission (NRC) has issued a revised final design approval (FDA) to Westinghouse for the AP1000 design under 10 CFR Part 52, Appendix O. This FDA allows the AP1000 design to be referenced in an application for a construction permit or an operating license under 10 CFR Part 50 or in an application for a combined license under 10 CFR Part 52. The FDA was revised to make it coterminous with the design certification rule that was issued on January 27, 2006, (Appendix D to 10 CFR Part 52). This FDA supersedes the FDA dated September 13, 2004.

The U.S. Nuclear Regulatory Commission has also issued Supplement 1 to the final safety evaluation report (FSER) related to the certification of the AP1000 standard plant design. The FSER (NUREG-1793) and Supplement 1 thereto supports issuance of the revised FDA.

A copy of the AP1000 FDA and Supplement 1 to the FSER have been placed in the NRC's Public Document Room for review and copying by interested persons.

Dated at Rockville, Maryland, this 10th day of March 2006.

For the Nuclear Regulatory Commission.

**Laura A. Dudes,**

*Branch Chief, New Reactor Licensing Branch, Division of New Reactor Licensing, Office of Nuclear Reactor Regulation.*

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