

40-7580

Fansteel
Inc.

number ten tantalum place muskogee, oklahoma

November 09, 2000

ATTN: Document Control Desk
Washington, D.C. 20555

Mr. Mohammad Haque
Fuel Cycle Licensing Branch
Division of Fuel Cycle Safety
And Safeguards, NMSS
United States Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Subject: Withdrawal of License Amendment Request

References:

1. Letter from Heather Astwood, U.S. NRC, to Michael J. Mocniak, Fansteel, Inc., "NRC Staff Review of License Condition 24 Amendment Request (TAC L31305)", July 26, 2000.
2. Letter from Michael J. Mocniak, Vice President Fansteel, Inc. License Amendment Application License No. SMB-911, January 18, 2000

Dear Mr. Haque:

Fansteel is currently performing review of its internal regulatory administrative process and the license. Upon completion of this review, it is anticipated that a new license amendment request will be submitted. The scope of the new amendment request will encompass issues identified during this review, NRC Staff Review (Reference 1), as well as other license enhancement items discussed with the NRC staff.

Therefore, Fansteel requests withdrawal of the License Amendment Request dated January 18, 2000 (Reference 2).

NMSSol Public.

If you have any questions, please do not hesitate to contact me. Thank you for your time and assistance in this matter.

Sincerely,



Fred Dohmann
General Manager

FD/la

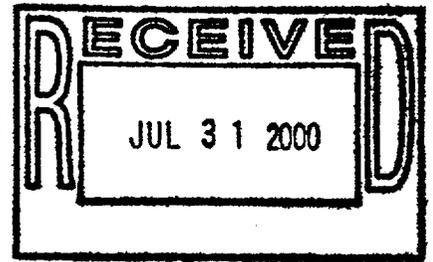
Attachments

Copy to: Michael J. Mocniak

File (NRC2-110900-0)



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001



July 26, 2000

Mr. Michael J. Mocniak,
Fansteel, Inc.
Number One Tantalum Place
North Chicago, Illinois 60064

SUBJECT: NRC STAFF REVIEW OF LICENSE CONDITION 24 AMENDMENT REQUEST
(TAC L31305)

Dear Mr. Mocniak:

The staff has reviewed your January 25, 2000 letter which contained a request for several changes to your license SMB-911. The letter specifically requested a change to license condition 24, and numerous changes to Part I of the license application. As discussed in several telephone conferences, there is additional information which is needed before the staff can make a final determination on this request. The request for additional information is enclosed.

In addition to submitting the requested information, a complete Part I of the license application is requested. This new copy should include a date and a revision number on each page. Any revised pages submitted in the future should contain the new date, new revision number and continue to include the change bars in the right hand margin.

During the review the staff noted that there were changes made to Part 1 of the license application which were not marked with a side bar. All changes to the license application should be clearly marked and if in the future an amendment request contains unmarked changes, the entire request will be denied and returned without further review.

Please review the enclosed request for information and submit the requested information within 60 days of the date of this letter. If you have any questions concerning this request, or if more time is needed to respond to the questions, please contact me by phone on 301-415-5819 or e-mail at hma@nrc.gov.

Sincerely,



Heather Astwood, Project Manager
Fuel Cycle Licensing Branch
Division of Fuel Cycle Safety
and Safeguards, NMSS

Docket 40-7580
License SMB-911

Enclosure : Request for Additional Information

cc: Mr. A. Fred Dohmann
 Fansteel
 Number Ten Tantalum Place
 Muskogee, OK 74403

Please review the enclosed request for information and submit the requested information within 60 days of the date of this letter. If you have any questions concerning this request, or if more time is needed to respond to the questions, please contact me by phone on 301-415-5819 or e-mail at hma@nrc.gov.

Sincerely,

Heather Astwood, Project Manager
 Fuel Cycle Licensing Branch
 Division of Fuel Cycle Safety
 and Safeguards, NMSS

Docket 40-7580
 License SMB-911

Enclosure : Request for Additional Information

cc: Mr. A. Fred Dohmann
 Fansteel
 Number Ten Tantalum Place
 Muskogee, OK 74403

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OFC	FCLB	E	FCLB		FCLB
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DATE	7/25/00	7/25/00			7/25/00

C = COVER

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N = NO COPY

Request for Additional Information

1) The last sentence of Section 2.7 should be removed. Section 2.7 was revised to indicate that a variety of records including records related to employee training, audits and inspections, radioactive releases, and environmental surveys would be maintained for "at least 2 years". Some of these records are required by the regulations to be maintained longer than 2 years, as specified by §20.2102, §20.2103, and §40.36(f).

2) Section 3.4 should be revised to include current description of the General Safety Procedures which are taught as part of the training program. This section should be revised to give a general outline of the safety procedures which are taught to the workers and should reflect the current situation at the site. The general licensing commitments made in this section such as bullets #4, 7, 8, and 9 should be moved to another more appropriate section.

In addition, the respiratory protection statement was modified to no longer require respirators in an emergency. No justification was provided for this change. Provide a detailed justification for this reduction in respiratory protection and revise this bullet to indicate when respiratory equipment must be used.

3) Section 3.5.1. The 3rd paragraph originally stated that specific actions would be taken if the action level was exceeded. This paragraph was changed to include a more detailed list of actions that *might* be taken if the action level is exceeded. This change does not provide NRC with sufficient information to make the determine that appropriate actions will be taken to prevent the Part 20 limits from being exceeded. Revise this paragraph to indicate exactly what actions will be taken by the PRSO when the action level is exceeded.

4) Section 3.5.1 - paragraph 5. The 3rd sentence - "Monitoring will be conducted to measure ventilation performance.", was changed to indicate that monitoring will only be conducted during the life of the first filter. Ventilation monitoring should continue throughout the life of the process. This is not an equivalent change and no justification was provided. Provide justification for this reduction in monitoring.

5) In Section 3.5.2 weekly surface contamination surveys were changed to bi-weekly. No justification for this reduction in frequency was provided. Provide a rational for this reduction in sampling frequency.

6) Section 3.5.2 also was changed from "Any spilled material is to be immediately cleaned up..." to "...any spill in excess of normal end-of-shift cleanup..." This statement should be modified to be clear and quantitative. Provide a justification for this change, and modify the statement to include the parameters for determining when a spill is to be cleaned up for both radiological and non-radiological liquid and solid spills.

7) Section 3.5.5, #2 The first sentence should be modified to include both *monitoring well* and *effluent samples*.

8) Section 3.5.5, #3 has been changed to state that exceedances of the Part 20 release limits

that require a report to the regional administrator will be reported 30 days after *verification* of the exceedance. This change should be removed. Part 20 regulations require that reports be submitted within 30 days of the date of the occurrence, or knowledge of the occurrence, not verification of it.

9) Section 3.5.11 was substantially modified to be consistent with the request to modify license condition 24. In an SER dated December 18, 1997, the NRC staff described actions Fansteel had committed to take in response to NRC concerns over the monitoring of product streams. Based on this SER the staff determined that license condition 24 was necessary. In addition the information contained in the current section 3.5.11 was submitted to NRC in a letter dated May 17, 1999 and is important to support license condition 24. The staff has reviewed the past license application packages and SERs and has determined that section 3.5.11 is needed and should remain unchanged from the May 17, 1999 version. Therefore the changes to this paragraph should be removed.

Fansteel

Inc.

number ten tonitulum place muskogee, oklahoma 74403-9297
(918) 687-6303 Fax (918) 687-6112

See a copy
of the License
Amendment in
John Hunters office

January 18, 2000

Mont

Dr. Carl Paperiello
Director, NMSS
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

#8 File

License Amendment Application
TAC No. 40-7580
License No. SMB-911
Fansteel Inc.
Muskogee, Oklahoma

Dear Dr. Paperiello:

In accordance with Title 10, Code of Federal Regulations (CFR), Part 40, Fansteel Inc. (Fansteel) requests an amendment to their Nuclear Regulatory Commission (NCR) License No. SMB-911. This amendment will serve to clarify the product sampling and certification of product for sale to nonlicensed buyers. In addition, Part I of the license has been revised. Two copies of the original License Amendment Application are enclosed. The original has been sent to the Public Document Room and a copy to the Project Manager, Ms. Heather Astwood.

This amendment is requesting the following change:

License Condition 24 - Change to read: "The licensee shall certify to all non-licensed recipients that each shipment contains less than 0.05 percent uranium/thorium combined."

This limit is in agreement with the definition of source material found in 10 CFR 40.4 and in Section 40.13 Unimportant quantities of source material.

Changes to NRC Form 313, Page 2 of 3 include:

- Item 5c - *Maximum Amount Processed* - Change to read:
Maximum amount possessed
- Item 5c(1) and (2) - *Uranium 238 and Thorium 232* - Change to read:
Natural Uranium and Natural Thorium
To be consistent with the license.
- *Item 7 - Individual Responsible for Radiation Safety Program* - Change to read:
Individual(s) Responsible for Radiation Safety Program

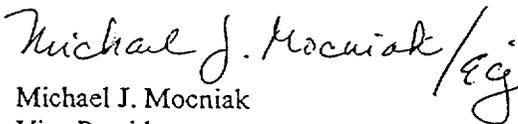
Changes to Part I of the license include:

- Addition of Plant Operations Managers' education, training, and experience requirements (replacing Section 2.1.1.4, Page 2.2).
- Expansion of the As Low As Reasonably Achievable (ALARA) policy to be implemented through the use of area and perimeter monitoring, and personal exposure monitoring (replacing Section 2.2, Page 2-4).
- Clarification of the site-specific derived air concentration (DAC) value and related administrative and action levels in response to Item No. 3.2 b (2) on Page 19 of the July 7, 1999 Inspection Report 40-7580/99-01 (replacing Section 3.5.1, Page 3-3).
- Incorporation of response to NRC Comment No. 16 from the response letter dated February 3, 1999 regarding liquid effluent sampling (replacing Section 3.5.5, Page 3-4).
- Move reporting requirements regarding groundwater radioactivity measurements to Section 3.5.5, Liquid Effluent (replacing Section 3.5.6, Page 3-5). No groundwater leaves the site except through National Pollutant Discharge Elimination System-permitted Outfall 001.
- Addition of the liquid effluent actions to be taken in case of exceedence (replacing Section 3.5.5, Page 3-5).

Enclosed are two copies of a revised License Amendment Application including NRC Form 313, the current License No. SMB-911 and modifications, and Part I of the General License Information. The originals have been sent to the Public Document Room. These changes affect the license amendment dated September 2, 1999. All changes made have been marked with a bar in the right margin.

Your assistance in reviewing this License Amendment Application on an expedited basis is needed. If you have any questions that require clarification, please feel free to contact the facility at any time.

Sincerely,


Michael J. Mocniak
Vice President

MJM:bd

Enclosures

cc: Original to Public Documents Room
Ms. Heather Astwood, Project Manager