

State Environmental Quality Review  
**NEGATIVE DECLARATION**  
Notice of Determination of Non-Significance

Project Number \_\_\_\_\_

Date: \_\_\_\_\_

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The \_\_\_\_\_ as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared.

**Name of Action:**

**SEQR Status:**      Type 1      **G**  
                                 Unlisted      **G**

**Conditioned Negative Declaration:**      **G** Yes  
                                                                         **G** No

**Description of Action:**

**Location:**      (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

**Reasons Supporting This Determination:**

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

**If Conditioned Negative Declaration**, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

**For Further Information:**

Contact Person:

Address:

Telephone Number:

**For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:**

Chief Executive Officer , Town / City / Village of

Other involved agencies (If any)

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany NY, 12233-1750 (Type One Actions only)

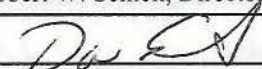
## Appendix C

## State Environmental Quality Review

**SHORT ENVIRONMENTAL ASSESSMENT FORM**

For UNLISTED ACTIONS Only

**PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)**

1. APPLICANT/SPONSOR New York State Department of Environmental Conservation	2. PROJECT NAME Amendment to 6 NYCRR Part 380
3. PROJECT LOCATION: Municipality <u>Statewide</u> County <u>Statewide</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>Statewide</u>	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: New York State Department of Environmental Conservation (DEC) proposes to amend 6 NYCRR Part 380, "Prevention and Control of Environmental Pollution by Radioactive Materials." Part 380 requirements control the release of radioactive material to the environment. To meet obligations as a participating agency in New York's Agreement with the United States Nuclear Regulatory Commission (NRC), DEC is required to include several provisions in Part 380 that are required for compatibility with the federal regulations 10 CFR 20, "Standards for Protection Against Radiation," and are therefore non-discretionary. Thus, the proposed amendment to Part 380 will: (1) update several provisions that are required for compatibility with federal regulations; (2) simplify, clarify and update language; and (3) add several needed provisions that have been absent from the regulations when it was previously promulgated. The parties affected by this amendment are facilities that possess regulated radioactive materials.	
7. AMOUNT OF LAND AFFECTED: Initially <u>N/A</u> acres Ultimately <u>N/A</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly <u>Not Applicable</u>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: <u>Not Applicable</u>	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Robert W. Schick, Director, Division of Environmental Remediation</u> Date: <u>11/8/13</u> Signature: <u></u>	

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**

**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

<b>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, coordinate the review process and use the FULL EAF.
<b>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6?</b> If No, a negative declaration may be superseded by another involved agency. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING:</b> (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: The proposed amendment will strengthen the regulations to protect the state's environmental resources and residents from radiation exposure due to the discharge and release of radioactive material and therefore will result in only positive effects. C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: See response in C1. C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: See response in C1. C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: See response in C1. C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: See response in C1. C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: See response in C1. There will be no adverse long or short term impacts resulting from this rulemaking. C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: The promulgation of this regulation will not impact or change the use or type of energy consumed.	
<b>D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly:	
<b>E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly:	

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☒ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

New York State Department of Environmental Conservation

\_\_\_\_\_  
Name of Lead Agency

Robert W. Schick  
\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

*[Signature]*  
\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

11/8/13  
\_\_\_\_\_  
Date

Director, Division of Environmental Remediation  
\_\_\_\_\_  
Title of Responsible Officer

[Sandra Hinkel] *Sandra Hinkel*  
\_\_\_\_\_  
Signature of Preparer (If different from responsible officer)

Reset

NEW YORK STATE DEPARTMENT OF STATE  
COASTAL MANAGEMENT PROGRAM

Coastal Assessment Form

A. INSTRUCTIONS (Please print or type all answers)

1. State agencies shall complete this CAF for proposed actions which are subject to Part 600 of Title 19 of the NYCRR. This assessment is intended to supplement other information used by a state agency in making a determination of significance pursuant to the State Environmental Quality Review Act (see 6 NYCRR, Part 617). If it is determined that a proposed action will not have a significant effect on the environment, this assessment is intended to assist a state agency in complying with the certification requirements of 19 NYCRR Section 600.4.
2. If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the coastal policies contained in Article 42 of the Executive Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to either (a) making a certification of consistency pursuant to 19 NYCRR Part 600 or, (b) making the findings required under SEQR, 6 NYCRR, Section 617.11, if the action is one for which an environmental impact statement is being prepared. If an action cannot be certified as consistent with the coastal policies, it shall not be undertaken.
3. Before answering the questions in Section C, the preparer of this form should review the coastal policies contained in 19 NYCRR Section 600.5. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.

B. DESCRIPTION OF PROPOSED ACTION

1. Type of state agency action (check appropriate response):

- (a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) X
- (b) Financial assistance (e.g. grant, loan, subsidy) \_\_\_\_\_
- (c) Permit, license, certification \_\_\_\_\_

2. New York State Department of Environmental Conservation (DEC) proposes to amend 6 NYCRR Part 380, "Prevention and Control of Environmental Pollution by Radioactive Materials." Part 380 requirements control the release of radioactive material to the environment. To meet obligations as a participating agency in New York's Agreement with the United States Nuclear Regulatory Commission (NRC), DEC is required to include several provisions in Part 380 that are required for compatibility with the federal regulations 10 CFR 20, "Standards for Protection Against Radiation," and are therefore non-discretionary. Thus, the proposed amendment to Part 380 will: (1) update several provisions that are required for compatibility with federal regulations; (2) simplify, clarify and update language; and (3) add several needed provisions that have been absent from the regulations when it was previously promulgated. The parties affected by this amendment are facilities that possess regulated radioactive materials.

3. Location of action: **STATEWIDE**

County

City, Town or Village

Street or Site Description

4. If an application for the proposed action has been filed with the state agency, the following information shall be provided:

(a) Name of applicant: N/A  
(b) Mailing address: N/A  
(c) Telephone Number: Area Code N/A  
(d) State agency application number: N/A

5. Will the action be directly undertaken, require funding, or approval by a federal agency?

Yes      No X If yes, which federal agency?                                     

C. COASTAL ASSESSMENT (Check either "YES" or "NO" for each of the following questions)

1. Will the proposed activity be located in, or contiguous to, or have a significant effect upon any of the resource areas identified on the coastal area map:

	YES	NO
(a) Significant fish or wildlife habitats?.....	<u>    </u>	<u>X</u>
(b) Scenic resources of statewide significance? .....	<u>    </u>	<u>X</u>
(c) Important agricultural lands? .....	<u>    </u>	<u>X</u>

2. Will the proposed activity have a significant effect upon:

(a) Commercial or recreational use of fish and wildlife resources? .....	<u>    </u>	<u>X</u>
(b) Scenic quality of the coastal environment? .....	<u>    </u>	<u>X</u>
(c) Development of future, or existing water dependent uses? .....	<u>    </u>	<u>X</u>
(d) Operation of the State's major ports? .....	<u>    </u>	<u>X</u>
(e) Land and water uses within the State's small harbors? .....	<u>    </u>	<u>X</u>
(f) Existing or potential public recreation opportunities? .....	<u>    </u>	<u>X</u>
(g) Structures, sites or districts of historic, archeological or cultural significance to the State or nation? .....	<u>    </u>	<u>X</u>

3. Will the proposed activity involve or result in any of the following:

(a) Physical alteration of two (2) acres or more of land along the shoreline, land under water or coastal waters? .....	<u>    </u>	<u>X</u>
(b) Physical alteration of five (5) acres or more of land located elsewhere in the coastal area? .....	<u>    </u>	<u>X</u>
(c) Expansion of existing public services of infrastructure in undeveloped or low density areas of the coastal area? .....	<u>    </u>	<u>X</u>
(d) Energy facility not subject to Article VII or VIII of the Public Service Law? .....	<u>    </u>	<u>X</u>
(e) Mining, excavation, filling or dredging in coastal waters? .....	<u>    </u>	<u>X</u>
(f) Reduction of existing or potential public access to or along the shore? .....	<u>    </u>	<u>X</u>
(g) Sale or change in use of state-owned lands located on the shoreline or under water? .....	<u>    </u>	<u>X</u>
(h) Development within a designated flood or erosion hazard area? .....	<u>    </u>	<u>X</u>
(i) Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion? .....	<u>    </u>	<u>X</u>

4. Will the proposed action be located in or have a significant effect upon an area included in an approved Local Waterfront Revitalization Program? .....

     X

D. SUBMISSION REQUIREMENTS

If any question in Section C is answered "Yes", AND either of the following two conditions is met:

Section B.1(a) or B.1(b) is checked; or  
Section B.1(c) is checked AND B.5 is answered "Yes",

THEN one copy of the Completed Coastal Assessment Form shall be submitted to:

New York State Department of State  
Division of Coastal Resources  
41 State Street, 8th Floor  
Albany, New York 12231

If assistance of further information is needed to complete this form, please call the Department of State at (518) 474-6000.

E. REMARKS OR ADDITIONAL INFORMATION

Signature: \_\_\_\_\_

Preparer's Name: Robert W. Schick

Title: Director, Division of Environmental Remediation

Agency: NYS Department of Environmental Conservation

Telephone Number: (518) 402-9706

Date: 11/8/13