

plant licensing. The petitioners request that the NRC suspend the Davis-Besse license and prohibit plant restart until all design basis deficiencies identified in response to the NRC's 50.54(f) design basis letter are adequately addressed, the plant probabilistic risk assessment (PRA) is updated to reflect design flaws, and no systems are in a "degraded but operable" condition.

The request is being treated pursuant to 10 CFR 2.206 of the Commission's regulations. The request has been referred to the Director of the NRC's Office of Nuclear Reactor Regulation (NRR). As provided by Section 2.206, appropriate action will be taken on this petition within a reasonable time.

A copy of the petition is available in the Agencywide Documents Access and Management System (ADAMS) for inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and from the ADAMS Public Library component on the NRC's Web site, <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room), using Accession No. ML032400435. 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 by telephone at 1-800-397-4209 or 301-415-4737 or by e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland, this 7th day of October, 2003.

For the Nuclear Regulatory Commission.

J.E. Dyer,

Director, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8905]

Finding of No Significant Impact and Notice of Availability of the Environmental Assessment Addressing a License Amendment Request To Approve Rio Algom LLC's Plan To Demolish Its Mill at Its Ambrosia Lake Uranium Mill Tailings Impoundment Located in McKinley County, NM

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability of an environmental assessment and Finding of No Significant Impact.

FOR FURTHER INFORMATION CONTACT: Jill Caverly, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T8-A33, Washington, DC 20555-0001, telephone (301) 415-6699 and e-mail jsc1@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of an amendment to Rio Algom Mining LLC's (Rio Algom) Source Materials License SUA-1473. The proposed action would allow Rio Algom to begin demolition of the uranium mill buildings at the Ambrosia Lake uranium facility. The proposed action is in accordance with the licensee's plan dated December 10, 2002, as revised by additional information sent, at the staff's request, on March 27, 2003 and September 17, 2003.

Pursuant to the requirements of 10 CFR part 51, Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions, the NRC has prepared an environmental assessment (EA) to evaluate the environmental impacts associated with this request. Based on this evaluation, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate for the proposed licensing action.

II. EA Summary

The EA was prepared to evaluate the environmental impacts associated with Rio Algom's plan to demolish the mill at its Ambrosia Lake uranium facility. The objectives of the Mill Demolition Plan are to: (1) Perform mill demolition activities in a manner that protects employee health and safety and the environment; (2) release equipment or packages from the restricted area for unrestricted release and do so in accordance with NRC decommissioning criteria and approved Mill Demolition Plan; (3) transfer equipment to another NRC-licensed facility in accordance with applicable Federal laws and regulations; (4) perform work following established operating procedures; and (5) dispose of byproduct material in accordance with the source material license.

The Demolition Plan addresses the removal of surface structures in preparation for subsequent implementation of the surface reclamation soil cleanup release phase of the overall site decommissioning process. The Demolition Plan does not

address the soil cleanup criteria that would be used as part of license termination and transfer to the site long-term custodian.

Prior to the start of mill demolition, the mill facilities and equipment in the immediate area would be washed down to minimize potential residual contamination. Any salvageable materials would be surveyed and if required, decontaminated until established release levels are obtained. Salvageable materials would be placed in a designated salvage area. Mill dismantling and washing would occur in accordance with NRC approved demolition plan. Contaminated equipment would be dismantled/broken up and buried in the approved disposal areas. Uncontaminated underground foundation, utilities and pipelines that are more than 2 feet below final grade would be buried in place. These foundations and pipes may be left in place if they are characterized and released in a manner consistent with 10 CFR part 40, appendix A, criterion 6(6). Areas where Rio Algom expects to leave foundations intact include the lower portions of the thickeners, any basement type area, and any foundations that extend 2 feet below existing grade. Underground cavities that are below grade, such as the crushing circuit from the primary crusher to the transfer house, would remain in place and would be backfilled. The final grade (contour) is projected to approximate the existing surface elevation in the mill area.

Disposal of all demolition waste that is classified as 11e.(2) byproduct material, as defined by the Atomic Energy Act of 1954 (AEA), as amended, would be performed in accordance with approved disposal practices as authorized by License Conditions 30, 32, 36, and 41 with the following modification. Disposal areas would be restored in accordance with License Condition 41(I), which requires Rio Algom to submit a final reclamation plan upon the end of milling operations. Rio Algom anticipates that reclamation efforts in areas where mill demolition debris would be disposed would involve either the placement of an engineered cover to control radon emissions or alternate release criteria would be requested.

Surplus chemicals/materials would be removed for sale or disposal prior to demolition of the area where these materials may be present. All gear boxes, transformers, motors, etc., would be drained prior to demolition with the drained material disposed of in accordance with applicable regulations.