

impacts, non-radiological impacts to land use, soils, visual resources, transportation, water resources, noise, air quality, cultural resources, threatened and endangered species could occur because Core Laboratories would continue decay-in-storage before unrestricted disposal or burial in shallow earthen pits. Additionally, the cost of storage facilities and the cost for burial at an approved disposal site are not economical considering the fact that there are no costs associated with disposals at Class II wells.

6.0 Agencies and Persons Consulted

The NRC staff has prepared this EA with input from the Alaska Oil & Gas Conservation Commission (AOGCC) and the Texas Bureau of Radiation Control (TBRC) regarding permitting of Class II disposal wells and Zero-Wash product.

Because the proposed action is entirely within existing Class II wells, the NRC has concluded that there is no potential to affect threatened or endangered species or historic resources. Therefore, consultation with the U.S. Fish & Wildlife Service and State Historic Preservation Officers is not necessary.

The NRC staff provided a draft of this EA to the following states for review and comment: Alaska (ML031540273), California (ML031540246), Colorado (ML031540327), Louisiana (ML031540301), New Mexico (ML031540339), Oklahoma (ML031540221), Texas (ML031540332), Utah (ML031540352), and Wyoming (ML031540355). This EA has been revised to reflect the States' input where appropriate.

7.0 Conclusions

The NRC staff concluded that the proposed action complies with 10 CFR part 20 and 10 CFR part 30. Pursuant to 10 CFR part 51, the NRC staff has prepared this EA in support of the proposed license amendment for approval to allow fracturing sand well returns to be injected in Class II disposal wells that have been approved under permits to accept non-hazardous oil and gas waste by State agencies. On the basis of this EA, the NRC has concluded that the environmental impacts from the proposed action would not have any significant effect on the quality of the human environment; therefore, an environmental impact statement for the proposed action is not warranted.

8.0 List of Preparers

This EA was prepared by Louis C. Carson II, Senior Health Physicist, Nuclear Materials Licensing Branch, Division of Nuclear Materials Safety,

Region IV, and reviewed by Jack E. Whitten, Chief, Materials Licensing Branch, Division of Nuclear Materials Safety.

9.0 List of References

1. NRC, "Radiological Criteria for License Termination," 10 CFR part 20, subpart E, 62FR39088, July 21, 1997.
2. NRC, "Waste Disposal," 10 CFR part 20, subpart K, 56FR23403, May 21, 1991.
3. NRC, "Consolidated NMSS Decommissioning Guidance," NUREG-1757, Volume 1, September 2002.
4. NRC, "Environmental Review Guidance for Licensing Actions Associated with NMSS Programs," NUREG-1748, September 2003.
5. Alaska Oil & Gas Conservation Commission (AOGCC) and the letter dated January 11, 2002, from the AOGCC to Marathon Oil Company.
6. ProTechnics Division of Core Laboratories Texas Bureau of Radiation Control License No. L03835, Amendment No. 37, expiration date August 31, 2005.
7. Utah Department of Environmental Quality letter to the NRC dated June 30, 2003 (ML032660184).
8. Colorado Department of Health letter to the NRC dated July 1, 2003 (ML031900577).
9. Texas Department of Health letter to the NRC dated July 17, 2003 (ML032060480).

III. Finding of No Significant Impact

Pursuant to the National Environmental Policy Act of 1969 (NEPA) and the Commission's regulations in 10 CFR part 51, the Commission has determined that there will not be a significant effect on the quality of the environment resulting from the approval of Core Laboratories' requested amendment for an additional disposal alternative pursuant to 10 CFR 20.2002 to inject well returns containing radioactive tracer material into Class II disposal wells that have been approved to accept non-hazardous oil and gas waste by State agencies. Accordingly, the preparation of an Environmental Impact Statement is not required for the proposed amendment to Materials License No. 42-26928-01, which would add the alternative disposal method to the license. This determination is based on the foregoing EA performed in accordance with the procedures and criteria in 10 CFR part 51.

IV. Further Information

The licensee's request for the proposed action (ADAMS Accession No: ML003758270) and the NRC's complete Environmental Assessment (ADAMS

Accession No.: ML032680636), and other related documents to this proposed action are available for public inspection and copying for a fee at NRC's Public Document Room at NRC Headquarters, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. These documents, along with most others referenced in the EA, are available electronically for public review in the NRC Public Document Room or 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 Public Electronic Reading Room).

Any questions with respect to this action should be referred to Louis C. Carson II, Nuclear Materials Licensing Branch, Division of Nuclear Materials Safety, U.S. Nuclear Regulatory Commission, Region IV, Arlington, Texas 76011-4005. Telephone: (817) 860-8221.

Dated at Arlington, Texas, this 20th day of October 2003.

For the Nuclear Regulatory Commission.

Jack E. Whitten,

Chief, Nuclear Materials Licensing Branch, Division of Nuclear Materials Safety, Region IV.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 030-33944]

Notice of Finding of No Significant Impact and Availability of Environmental Assessment for License Amendment of Materials License No. 37-30247-01, White Eagle Toxicology Laboratories, Inc.

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability of environmental assessment and finding of no significant impact.

FOR FURTHER INFORMATION CONTACT:

Kathy Dolce Modes, Nuclear Materials Safety Branch 2, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania, 19406; telephone (610) 337-5251; fax (610) 337-5269; or by e-mail: KAD@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to