



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

March 5, 2002

Gene Miskin  
Director  
Bureau of Radiological Health  
New York City Department of Health  
2 Lafayette Street, 11<sup>th</sup> Floor  
New York, NY 10007

SUBJECT: AEC Terminated Licenses

Dear Mr. Miskin:

This is a follow up to our July 15, 1998 letter (Enclosure 1) to John Spath, Director of the Radioactive Waste Policy and Nuclear Coordination Office.

Enclosure 2 of the July 15, 1998 letter contains a list of 20 terminated AEC sealed source licenses located in New York identified by Oak Ridge National Laboratory (ORNL) as in need of further investigation to verify that the sources have been properly transferred to an authorized recipient. Since our 1998 letter, closer examination of the files and the identification of additional correspondence between the Atomic Energy Commission (AEC) and the State of New York at the time of the Agreement (October 15, 1962) indicates that bases exist to close these 20 files. The attached status summary (Enclosure 2) concludes that 11 files were transferred to New York on October 15, 1962, one file was closed by ORNL, four files were either re-licensed or superceded by other AEC licenses, and four files had New York mailing addresses with authorized places of use in other Agreement States. I have confirmed the status information shown in the enclosure with each of the Agreement States. The summary references a letter dated October 15, 1962 from Robert Kirkman, AEC Region I to Oliver Townsend, Director, New York Office of Atomic Development (Enclosure 3) transferring active New York license files. This letter specifically lists over 900 licenses as transferred to the State of New York upon discontinuation of certain AEC regulatory authorities on 10/15/62.

The files relevant to your program's area of regulatory jurisdiction are included (Enclosure 4) for your records. We plan no further action regarding the sealed source licenses in our July 15, 1998 letter. Based on my telephone conversation with you on February 28, 2002, the 11 sealed source files transferred to the State of New York in October 1962 serve as a basis for closing these licenses listed in the NRC Formerly Licensed Site Program.

If you have any questions regarding this matter, please contact me at 610-337-5042 or by e-mail at [adw@nrc.gov](mailto:adw@nrc.gov).

G. Miskin  
New York City Department of Health

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Thank you for your cooperation.

Sincerely,

***Original signed by Duncan White***

Duncan White, CHP  
Regional State Agreements Officer  
Division of Nuclear Materials Safety

cc:  
John Spath, NYSERDA  
Pat Larkins, STP

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ENCLOSURE 1

Letter dated July 15, 1998 from Duncan White, NRC to John Spath, NYSERDA  
(Enclosures 3 and 4 to the letter not included in this enclosure)

## ENCLOSURE 2

<b>New York Sealed Source Status Summary</b>				
<i>Licensee</i>	<i>Current Jurisdiction</i>	<i>AEC/NRC License No.</i>	<i>Term. (Y or N)</i>	<i>Status</i>
<b>Queens College</b>	City Health	SNM-613	No	File Transferred to NY (10/15/62 letter)
<b>Rosary Hill College</b>	State Health	SNM-643	No	File Transferred to NY (10/15/62 letter)
<b>Institute of Industrial Medicine (NYU)</b>	City Health	SNM-305	No	File Transferred to NY (10/15/62 letter)
<b>Yeshiva University</b>	City Health	SNM-446	No	File Transferred to NY (10/15/62 letter)
<b>Bausch and Lomb</b>	Labor	SNM-527	No	File Transferred to NY (10/15/62 letter)
<b>Columbia University</b>	City Health	SNM-132	No	File Transferred to NY (10/15/62 letter) SNM-1995 is still active
<b>Bronx Community College</b>	City Health	SNM-460	No	File Transferred to NY (10/15/62 letter)
<b>New York University</b>	City Health	SNM-194	No	File Transferred to NY (10/15/62 letter)
<b>Fordham University</b>	City Health	SNM-604	No	File Transferred to NY (10/15/62 letter)
<b>Allied Chemical</b>	Louisiana	31-05489-05	No	LA location of use only Facility currently operates under LA License No. LA-2192-L02
<b>American Tradair</b>	Labor	31-01228-02	No	License expired 11/30/59 Re-licensed as 31-01228-03
<b>US Steel Corp</b>	Ohio	31-00463-03	No	OH location of use only Re-licensed as 34-12820-01
<b>Isotope Products</b>	Labor	31-00829-02	Yes	Terminated on 6/12/58; AEC letter indicates that all material removed from NY location and transferred to Curtiss-Wright Corp. (License No. 29-00657-04)

<b>New York Sealed Source Status Summary</b>				
<b>Eastern Testing Laboratories</b>	Labor	31-00834-02	No	File Transferred to NY (10/15/62 letter)
<b>Airport Technical Services</b>	NRC	31-14852-01	Yes	Terminated on 10/4/72 due to move to Wilmington, DE. Re-licensed as 07-14852-02
<b>P. Lorillard Company</b>	North Carolina	31-05508-01	No	KY and NC locations of use only KY location removed in 1962 KY license referenced in file Facility currently operates under NC License No. 041-0031-1
<b>Picker X-Ray</b>	NRC	31-04601-03	Yes	Terminated on 7/9/69; Licensed activities transferred to 34-07725-08
<b>M.W. Kellogg Co.</b>	Texas	31-00246-04	No	TX location of use only Texas issued License No. 0-371 on 5/30/63
<b>Cornell University</b>	State Health	CSA-3573	Yes	Superceded by SUD-271 ORNL eliminated this license from further consideration
<b>Rensselaer Polytechnic Institute</b>	State Health	31-00072-04	No	File Transferred to NY (10/15/62 letter)

**Conclusions:**

11 licenses transferred to NY on 10/15/62

1 license closed by ORNL

4 re-licensed or superceded by AEC licenses

4 licenses issued to locations outside of New York (LA, NC, OH, TX)

ENCLOSURE 3

Letter dated October 15, 1962 from Robert Kirkman, AEC Region I  
to Oliver Townsend, Director, New York Office of Atomic Development  
(Enclosures not included)

ENCLOSURE 4

The following license files are relevant to your program and are enclosed:

- |    |                                  |         |
|----|----------------------------------|---------|
| 1. | Queens College                   | SNM-613 |
| 2. | Institute of Industrial Medicine | SNM-305 |
| 3. | Yeshiva University               | SNM-446 |
| 4. | Columbia University              | SNM-132 |
| 5. | Bronx Community College          | SNM-460 |
| 6. | New York University              | SNM-194 |
| 7. | Fordham University               | SNM-604 |