

### List of Preparers

Orysia Masnyk Bailey, Materials Licensing/Inspection Branch 1, Division of Nuclear Materials Safety, Health Physicist.

### List of References

1. NRC License No. 45-25483-01 inspection and licensing records.
2. Richemont. "Request to terminate license" Letter from J. Brown to NRC dated September 30, 2003. (ML020870095)
3. Title 10 Code of Federal Regulations part 20, subpart E, "Radiological Criteria for License Termination."
4. **Federal Register** notice, Volume 65, No. 114, page 37186, dated Tuesday, June 13, 2000, "Use of Screening Values to Demonstrate Compliance With The Federal Rule on Radiological Criteria for License Termination."
5. U.S. Fish and Wildlife Service. "Richemont North America, Inc. Termination of Byproduct Materials License, #2806, Frederick County, Virginia." Letter from K. Mayne to NRC dated January 16, 2003.
6. NRC. NRC Inspection Report No. 45-25483-01/02-01, dated November 26, 2002. (ML023300524)
7. NRC. NUREG-1757 "Consolidated NMSS Decommissioning Guidance," Final Report dated September 2002.
8. NRC. NUREG-1496 "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities," Final Report dated July 1997.

### III. Finding of No Significant Impact

Based upon the environmental assessment, the staff concludes that the proposed action will not have a significant impact on the quality of the human environment. Accordingly, the staff has determined that preparation of an environmental impact statement is not warranted.

### IV. Further Information

The references listed above are available for public inspection and may also be copied for a fee at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. These documents are also available for public review through ADAMS, the NRC's electronic reading room, at: <http://www.nrc.gov/reading-rm/adams.html>.

Any questions with respect to this action should be referred to Orysia Masnyk Bailey, Materials Licensing/Inspection Branch 1, Division of Nuclear Materials Safety, U.S. Nuclear Regulatory Commission, Region II, Suite 23T85, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8931. Telephone 404-562-4739.

Dated at Atlanta, Georgia the 7th day of July, 2003.

For the U.S. Nuclear Regulatory Commission.

**Douglas M. Collins,**

*Director, Division of Nuclear Materials Safety, Region II.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-17451]

### Environmental Assessment and Finding of No Significant Impact Related to Issuance of a License Amendment of U.S. Nuclear Regulatory Commission Byproduct Material License No. 52-19336-01; Wittnauer Worldwide, L.P.

#### I. Summary

The U.S. Nuclear Regulatory Commission (NRC) is considering terminating Byproduct Material License No. 52-19336-01 to authorize the release of the licensee's facilities in Cayey, Puerto Rico, for unrestricted use and has prepared an Environmental Assessment and Finding of No Significant Impact in support of this action.

The NRC has reviewed the results of the final survey of the Wittnauer Worldwide facility in Cayey, Puerto Rico. Wittnauer Worldwide was authorized by the NRC from June 30, 1980, until the present to use manufactured watch dials and hands containing luminous paint activated with tritium for the manufacture and repair of timepieces. In August 2001, Wittnauer Worldwide ceased operations with licensed materials at the Cayey, Puerto Rico site, and requested that the NRC terminate the license. Wittnauer Worldwide has conducted surveys of the facility and determined that the facility meets the license termination criteria in subpart E of 10 CFR part 20. The NRC staff has evaluated Wittnauer Worldwide's request and the results of the survey, and has developed an EA in accordance with the requirements of 10 CFR part 51. Based on the staff evaluation, the conclusion of the EA is a Finding of No Significant Impact on human health and the environment for the proposed licensing action.

#### II. Environmental Assessment

##### Introduction

Wittnauer Worldwide has requested release for unrestricted use, of their building located at the Rincon Industrial Park, Road 735, Km. 2.3, in Cayey, Puerto Rico, as authorized for use by NRC License No. 52-19336-01. License

No. 52-19336-01 was issued on June 30, 1980, and amended periodically since that time. NRC-licensed activities performed at the Cayey, Puerto Rico site were limited to the repair, service and repair of returned timepieces and the receipt and application of timepiece self-luminous parts typically performed on bench tops. No outdoor areas were affected by the use of licensed materials. Licensed activities ceased completely in August 2001 and the licensee requested release of the facilities for unrestricted use. Based on the licensee's historical knowledge of the site and the condition of the facilities, the licensee determined that only routine decontamination activities, in accordance with licensee radiation safety procedures, were required. The licensee surveyed the facility and provided documentation that the facility meets the license termination criteria specified in subpart E of 10 CFR part 20, "Radiological Criteria for License Termination."

##### The Proposed Action

The proposed action is to terminate NRC Radioactive Materials License No. 52-19336-01 and release the licensee's facilities in Cayey, Puerto Rico, for unrestricted use. Wittnauer Worldwide's report dated March 2003 provided survey results which demonstrated that the Cayey, Puerto Rico facility is in compliance with the radiological criteria for license termination in Subpart E of 10 CFR part 20, "Radiological Criteria for License Termination."

##### Purpose and Need for the Proposed Action

The purpose of the proposed action is to release the building located at the Rincon Industrial Park, Road 735, Km. 2.3, in Cayey, Puerto Rico, for unrestricted use and to terminate the Wittnauer Worldwide materials license. This will allow Wittnauer Worldwide to stop leasing the building. The need for the proposed action is to comply with NRC regulations and the Timeliness Rule. NRC is fulfilling its responsibilities under the Atomic Energy Act to make a decision on a proposed license amendment for release of facilities for unrestricted use that ensures protection of the public health and safety and environment.

##### Alternatives to the Proposed Action

The only alternative to the proposed action of amending the license and releasing the Wittnauer Worldwide building for unrestricted use is no action. The no-action alternative is not acceptable because it will result in violation of NRC's Timeliness Rule (10

CFR 30.36), which requires licensees to decommission their facilities when licensed activities cease. The licensee does not plan to perform any activities with licensed materials at this location. Maintaining the area under a license would reduce options for future use of the property and cause Wittnauer Worldwide to continue leasing a building for which it has no more use.

#### *The Affected Environment and Environmental Impacts*

The Wittnauer building is a one story brick building. Work with radioactive materials was done on work benches located within several rooms in the building. Watch parts and finished watches were stored in a safe. The building is located within an industrial park.

The NRC staff has reviewed the surveys performed by Wittnauer Worldwide to demonstrate compliance with the 10 CFR 20.1402 license termination criteria and has performed a confirmatory survey. Based on its review and the results of the confirmatory survey, the staff has determined that the affected environment and environmental impacts associated with the decommissioning of the Wittnauer Worldwide facility 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). The staff also finds that the proposed release for unrestricted use of the Wittnauer Worldwide facility is in compliance with 10 CFR 20.1402, "Radiological Criteria for Unrestricted Use." The NRC has found no other activities in the area that could result in cumulative impacts.

#### *Agencies and Persons Contacted and Sources Used*

This Environmental Assessment was prepared entirely by the NRC staff. The U.S. Fish and Wildlife Service was contacted for comment and responded by letter dated October 16, 2002, with no opposition to the action. The Puerto Rico State Historic Preservation Office was also contacted and responded by letter dated March 11, 2003, with no opposition.

#### *Conclusion*

Based on its review, the NRC staff has concluded that the proposed action complies with 10 CFR part 20. NRC has prepared this EA in support of the proposed license termination to release the Wittnauer Worldwide facility located at the Rincon Industrial Park,

Road 735, Km. 2.3, in Cayey, Puerto Rico, for unrestricted use. On the basis of the EA, NRC has concluded that the environmental impacts from the proposed action are not expected to be significant and has determined that the preparation of an environmental impact statement for the proposed action is not required.

#### *List of Preparers*

Orysia Masnyk Bailey, Materials Licensing/Inspection Branch 1, Division of Nuclear Materials Safety, Health Physicist.

#### *List of References*

1. NRC License No. 52-19336-01 inspection and licensing records.
2. Wittnauer. "Termination of License" Letter from F. Pagan to NRC requesting license termination and transmittal of survey results, dated January 2, 2002. (ML020070510)
3. Radiation Safety & Control Services, Inc. "Remediation, Decontamination and Final Status Survey to Support Release of Facilities for Unrestricted Use and License Termination," Final status survey report prepared by Frederick P. Straccia, CHP, dated March 2003.
4. NRC Inspection Report No. 52-19336-01/2003-002, dated April 8, 2003. (ML031060565)
5. Title 10 Code of Federal Regulations part 20, subpart E, "Radiological Criteria for License Termination."
6. **Federal Register** notice, Volume 65, No. 114, page 37186, dated Tuesday, June 13, 2000, "Use of Screening Values to Demonstrate Compliance With The Federal Rule on Radiological Criteria for License Termination."
7. U. S. Fish and Wildlife Service. "Request for comments regarding endangered wildlife, plant, and marine life resources at a site in Puerto Rico" Letter from C. Diaz to NRC, dated October 16, 2002. (ML022950292)
8. Puerto Rico State Historic Preservation Office. "SHPO: 09-26-02-03 Wittnauer Worldwide, L.L.P., Rinco Industrial Park, PR #735, KM 2.3, Cayey, Puerto Rico" Letter from E. Torregrosa de la Rosa to NRC, dated January 24, 2003. (ML030350437)

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

Based upon the environmental assessment, the staff concludes that the proposed action will not have a significant impact on the quality of the human environment. Accordingly, the staff has determined that preparation of an environmental impact statement is not warranted.

### **IV. Further Information**

The references listed above are available for public inspection and may also be copied for a fee at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. These

documents are also available for public review through ADAMS, the NRC's electronic reading room, at: <http://www.nrc.gov/reading-rm/adams.html>.

Any questions with respect to this action should be referred to Orysia Masnyk Bailey, Materials Licensing/Inspection Branch 1, Division of Nuclear Materials Safety, U.S. Nuclear Regulatory Commission, Region II, Suite 23T85, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8931. Telephone 404-562-4739.

Dated at Atlanta, Georgia the 7th day of July, 2003.

For the U.S. Nuclear Regulatory Commission.

**Douglas M. Collins,**

*Director, Division of Nuclear Materials Safety, Region II.*

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## **NUCLEAR REGULATORY COMMISSION**

### **Advisory Committee on Nuclear Waste; Notice of Meeting**

The Advisory Committee on Nuclear Waste (ACNW) will hold its 144th meeting on July 29-31, 2003, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The schedule for this meeting is as follows:

#### **Tuesday, July 29, 2003, NRC Auditorium, Two White Flint North, Rockville, Maryland**

*9:30 a.m.-9:40 a.m.: Opening Statement (Open)*—The Chairman will open the meeting and turn it over to the Working Group chairman who will state the Workshop objectives and provide a session overview.

#### **Working Group on Performance Confirmation Plans for the Proposed Yucca Mountain High-Level Waste Repository (Open)**

The purposes of the working group are (1) To increase ACNW's technical knowledge of plans to develop and conduct performance confirmation (PC) work for the proposed Yucca Mountain repository, (2) to understand NRC staff expectations for performance confirmation, (3) to review examples of performance confirmation work being planned, (4) to identify aspects of performance confirmation that may warrant further study, and (5) to complement the previous working group session on performance assessment.