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MEMORANDUM TO: NRC LICENSE 30-02363-01 DOCKET FILE

FROM: William Floyd, Manager  
Radiation Protection Program  
Radiation Control Bureau  
New Mexico Environmental Department

WLF  
07/09/01

SUBJECT: TERMINATED LICENSE REVIEW

On July 9, 2001, the New Mexico Environmental Department concluded its review of a terminated sealed source license previously issued to the International Mineral & Chemical Corporation (IMC) of Carlsbad, New Mexico. Details of the review are provided in the attachment to this Memorandum.

In summary, IMC was licensed by the U.S. Atomic Energy Commission (AEC) to possess cesium-137 in sealed source form for use in fixed gauges. The license was issued during April 1957 and expired during April 1973. The docket file did not provide disposition information for the sources that were possessed by the licensee. As a result, the NRC and the New Mexico Environmental Department conducted independent reviews of this docket file.

Based on interviews with the current radiation safety officer for IMC Global Operations and records provided by the NRC and State of New Mexico, the State has determined that IMC became an Agreement State licensee during July 1974 and continues to be a State of New Mexico licensee. Site decommissioning activities, if any are necessary, will be conducted prior to final termination of the State license. Therefore, this concludes the New Mexico Environmental Department's review of this terminated sealed source file.

Docket No.: None  
License No.: 30-02363-01

Attachment: Terminated License Status Report

cc w/attachment:  
Dwight D. Chamberlain, Director  
Division of Nuclear Materials Safety  
611 Ryan Plaza Drive, Suite 400  
Arlington, Texas 76011

Scott Vail, Radiation Safety Officer  
IMC Potash Carlsbad, Inc.  
P.O. Box 71  
Carlsbad, New Mexico 88220-0071

## ATTACHMENT

### Terminated License Status Report

Final ORNL Score: 2

Docket No. None

License No. 30-02363-01

Licensee Name: **International Minerals and Chemical Corp.**  
(Later known as IMC Potash Carlsbad, Inc.)

Mailing Address: P.O. Box 71  
Carlsbad, New Mexico 88220

Site Address: 1361 Potash Mines Road  
Carlsbad, New Mexico 88221-0071

Contact: Bill Floyd, Program Manager  
Radiation Licensing and Registration Section  
New Mexico Environmental Department

#### Status Summary:

The U.S. Atomic Energy Commission (AEC) issued Byproduct Material License 30-02363-01 to International Minerals and Chemical Corporation (IMC) on April 4, 1957. The license allowed IMC to possess a number of fixed gauges containing cesium-137 in sealed source form. The licensee also possessed radium-226 as a calibration source and as an instrument compensating cell. The AEC license expired on April 30, 1973.

Oak Ridge National Laboratory (ORNL) recently reviewed this license file and noted that radioactive material disposition information was not provided in the file. Accordingly, the file was referred by the NRC to the New Mexico Environmental Department for an independent, followup review because New Mexico became an Agreement State on May 1, 1974.

According to New Mexico Environmental Department records, on June 21, 1974, IMC applied for a State of New Mexico license. At that time, the licensee possessed 24 fixed gauge sources containing cesium-137. The New Mexico Environmental Improvement Agency issued State License NM-IMC-GA-00 to IMC on July 15, 1974, for the radioactive material. (The records indicate that IMC was not licensed by either the AEC or the State between April 1973 and July 1974 to possess radioactive material.)

IMC changed its name to IMC Fertilizer, Inc. during 1987, to IMC Global Operations, Inc. during 1995, and to IMC Potash Carlsbad, Inc. during 2000. The current New Mexico State license is GA099-23 with an expiration date of May 31, 2004. As of May 2001, the licensee possessed 13 sealed sources containing cesium-137.

In summary, the New Mexico Environmental Department recommends closure of this terminated sealed source file. The radioactive material that was possessed under AEC License

30-02363-01 was transferred to a State of New Mexico license during 1974. IMC Potash Carlsbad continues to possess radioactive material under a State of New Mexico license. Although disposal records were not provided in the AEC/NRC docket file for every source possessed by the licensee under the AEC license, the licensee has been routinely inspected since 1957 by either the AEC or the State of New Mexico. Transfer record discrepancies would have been identified during these routine inspections. Decommissioning activities, if any are required, will be conducted prior to termination of the State license.