

CC: EWM, TAP, SPE, SLH
Please review carefully & file Em
U.S. DEPARTMENT OF ENERGY 4/6/81

DATE MAR 25 1981

memorandumREPLY TO
ATTN OF

NE-301

0213

SUBJECT

Actions at the Niagara Falls Storage Site, Lewiston, New York, to Improve the Storage of Low-Level Radioactive Wastes and to Cleanup Adjacent Contaminated Properties--Determination of No Significant Environmental Impact

TO

R. J. Hart, Manager
Oak Ridge Operations Office

This memorandum will supersede directions given to you in the March 9, 1981, memorandum from Sheldon Meyers concerning environmental documentation required by the National Environmental Policy Act for offsite and onsite activities at the Niagara Falls Storage Site near Lewiston, New York. Based on the delegation of authority to me for certain National Environmental Policy Act determinations by the Acting Assistant Secretary for Environmental Protection, Safety, and Emergency Preparedness on March 4, 1981, I have proceeded to make a determination that the planned activities at the Niagara Falls Storage Site described in the attached Action Description will not result in significant environmental impact. The planned project includes improving storage conditions for low-level radioactive residues and soils at the Niagara Falls Storage Site, cleanup of nearby properties contaminated from migration of the Niagara Falls Storage Site residues, and the onsite storage of wastes from offsite cleanup.

I have determined that the onsite actions are in the class of actions involving routine maintenance of Department of Energy-owned or operated facilities which do not require the preparation of either environmental assessments or environmental impact statements as indicated in Section D of the Department's final guidelines for compliance with the National Environmental Policy Act (Federal Register, Volume 45, No. 62, pages 20694-20701, March 28, 1980). This determination does not include actions which would result in the storage of additional radioactive waste at this site, excluding the wastes from cleanup of the offsite contamination which originated from the site, or actions which would result in permanent disposal of the wastes and residues now at the site. These long-term actions are expected to require the preparation of an environmental assessment or impact statement.

I have also determined that the cleanup of the nearby properties, which became contaminated from the Storage Site, and the storage of the wastes from this cleanup on the Storage Site will not have significant environmental effects. Therefore, the preparation of an environmental assessment or impact statement is not required for these activities. This determination regarding the offsite activities is reinforced by comparison with the offsite cleanup and temporary storage actions at Middlesex, New Jersey. An environmental assessment (DOE/EA-0128, October 1980) was prepared for the Middlesex actions. The review of this report by the Assistant Secretary for Environment resulted in a Finding of No Significant Impact. Furthermore, the cleanup of some of the Middlesex properties that was completed in 1980 demonstrated that the environmental impacts were not significant. The actions at the Niagara Falls Storage

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Site are very similar to those at Middlesex in regard to the type of low-level radioactive contamination, the methods and standards for cleanup, the transport of the wastes, and the temporary storage on Department-owned property. The environments in the two locations are very similar in regard to topography and surface hydrology. The population density near the Niagara Falls Storage Site is lower than at Middlesex.

Please proceed with the actions described for the Niagara Falls Storage Site, employing the appropriate environmental monitoring and control procedures for protecting the workers and the public.

A handwritten signature in black ink, reading "Mahlon E. Gates". The signature is fluid and cursive, with the first name "Mahlon" being more prominent and the last name "Gates" following in a similar style.

Mahlon E. Gates
Acting Assistant Secretary
for Nuclear Energy