

*Environmental Impacts of the Proposed Action*

The NRC has completed its evaluation of the proposed action and concludes that there will be no significant environmental impact if the exemptions are granted. The staff reviewed the analyses provided in the TN NUHOMS® amendment application addressing the NUHOMS®-32PT system. Included in this application were the revised fuel specification and fuel qualification tables that allow the loading of fuel assemblies with low enrichment/high burnup fuel, assemblies with stainless steel plugging clusters, and reconstituted fuel. The staff has completed its Safety Evaluation Reports (SER) associated with review of this application. The staff concluded that the NUHOMS system with the revised contents (low enrichment/high burnup fuel, assemblies with stainless steel plugging clusters, and reconstituted fuel) for the 32PT DSC meets the acceptance criteria specified in 10 CFR Part 72. The SER for the TN NUHOMS®-32PT system documenting the staff's safety findings and conclusions was included as an enclosure to the letter to U.B. Chopra, dated March 30, 2005.

The NRC concludes that there is reasonable assurance that the proposed exemptions have no impact on off-site doses.

The potential environmental impact of using the NUHOMS® system was initially presented in the Environmental Assessment (EA) for the Final Rule to add the TN Standardized NUHOMS® Horizontal Modular Storage System for Irradiated Nuclear Fuel to the list of approved spent fuel storage casks in 10 CFR 72.214 (59 FR 65898, dated December 22, 1994). The potential environmental impact of using the NUHOMS®-32PT system was initially presented in the EA for the proposed rule to add the 32PTH system to the Standardized NUHOMS® system, Amendment No. 5 (68 FR 49726, dated August 19, 2003). The TN 32PT system does not increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released offsite, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does not have a potential to affect any historic sites. It does not affect nonradiological plant effluents and has

no other environmental impact. Therefore, there are no significant nonradiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

*Alternative to the Proposed Action*

Since there is no significant environmental impact associated with the proposed action, alternatives with equal or greater environmental impact were not evaluated. As an alternative to the proposed action, the staff considered denial or "no-action" of the proposed action. Denial of the exemption would result in no change in current environmental impact. NMC considers the "no-action" alternative to impact NMC's ability to provide affordable and competitive power since rescheduling of the fall 2005 loading campaign could impact future NMC budget planning.

*Agencies and Persons Consulted*

This exemption request was discussed with Mr. Lou Brandon, Chief of the Nuclear Facilities Unit, Department of Environmental Quality, for the State of Michigan, on September 7, 2005. He stated that the State had no comments on the technical aspects of the exemption. The NRC staff has determined that a consultation under Section 7 of the Endangered Species Act is not required because the proposed action will not affect listed species or critical habitat. The NRC staff has also determined that the proposed action is not a type of activity having the potential to cause effects on historic properties. Therefore, no further consultation is required under Section 106 of the National Historic Preservation Act.

**Finding of No Significant Impact**

The environmental impacts of the proposed action have been reviewed in accordance with the requirements set forth in 10 CFR Part 51. Based upon the foregoing EA, the Commission finds that the proposed action of granting the exemption from specific provisions of 10 CFR 72.212(a)(2), 72.212(b)(2)(i)(A), 72.212(b)(7), and 10 CFR 72.214, to allow NMC to use the proposed CoC No. 1004, Amendment No. 8, will not significantly impact the quality of the human environment. Accordingly, the Commission has determined that an environmental impact statement for the proposed exemption is not warranted.

In accordance with 10 CFR 2.390 of NRC's "Rules of Practice," final NRC records and documents regarding this proposed action are publicly available

in the records component of NRC's Agencywide Documents Access and Management System (ADAMS). The request for exemption dated August 22, 2005, and September 20, 2005, was docketed under 10 CFR Part 72, Docket No. 72-7. These documents may be inspected at NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. These documents may also be viewed electronically on the public computers located at the NRC's Public Document Room (PDR), O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209 or (301) 415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 20th day of September, 2005.

For the Nuclear Regulatory Commission.

**L. Raynard Wharton,**

*Project Manager, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.*

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**NUCLEAR REGULATORY COMMISSION**

[Docket No. 030-05982]

**Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for Safety Light Corporation in Bloomsburg, PA**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability.

**FOR FURTHER INFORMATION CONTACT:**

Robert Prince, Decommissioning Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania, 19406, telephone (610) 337-5376, fax (610) 337-5269; or by e-mail: [RJP4@nrc.gov](mailto:RJP4@nrc.gov).

**SUPPLEMENTARY INFORMATION:****I. Introduction**

The Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to Safety Light Corporation (SLC) to renew Materials License No. 37-00030-02, to authorize characterization and decommissioning under specified conditions at its facility in Bloomsburg, Pennsylvania. NRC has prepared an Environmental Assessment

(EA) in support of this action in accordance with the requirements of 10 CFR Part 51. The renewed license would also grant SLC exemptions from the financial assurance requirements for decommissioning contained in 10 CFR 30.32 and 30.35. Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate.

## II. EA Summary

The purpose of the proposed action is to renew NRC Materials License No. 37-00030-02 for characterization and other decommissioning activities through December 2007, and pursuant to 10 CFR 30.11, grant SLC exemptions from the financial assurance requirements for decommissioning contained in 10 CFR 30.32 and 30.35. The renewed license will require that the SLC submit work plans and health and safety plans to the NRC for approval prior to beginning other decommissioning activities at the Bloomsburg, Pennsylvania facility. The renewed license will also require that SLC develop a plan for the orderly shutdown of licensed activities and make prescribed monthly deposits into the decommissioning trust fund during the license renewal period in accordance with the Settlement Agreement between NRC, SLC and Pennsylvania Department of Environmental Protection, as approved by the Atomic Safety and Licensing Board on June 29, 2005.

The NRC staff has prepared an EA in support of the license amendment. The licensee does not have sufficient financial assurance to complete remediation activities. The issuance of this amendment covers existing material already present on the site from past operations and does not authorize an increase in the amount of material authorized by the license. No changes are being made to the type or amount of effluents that may be released from the site, and no significant increase in public radiation exposure is expected. By renewing the license, NRC can also require the completion of certain actions to provide for an orderly cessation of licensed activities, and require SLC to cooperate with the Environmental Protection Agency in its evaluation and conduct of future remediation activities. The actions to be taken by the licensee are also in the public interest, and the exemption of specific financial assurance requirements until December 31, 2007 will not endanger life or property or common defense and security.

Therefore, the NRC staff concluded that the action to renew License No. 37-00030-02 and grant SLC exemptions

from the financial assurance requirements for decommissioning complies with 10 CFR Part 20 and 10 CFR 30.11.

## III. Finding of No Significant Impact

The staff has prepared the EA (summarized above) in support of the license amendment to renew the license and grant the exemptions. On the basis of the EA, the NRC has concluded that the environmental impacts from the action are expected to be insignificant and has determined not to prepare an environmental impact statement for the action. Accordingly, a FONSI is appropriate.

## IV. Further Information

Documents related to this action, including the application for the license 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. The ADAMS accession numbers for the documents related to this Notice are the Environmental Assessment (ML052630022 and the SLC renewal request dated April 24, 2004 (ML041310318). Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at (800) 397-4209 or (301) 415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Documents related to operations conducted under this license not specifically referenced in this Notice may not be electronically available and/or may not be publicly available. Persons who have an interest in reviewing these documents should submit a request to NRC under the Freedom of Information Act (FOIA). Instructions for submitting a FOIA request can be found on the NRC's Web site at <http://www.nrc.gov/reading-rm/foia/foia-privacy.html>.

Dated at King of Prussia, Pennsylvania, this 20th day of September, 2005.

For the Nuclear Regulatory Commission.

**Marie Miller,**

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

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## NUCLEAR REGULATORY COMMISSION

### Sunshine Act Meeting

**DATES:** Weeks of September 26, October 3, 10, 17, 24, 31, 2005.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

**MATTERS TO BE CONSIDERED:**

#### Week of September 26, 2005

There are no meetings scheduled for the Week of September 26, 2005.

#### Week of October 3, 2005—Tentative

There are no meetings scheduled for the Week of October 3, 2005.

#### Week of October 10, 2005—Tentative

There are no meetings scheduled for the Week of October 10, 2005.

#### Week of October 17, 2005—Tentative

*Tuesday, October 18, 2005*

9:30 a.m.—Briefing on Decommissioning Activities and Status (Public Meeting)

This meeting will be webcast live at the Web address—<http://www.nrc.gov>.

#### Week of October 24, 2005—Tentative

*Wednesday, October 26, 2005*

1:30 p.m.—Discussion of Security Issues (Closed-Ex. 1)

#### Week of October 31, 2005—Tentative

*Tuesday, November 1, 2005*

9:30 a.m.—Briefing on Implementation of Davis-Besse Lessons Learned Task Force (DBLLTF)

Recommendations (Public Meeting)

This meeting will be webcast live at the Web address—<http://www.nrc.gov>.

\*The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings call (recording)—(301) 451-1292. Contact person for more information: Michelle Schroll, (301) 415-1662.

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The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/what-we-do/policy-making/schedule.html>.

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The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g. braille, large print), please notify the