NUCLEAR REGULATORY COMMISSION

[Docket No. 030–04794]

Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment To Byproduct Materials License No. 21–01443–06, for Unrestricted Release of the Parke-Davis Warner-Lambert Facility in Plymouth, MI

AGENCY: Nuclear Regulatory Commission.

ACTION: Issuance of Environmental Assessment and Finding of No Significant Impact for License Amendment.

FOR FURTHER INFORMATION CONTACT: William Snell, Senior Health Physicist, Decommissioning Branch, Division of Nuclear Materials Safety, Region III, U.S. Nuclear Regulatory Commission, 2443 Warrenville Road, Lisle, Illinois 60532; telephone: (630) 829–9871; fax number: (630) 515–1259; or by e-mail at *wgs@nrc.gov*.

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to Byproduct Materials License No. 21–01443–06. This license is held by Warner-Lambert, LLC (the Licensee), which is a wholly owned subsidiary of Pfizer, Inc., for its Parke-Davis Plymouth Township facility (the Facility) located at 46701 Commerce Center Drive in Plymouth, Michigan. Issuance of the amendment would authorize release of the Facility for unrestricted use. The Licensee requested this action in a letter dated June 14, 2007 (ADAMS Accession No. ML071700495). The NRC has prepared an Environmental Assessment (EA) in support of this proposed action in accordance with the requirements of Title 10 Code of Federal Regulations (CFR), Part 51 (10 CFR Part 51). Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate with respect to the proposed action. The amendment will be issued to the Licensee following the publication of this FONSI and EA in the **Federal Register**.

II. Environmental Assessment

Identification of Proposed Action

The proposed action would approve the Licensee's June 14, 2007, license amendment request, resulting in release of the Facility for unrestricted use. License No. 21–01443–06 was issued on April 20, 1959, pursuant to 10 CFR Part 30, and has been amended periodically since that time. Warner-Lambert was first licensed to use byproduct materials at its Parke-Davis facility on August 9, 1999. This license authorized the Licensee to use byproduct materials for purposes of conducting research and development.

The Facility is approximately a 60,000 ft^2, one-story steel frame building with concrete, glass and metal exterior walls; and consists of office space and laboratories. The Facility is located in a mixed residential/commercial area. Within the Facility, use of licensed materials was primarily confined to laboratories 1311, 1325, 1402, 1406 and 1442. On May 11, 2007, the Licensee ceased licensed activities and initiated a survey and decontamination of the Facility on May 14, 2007. On May 23, 2007, the Licensee completed removal of licensed radioactive material from the Facility. Based on the Licensee's historical knowledge of the site and the conditions of the Facility, the Licensee determined that only routine decontamination activities, in accordance with their radiation safety procedures, were required. The Licensee was not required to submit a decommissioning plan to the NRC. The Licensee conducted surveys of the Facility and provided information to the NRC to demonstrate that it meets the criteria in Subpart E of 10 CFR Part 20 for unrestricted release.

Need for the Proposed Action

The licensee has ceased conducting licensed activities at the Facility, and it seeks the unrestricted use of its Facility.

Environmental Impacts of the Proposed Action

The historical review of licensed activities conducted at the Facility shows that such activities involved use of the following radionuclides with half-lives greater than 120 days: Hydrogen-3 and carbon-14. Prior to performing the final status survey, the Licensee conducted decontamination activities, as necessary, in the areas of the Facility affected by these radionuclides.

The Licensee conducted a final status survey on May 24, 2007. This survey covered 21,600 square feet of surface area considered to have a low potential for delivering a dose above the release criteria, and included the drain system, ventilation exhaust system, and vacuum system. No areas were considered to have a potential for delivering a dose above the release criteria. The final status survey report was attached to the Licensee's amendment request dated June 14, 2007. The Licensee elected to demonstrate compliance with the radiological criteria for unrestricted release as specified in 10 CFR 20.1402 by using the screening approach described in NUREG–1757, ''Consolidated NMSS Decommissioning Guidance,'' Volume 2. The Licensee used the radionuclide-specific derived concentration guideline levels (DCGLs), developed there by the NRC, which comply with the dose criterion in 10 CFR 20.1402. These DCGLs define the maximum amount of residual radioactivity on building surfaces, equipment, and materials, and in soils, that will satisfy the NRC requirements in Subpart E of 10 CFR Part 20 for unrestricted release. The Licensee's final status survey results were below these DCGLs and are in compliance with the As Low As Reasonably Achievable (ALARA) requirement of 10 CFR 20.1402. The NRC thus finds that the Licensee's final status survey results are acceptable.

Based on its review, the staff determined that the affected environment and any environmental impacts associated with the proposed action are bounded by the impacts evaluated by the ''Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities'' (NUREG–1496) Volumes 1–3 (ML042310492, ML042320379, and ML042330385). The staff finds there were no significant environmental impacts from the use of radioactive material at the Facility. The NRC staff reviewed the docket file records and the final status survey report to identify any non-radiological hazards that may have impacted the environment surrounding the Facility. No such hazards or impacts to the environment were identified. The NRC has identified no other radiological or non-radiological activities in the area that could result in cumulative environmental impacts.

The NRC staff finds that the proposed release of the Facility for unrestricted use is in compliance with 10 CFR 20.1402. The NRC has found no other activities in the area that could result in cumulative environmental impacts. Based on its review, the staff considered the impact of the residual radioactivity at the Facility and concluded that the proposed action will not have a significant effect on the quality of the human environment.

Environmental Impacts of the Alternatives to the Proposed Action

Due to the largely administrative nature of the proposed action, its environmental impacts are small.

Therefore, the only alternative the staff considered is the no-action alternative, under which the staff would leave things as they are by simply denying the amendment request. This no-action alternative is not feasible because it conflicts with 10 CFR 30.36(d) requiring that decommissioning of byproduct material facilities be completed and approved by the NRC after licensed activities cease. The NRC's analysis of the Licensee's final status survey data confirmed that the Facility meets the requirements of 10 CFR 20.1402 for unrestricted release. Additionally, denying the amendment request would result in no change in current environmental impacts. The environmental impacts of the proposed action and the no-action alternative are therefore similar, and the no-action alternative is accordingly not further considered.

Conclusion

The NRC staff has 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

NRC provided a draft of this Environmental Assessment to the Michigan Department of Environmental Quality (DEQ) for review on August 23, 2007. On August 24, 2007, Mr. Bob Skowronek, Chief, Radioactive Material and Medical Waste Unit, with the Michigan DEQ, responded by email. The State agreed with the conclusions of the EA, and otherwise had no comments.

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

III. Finding of No Significant Impact

The NRC staff has prepared this EA in support of the proposed action. On the basis of this EA, the NRC finds that there are no significant environmental impacts from the proposed action, and that preparation of an environmental impact statement is not warranted. Accordingly, the NRC has determined that a Finding of No Significant Impact is appropriate.

IV. Further Information

Documents related to this action, including the application for 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 documents related to this action are listed below, along with their ADAMS accession numbers.

1. Carol Lentz, Pfizer, Inc., letter to Patricia Pelke, U.S. Nuclear Regulatory Commission, June 14, 2007 (ADAMS Accession No. ML071700495);

2. Title 10 Code of Federal Regulations, part 20, subpart E, ''Radiological Criteria for License Termination;''

3. Title 10 Code of Federal Regulations, part 51, ''Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions;''

4. NUREG–1496, ''Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC–Licensed Nuclear Facilities;''

5. NUREG–1757, ''Consolidated NMSS Decommissioning Guidance.''

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*. These 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 27th day of September 2007.

For the Nuclear Regulatory Commission.

Patrick Louden,

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

[FR Doc. E7–20050 Filed 10–10–07; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Notice of Opportunity To Comment on Model Safety Evaluation, Model No Significant Hazards Determination, and Model Application for Licensees That Wish To Adopt TSTF–478, Revision 2, ''BWR Technical Specification Changes That Implement the Revised Rule for Combustible Gas Control''

AGENCY: Nuclear Regulatory Commission.

ACTION: Request for comment.

SUMMARY: Notice is hereby given that the staff of the Nuclear Regulatory Commission (NRC) has prepared a model safety evaluation (SE) and a model application related to the modification of containment combustible gas control requirements in technical specifications (TS) for Boiling Water Reactors (BWR). The NRC staff has also prepared a model no-significant-hazards-consideration (NSHC) determination related to this matter. The purpose of these models is to permit the NRC to efficiently process license amendment applications that propose to adopt TSTF–478, Revision 2, ''BWR Technical Specification Changes that Implement the Revised Rule for Combustible Gas Control.'' TSTF–478, Revision 2, deletes Standard Technical Specification (STS) 3.6.3.3, ''Containment Atmosphere Dilution (CAD) System'' and modifies STS 3.6.3.1, ''Drywell Cooling System Fans,'' in NUREG–1433, ''Standard Technical Specifications General Electric Plants, BWR/4, Rev. 3,'' to establish TS for containment combustible gas control requirements as permitted by revised 10 CFR 50.44. Licensees of nuclear power reactors to which the models apply could then request amendments, confirming the applicability of the SE and NSHC determination to their plants. The NRC staff is requesting comment on the model SE, model application, and model NSHC determination prior to announcing their availability for referencing in license amendment applications.

DATES: The comment period expires November 13, 2007. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only of comments received on or before this date.

ADDRESSES: Comments may be submitted either electronically or via U.S. mail. Submit written comments to Chief, Rulemaking, Directives and Editing Branch, Division of