

Appendix A, Criterion 5 and NRC guidance NUREG-1620 Rev 1, "Standard Review Plan for Review of a Reclamation Plan for Mill Tailings Sites Under Title II of the Uranium Mill Tailings Radiation Control Act of 1978."

Groundwater flow and transport modeling from Rio Algom estimates that only uranium will migrate past the property boundary above background levels for the above stated constituents during the 1,000 year compliance period. The maximum estimated uranium concentration in the groundwater will be 0.32 mg/L at the property boundary. Rio Algom has included flow and transport modeling to demonstrate that groundwater contaminant levels will degrade to acceptable levels prior to migrating to the POE, *i.e.*, the property boundary.

Based on groundwater fate and transport modeling, water quality and use will not be impacted by the proposed action because the State of Utah has determined that the aquifer can be classified as a Class III, Limited Use Groundwater Aquifer under Utah Administrative Code R317-6-3.6, due to the background concentrations found in License Conditions 53B and 53C. This characterization was confirmed in a letter from the State of Utah to the U.S. NRC dated January 12, 2004. Modeling indicates that of the hazardous constituents in the groundwater contaminant plume (arsenic, selenium, molybdenum, and uranium) only uranium will migrate past the long-term care boundary. It is estimated that the uranium plume will intersect the boundary in approximately 500 to 1000 years but will be at levels consistent with the class of use and will not present a significant risk to human health or the environment. The long-term groundwater monitoring program will monitor levels within the plume and downgradient of the plume to assure protection of human health and the environment to confirm that model predictions are correct.

The State of Utah also indicated in an e-mail dated January 13, 2004, that the proposed ACL approach satisfies Utah State Rule R317-6-15 and will meet the requirements of a Class III-limited Use Aquifer. The ACL will be an acceptable corrective action if the uranium groundwater concentrations at the POE do not exceed a human dose of 25 mrem/year (10 CFR part 20, subpart E). Therefore, performing an exposure assessment at the POE conforms with guidance in NUREG-1620, section 4.3.3.2 which states that "exposure pathways should be identified and evaluated using water classification and

water use standards, along with existing and anticipated water uses."

The results of Rio Algom's exposure assessment (including its bounding analyses) and the NRC staff's confirmatory analysis indicate that the dose to the critical group, *i.e.*, the offsite rancher, at the POE from site-generated uranium should not exceed 25 mrem/year, which conforms to the NRC criteria for unrestricted release of sites with residual radioactivity in 10 CFR part 20.1402.

Rio Algom conducted a corrective action assessment to identify potential remedial alternatives for the restoration of site groundwater, and to determine the costs and benefits associated with various remedial actions. Rio Algom believes that the only economically viable alternative is natural attenuation because the cost benefit ratios associated with active remedial alternatives are far too great to justify their implementation. Additionally, Rio Algom believes that the proposed action is necessary because it is technically impracticable and economically infeasible to remediate the groundwater to the background levels required by its License Condition 53. The NRC staff has reviewed and agrees with these conclusions.

### III. Finding of No Significant Impact

Pursuant to 10 CFR part 51, the NRC has prepared the EA, summarized above. The staff has determined that no significant environmental impacts are expected when groundwater pump and treat programs are terminated. There will be no significant impacts to the surface features and therefore, no effect on wildlife.

Constituents in the groundwater will migrate off site but will not pose any significant impact to the environment because attenuation of the constituents will be at levels that are consistent with the aquifer class of use as designated by the State of Utah. A dose model verified that the constituents in the groundwater will not cause additional risk to human health or the environment.

The proposed NRC approval of the action when combined with known effects on resource areas at the site, including further site remediation, is not anticipated to result in any cumulative impacts at the sites. Therefore, the NRC staff has concluded that there will be no significant environmental impacts on the quality of the human environment and, accordingly, the staff has determined that preparation of an Environmental Impact Statement is not warranted.

### IV. Further Information

The EA for this proposed action, as well as the licensee's request, as supplemented and revised, are available electronically for public inspection and copying from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. The ADAMS Accession Numbers for the licensee's request, as supplemented and revised, are: ML021710023, ML021710056, ML021710083, ML021710139, ML021710181, ML021710189, ML021710450, ML021710605, and ML021750010. The ADAMS Accession number for the EA is ML040990712. Most of the documents referenced in the EA are also available through ADAMS. Documents can also be viewed electronically on the public computers located at the NRC's Public Document Room, O1 F21, 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, 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 in Rockville, Maryland, this 12th day of April, 2004.

For the Nuclear Regulatory Commission.

**Jill Caverly,**

*Project Manager, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards.*

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**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-12779]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment for University City Science Center, Philadelphia, PA

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability of Environmental Assessment and Finding of No Significant Impact.

**FOR FURTHER INFORMATION CONTACT:** Sattar Lodhi, Nuclear Materials Safety Branch 2, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania, 19406, telephone (610) 337-5364, fax (610) 337-5269, e-mail [asl@nrc.gov](mailto:asl@nrc.gov).

## I. Introduction

The Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to University City Science Center for Materials License No. 37-17452-01, to authorize release of its facilities in Philadelphia, Pennsylvania, for unrestricted use and to terminate the license. The 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. The amendment will be issued following publication of this notice.

## II. EA Summary

The purpose of the proposed action is to authorize the release of the licensee's facilities in Philadelphia, Pennsylvania, for unrestricted use. University City Science Center was authorized by NRC from May 1977 to use radioactive materials for research and development purposes at the site. In March 2003, University City Science Center requested that NRC release the facility for unrestricted use and terminate the license. University City Science Center has conducted surveys of the facility and determined that the facility meets the license termination criteria in subpart E of 10 CFR part 20.

## III. Finding of No Significant Impact

The NRC has prepared the EA (summarized above) in support of the proposed license amendment to terminate the license and release the facility for unrestricted use. The NRC staff has evaluated University City Science Center's request and the results of the surveys and has concluded that the completed action complies with 10 CFR part 20. The staff has found that the environmental impacts from 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 Facilities" (NUREG-1496). On the basis of the EA, NRC has concluded that the environmental impacts from the proposed action are expected to be insignificant and has determined not to prepare an environmental impact statement for the proposed action.

## IV. Further Information

The EA and the documents related to this proposed action, including the application for the license amendment and supporting documentation, are available for inspection at NRC's Public Electronic Reading Room at [http://](http://www.nrc.gov/reading-rm/adams.html)

[www.nrc.gov/reading-rm/adams.html](http://www.nrc.gov/reading-rm/adams.html) (ADAMS Accession Nos. ML030860181, ML032520675 and ML041040751). Persons who do not have access to 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).

Dated at King of Prussia, Pennsylvania, this 15th day of April, 2004.

For the Nuclear Regulatory Commission.

**John D. Kinneman,**

*Chief, Nuclear Materials Safety Branch 2,  
Division of Nuclear Materials Safety, Region I.*

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## NUCLEAR REGULATORY COMMISSION

### Appointments to Performance Review Boards for Senior Executive Service

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Appointment to Performance Review Boards for Senior Executive Service.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has announced the following appointments to the NRC Performance Review Boards.

The following individuals are appointed as members of the NRC Performance Review Board (PRB) responsible for making recommendations to the appointing and awarding authorities on performance appraisal ratings and performance awards for Senior Executives and Senior Level employees:

Patricia G. Norry, Deputy Executive Director for Management Services, Office of the Executive Director for Operations;

Edward T. Baker, Deputy Director, Office of International Programs;

Stephen G. Burns, Deputy General Counsel, Office of the General Counsel;

James E. Dyer, Director, Office of Nuclear Reactor Regulation;

Jesse L. Funches, Chief Financial Officer;

William F. Kane, Deputy Executive Director for Homeland Protection and Preparedness, Office of the Executive Director for Operations;

Bruce S. Mallett, Regional Administrator, Region IV;

Jacqueline E. Silber, Deputy Chief Information Officer;

Jack R. Strosnider, Deputy Director, Office of Nuclear Regulatory Research;

Martin J. Virgilio, Director, Office of Nuclear Material Safety and Safeguards;  
Michael F. Weber, Deputy Director, Office of Nuclear Security and Incident Response.

The following individuals will serve as members of the NRC PRB Panel that was established to review appraisals and make recommendations to the appointing and awarding authorities for NRC PRB members:

Karen D. Cyr, General Counsel, Office of the General Counsel;

Ellis W. Merschhoff, Chief Information Officer;

Carl J. Paperiello, Deputy Executive Director for Materials, Research, and State Programs, Office of the Executive Director for Operations.

All appointments are made pursuant to section 4314 of chapter 43 of title 5 of the United States Code.

**EFFECTIVE DATE:** April 23, 2004.

### FOR FURTHER INFORMATION, CONTACT:

Secretary, Executive Resources Board, U.S. Nuclear Regulatory Commission, Washington, DC 20555; (301) 415-7530.

Dated in Rockville, Maryland, this 7th day of April, 2004.

For the U.S. Nuclear Regulatory Commission.

**Carolyn J. Swanson,**

*Secretary, Executive Resources Board.*

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## OVERSEAS PRIVATE INVESTMENT CORPORATION

### Submission for OMB Review; Comment Request

**AGENCY:** Overseas Private Investment Corporation (OPIC).

**ACTION:** Request for comments.

**SUMMARY:** Under the provision of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to publish a Notice in the **Federal Register** notifying the public that the Agency is preparing an information collection request for OMB review and approval and to request public review and comment on the submission. Comments are being solicited on the need for the information; the accuracy of the Agency's burden estimate; the quality, practical utility and clarity of the information to be collected; and on ways to minimize the reporting burden, including automated collection techniques and uses of other forms of technology. The proposed form, OMB control number 3420-0001, under review is summarized below.