

December 7, 2001

Mr. Anthony T. Campitelli  
Manager, Environmental Affairs  
Cabot Corporation  
P.O. Box 1608  
County Line Road  
Boyertown, Pennsylvania 19512-1608

SUBJECT: CABOT CORPORATION - AMENDMENT 4 - ACCEPTANCE OF THREE  
MONTH EXTENSION TO MARCH 29, 2001, LICENSE RENEWAL DEADLINE  
(TAC NO. L31572)

Dear Mr. Campitelli:

In accordance with your correspondence dated November 12, and pursuant to Part 40 to Title 10 of the Code of Federal Regulations, Materials License SMB-920 is hereby amended to allow the delaying of Cabot's license renewal in order to allow the use of the electronic information exchange through NRC's website. Accordingly, License Condition 4, which included the expiration date is increased by 3 months, effective immediately, and reads as follows:

LC-4	Expiration Date	March 29, 2002
------	-----------------	----------------

The license condition is approved pursuant to 10 CFR 40.44 based on our determination that, in view of the specific circumstances, the additional time requested was justified and warranted. All other conditions of this license remain the same.

Enclosed are copies of the revised Materials License SMB-920 and the Safety Evaluation Report, which includes the Categorical Exclusion.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the

Mr. A. Campitelli

- 2 -

Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

Sincerely,

**/RA/**

Michael F. Weber, Director  
Division of Fuel Cycle Safety and Safeguards,  
Office of Nuclear Material Safety and Safeguards

Docket 70-6940  
License SNM-920  
Amendment 4

Enclosures: 1. Materials License SNM-920  
2. Safety Evaluation Report

cc w/enclosures:  
Mr. Timothy Knapp  
Cabot Performance Materials  
P.O. Box 1608  
County Line Road  
Boyertown, Pennsylvania 19517-1605

Mr. A. Campitelli

- 2 -

December 7, 2001

Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

Sincerely,

**/RA/**

Michael F. Weber, Director  
Division of Fuel Cycle Safety and Safeguards  
Office of Nuclear Material Safety and Safeguards

Docket 70-6940  
License SNM-920  
Amendment 4

Enclosures: 1. Materials License SNM-920  
2. Safety Evaluation Report

cc w/enclosures:  
Mr. Timothy Knapp  
Cabot Performance Materials  
P.O. Box 1608  
County Line Road  
Boyertown, Pennsylvania 19517-1605

**DISTRIBUTION:**

Docket 40-6940 NRC File Center PUBLIC NMSS r/f  
SHO FCLB r/f Region I  
PMDA JKinneman, RI JOLivier MRaddatz  
Accession #: ML013460222

OFC	SSSB		FCLB		FCLB		FCLB		FCSS	
NAME	LFields*				LRoché		MLeach		MWeber	
DATE	12/05/01				12/05/01		12/06/01		12/07/01	

C = COVER

E = COVER & ENCLOSURE  
OFFICIAL RECORD COPY

N = NO COPY

\*See Previous Concurrence

**MATERIALS LICENSE**

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee		
1. Cabot Corporation		3. License Number SMB-920, Amendment 4
2. County Line Road Boyertown, PA 19512		4. Expiration Date March 29, 2002
		5. Docket No. 40-6940 Reference No.
6. Byproduct Source, and/or Special Nuclear Material	7. Chemical and/or Physical Form	8. Maximum amount that Licensee May Possess at Any One Time Under This License
Natural uranium and thorium	Any	400 tons as elemental uranium and thorium
9. Authorized place of use: The licensee's facility at County Line Road, Boyertown, Pennsylvania.		
10. Authorized use: Receipt, possession, and processing at the Boyertown, Pennsylvania, facility in accordance with the statements, representations, and conditions specified in the licensee's revised application dated March 16, 1994; and supplements dated May 24, August 17, and October 31, 1995; February 26, March 13, April 10, and November 26, 1996; February 13, 1997; August 11 and September 21, 1999.		
11. The licensee shall document all ALARA Committee's recommendations for achieving ALARA in radiation protection, proposed in each meeting. A copy of the recommendations shall be provided to the General Manager.		
12. Deleted by Amendment 1, June 1997.		
13. Release of equipment, facilities, or packages to the unrestricted area or to uncontrolled areas onsite shall be in accordance with the "Guidelines for Decontamination of Facilities and Equipment Prior to Release for Unrestricted Use or Termination of Licenses for Byproduct, Source, or Special Nuclear Material," dated April 1993.		
14. The licensee shall collect the following samples at the Boyertown site and analyze for radioactivity at least quarterly:		
a. Composite samples from a continuously collected sample of the effluent at Outfall 001 when effluent is discharged.		
b. Upstream and downstream water samples (relative to Outfall 001) of West Swamp Creek.		
c. Groundwater samples from Monitoring Wells 1a, 2, 3, and 4 identified in Figure 4.1 of NUREG-1027.		

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number

SMB-920

Docket or Reference Number

40-6940

Amendment No. 4

If the concentration of any radionuclide in a representative groundwater sample from any of the monitoring wells exceeds 5 percent of the value given in 10 CFR Part 20, Appendix B, Table II, an investigation shall be made to determine the possible cause and appropriate action shall be taken.

If the concentration of a radionuclide exceeds 10 percent of the value in Table II, the licensee shall report the incident to the Administrator, Region I, U.S. Nuclear Regulatory Commission, within 30 days after the analysis is received by the licensee.

- d. Sediment samples from upstream and downstream locations in West Swamp Creek and immediately downstream of Outfall 001. If gross alpha concentrations exceed 100 pCi/g, an investigation shall be made to determine the cause.

The licensee shall maintain a record of all monitoring results obtained in accordance with this license condition.

15. At intervals not to exceed 24 months, from September 30, 1998, the licensee shall evaluate the decommissioning funding plan and the financial surety arrangements, including the potential cost to dispose of the stored filter cake, to assure that funds will be available for decommissioning. If the licensee determines that the decommissioning cost exceeds the financial surety by 10%, amended financial surety arrangements incorporating the new decommissioning cost shall be provided to NRC within 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

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

By: Melvyn N. Leach, Chief  
Fuel Cycle Licensing Branch  
Division of Fuel Cycle Safety  
and Safeguards, NMSS  
Washington, DC 20555

DOCKET: 40-6940

LICENSEE: Cabot Corporation

SUBJECT: SAFETY EVALUATION REPORT: SUBMITTAL DATED NOVEMBER 12, 2001,  
REQUEST FOR TIME EXTENSION TO USE ELECTRONIC INFORMATION  
EXCHANGE

### BACKGROUND

In response to the activities of September 11, 2001, NRC has implemented additional security measures with respect to the NRC website by reducing the amount of access the general public can have to the website. Cabot Corporation was invited to participate in the Electronic Information Exchange (EIE) by the NRC on September 7, 2001. However all the information necessary to submit documents electronically usually available on the NRC website have been temporarily shut down since September 11, 2001.

A three-month extension to the license expiration date will relieve Cabot from the requirement in 10 CFR 40.43 until the NRC website is operating in it's regular mode and offering the sign-up capability into the EIE.

### DISCUSSION

The specific regulation 10 CFR 40.42 requires that Cabot submit a license renewal not less than 30 days before the expiration date stated in the license. The time allotment since the last license renewal will expire on December 31, 2001.

As directed by the NRC, Cabot is interested in electronic submittal capability, but has encountered some difficulty using the NRC website after the terrorist activities on September 11, 2001. Due to reduced access mode of the NRC website, Cabot has not received a certificate number to participate in the EIE. Therefore, a three-month extension was requested by Cabot to receive a certificate number and submit license renewal documents electronically.

NRC agrees that a three-month extension is appropriate in light of the present circumstances and giving Cabot the opportunity to file electronically will reduce their regulatory burden.

### ENVIRONMENTAL REVIEW

The NRC staff has determined that the requested time extension involves an amendment to the license conditions of Cabot's Material License SUB-920 which does not involve any construction impacts and which is categorically excluded from the requirements to prepare a site-specific environmental assessment. Therefore, in accordance with 10 CFR 51.22(c)(12), neither an environmental assessment nor an environmental impact statement is warranted for this action.

CONCLUSION

The NRC staff concludes that granting Cabot's time extension request for extending the license renewal date by three-months is justified and warranted, and will not reduce the effectiveness of Cabot's safety program. Therefore, an update to License Condition 3 is being granted which allows the three month extension of time.

Region I staff has no objection to this proposed action.

PRINCIPAL CONTRIBUTOR

Leslie C. Fields