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Dated at Rockville, Maryland, this 15th day of June, 2005.

For the Nuclear Regulatory Commission.

**Daniel M. Gillen,**

*Deputy Director, Division of Waste Management and Environment, Office of Nuclear Material Safety and Safeguards.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-36574]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for the Department of the Army's Facility at Fort Belvoir, VA

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability.

**FOR FURTHER INFORMATION CONTACT:** Tom McLaughlin, Project Manager, Decommissioning Directorate, Division of Waste Management and Environmental Protection, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; Telephone: (301) 415-5869; fax number: (301) 415-5398; e-mail: [tgm@nrc.gov](mailto:tgm@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The NRC is considering issuance of a license amendment to the Department of the Army (Army or licensee) for License No. 19-10306-02, to authorize decommissioning for its facility at Fort Belvoir, Virginia. NRC has prepared an Environmental Assessment (EA) in support of this action in accordance with the requirements of 10 CFR part 51. Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate.

##### II. EA Summary

The purpose of this proposed amendment to License No. 19-10306-02 is to authorize the decommissioning of the licensee's Building 7304 at Fort Belvoir, Virginia, for unrestricted use to allow for license termination. The Army was authorized by the NRC on March 31, 1989, to use radioactive materials for research purposes at the site. On May 17, 2004, the Army requested that NRC approve the decommissioning plan for the facility which when completed would permit the site to be released for unrestricted use. Final approval for release of the site for unrestricted use and license termination would be contingent upon NRC staff's approval of the licensee's final status survey report and making the findings required by the Commission's regulations following completion of the licensee's decommissioning activities. The Army's request for the proposed amendment was previously noticed in the **Federal Register** on December 28, 2004 (69 FR 77779), with a notice of an opportunity to request a hearing. No comments or request for a hearing were received.

Following a Characterization Survey, the Army found that there are elevated levels of radioactivity on the floor of Building 7304, in the soil beneath the floor, in the wall storage vaults, and in the floor vaults. These elevated levels indicate the need for the removal of the Building 7304 structure and any soil that is above the soil screening criteria, then transport of the contaminated waste to an authorized disposal facility. The NRC staff determined that all steps in the proposed decommissioning could be accomplished in compliance with the NRC public and occupational dose limits, effluent release limits, and residual radioactive material limits. In addition, the staff concluded that approval of the decommissioning of Building 7304 at Fort Belvoir, Virginia, in accordance with the commitments in NRC License No. 19-10306-02 and the final decommissioning plan, would not result in a significant adverse impact on the environment.

If the NRC approves the license amendment, the authorization will be documented in an amendment to NRC License No. 19-10306-02. However, before approving the proposed amendment, the NRC will need to make the findings required by the Atomic Energy Act of 1954, as amended, and NRC's regulations. These findings will be documented in a Safety Evaluation Report in addition to the EA.

##### III. Finding of No Significant Impact

The staff has prepared the EA (summarized above) in support of the Army's proposed decommissioning. The NRC staff has concluded that there will be no adverse environmental impacts associated with approving the Army's license amendment request for decommissioning Building 7304. The radiological environmental impacts from the proposed amendment are bounded by the impacts evaluated by NUREG-1496, Volumes 1-3, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Facilities" (ML042310492, ML042320379, and ML042330385). The staff has also found that the non-radiological impacts are not significant. 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 that an environmental impact statement does not need to be prepared for the action.

##### IV. 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 Agency-wide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The ADAMS accession number for the documents related to this notice are: The Army's package to NRC dated May 17, 2004, ML041490071; EA prepared for this action, ML050810012; and **Federal Register** Notice for Amendment No. 2, ML050960044. 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).

Any questions should be referred to Thomas McLaughlin, Division of Waste Management and Environmental Protection, U.S. Nuclear Regulatory Commission, Washington DC 20555, Mailstop T-7E18, telephone (301) 415-5869, fax (301) 415-5397.

Dated in Rockville, Maryland, this 21st day of June, 2005.

For the Nuclear Regulatory Commission.

**Daniel M. Gillen,**

*Deputy Director, Decommissioning Directorate, Division of Waste Management and Environmental Protection, Office of Nuclear Material Safety and Safeguards.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-255]

### **Nuclear Management Company, LLC, Palisades Nuclear Plant; Notice of Intent To Prepare an Environmental Impact Statement and Conduct Scoping Process**

Nuclear Management Company, LLC (NMC) has submitted an application for renewal of Facility Operating License DPR-20 for an additional 20 years of operation at the Palisades Nuclear Plant (Palisades). Palisades is located on the eastern shore of Lake Michigan in Covert Township on the western side of Van Buren County, Michigan, approximately 4.5 miles south of the city limits of South Haven, Michigan.

The operating license for Palisades expires on March 24, 2011. The application for renewal was received on March 31, 2005, pursuant to title 10 of the Code of Federal Regulations (10 CFR) part 54. A notice of receipt and availability of the application, which included the environmental report (ER), was published in the **Federal Register** on April 12, 2005 (70 FR 19104). A notice of acceptance for docketing of the application for renewal of the facility operating license was published in the **Federal Register** on June 8, 2005 (70 FR 33533). The purpose of this notice is to inform the public that the U.S. Nuclear Regulatory Commission (NRC) will be preparing an environmental impact statement (EIS) in support of the review of the license renewal application and to provide the public an opportunity to participate in the environmental scoping process, as defined in 10 CFR 51.29. In addition, as outlined in title 36 of the Code of the Federal Regulations part 800.8, "Coordination with the National Environmental Policy Act," the NRC plans to coordinate compliance with section 106 of the National Historic Preservation Act in meeting the requirements of the National Environmental Policy Act of 1969 (NEPA).

In accordance with 10 CFR 51.53(c) and 10 CFR 54.23, NMC submitted the ER as part of the application. The ER was prepared pursuant to 10 CFR part 51 and is available for public inspection

at the NRC's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland 20852, or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible at <http://www.nrc.gov/reading-rm/adams.html>, which provides access through the NRC's Public Electronic Reading Room link. Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the NRC's PDR Reference staff at 1-800-397-4209, or 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). The application may also be viewed on the Internet at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications.html>. In addition, the South Haven Memorial Library (314 Broadway St., South Haven, MI 49090) has made the ER available for public inspection.

This notice advises the public that the NRC intends to gather the information necessary to prepare a plant-specific supplement to the Commission's "Generic Environmental Impact Statement [GEIS] for License Renewal of Nuclear Plants," (NUREG-1437) in support of the review of the application for renewal of the Palisades operating license for an additional 20 years. Possible alternatives to the proposed action (license renewal) include no action and reasonable alternative energy sources. The NRC is required by 10 CFR 51.95 to prepare a supplement to the GEIS in connection with the renewal of an operating license. This notice is being published in accordance with NEPA and the NRC's regulations found in 10 CFR part 51.

The NRC will first conduct a scoping process for the supplement to the GEIS and, as soon as practicable thereafter, will prepare a draft supplement to the GEIS for public comment.

Participation in the scoping process by members of the public and local, State, tribal, and Federal government agencies is encouraged. The scoping process for the supplement to the GEIS will be used to accomplish the following:

1. Define the proposed action which is to be the subject of the supplement to the GEIS.

a. Determine the scope of the supplement to the GEIS and identify the significant issues to be analyzed in depth.

b. Identify and eliminate from detailed study those issues that are peripheral or that are not significant.

c. Identify any environmental assessments and other EISs that are being or will be prepared that are related to, but are not part of the scope of the supplement to the GEIS being considered.

d. Identify other environmental review and consultation requirements related to the proposed action.

e. Indicate the relationship between the timing of the preparation of the environmental analyses and the Commission's tentative planning and decision-making schedule.

f. Identify any cooperating agencies and, as appropriate, allocate assignments for preparation and schedules for completing the supplement to the GEIS to the NRC and any cooperating agencies.

g. Describe how the supplement to the GEIS will be prepared, and include any contractor assistance to be used.

The NRC invites the following entities to participate in scoping:

a. The applicant, Nuclear Management Company, LLC.

b. Any Federal agency that has jurisdiction by law or special expertise with respect to any environmental impact involved, or that is authorized to develop and enforce relevant environmental standards.

c. Affected State and local government agencies, including those authorized to develop and enforce relevant environmental standards.

d. Any affected Indian tribe.

e. Any person who requests or has requested an opportunity to participate in the scoping process.

f. Any person who has petitioned or intends to petition for leave to intervene.

In accordance with 10 CFR 51.26, the scoping process for an EIS may include a public scoping meeting to help identify significant issues related to a proposed activity and to determine the scope of issues to be addressed in an EIS. The NRC has decided to hold public meetings for the Palisades license renewal supplement to the GEIS. The scoping meetings will be held at Lake Michigan College, 125 Veterans Boulevard, South Haven, Michigan 49090, on Thursday, July 28, 2005. There will be two sessions to accommodate interested parties. The first session will convene at 1:30 p.m. and will continue until 4:30 p.m., as necessary. The second session will convene at 7 p.m. with a repeat of the overview portions of the meeting and will continue until 10 p.m., as necessary. Both meetings will be transcribed and will include: (1) An overview by the NRC staff of the NEPA environmental review process, the