

Heritage Minerals, Inc.

RECEIVED
REGION I

2003 JUN 27 PM 12: 59

3400 ROUTE 70 WEST
LAKEHURST, NJ 08733
(908) 657-0022

ONE HOVCHILD PLAZA
4000 ROUTE 66
TINTON FALLS, NJ 07753
(908) 922-6100 • FAX (908) 922-9544

June 26, 2003

Licensing Assistant Section
Nuclear Materials Safety Branch
U. S. Nuclear Regulatory Commission, Region I
475 Allendale Road
King of Prussia, PA 19406-1415

L-Ø

040-08980

Re: NRC License No. SMD-1541

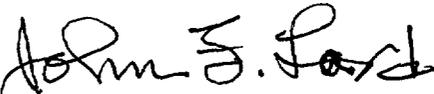
Gentlemen:

The attached application form is for the extension of the expiring NRC License No. SMD-1541 to remain active while the final D&D is completed to release the said license.

Thank you kindly for your assistance in this matter.

If there are any questions, please contact me at (732) 922-6100.

Sincerely,



John F. Lord
Manager

FULL COST RECOVERY ACTION

TAC NO. U 01580

133325

NMSS/RGNI MATERIALS-002

FAX RECEIVED 6/26/2003

NRC FORM 313

U.S. NUCLEAR REGULATORY COMMISSION

APPROVED BY OMB: NO. 3150-0120

EXPIRES: 10/31/2005

(10-2002)
10 CFR 30, 32, 33,
34, 35, 36, 39, and 40

APPLICATION FOR MATERIAL LICENSE

Estimated burden per response to comply with this mandatory collection request: 7 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Send comments regarding burden estimate to the Records Management Branch (T-6 E6), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0120), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION. SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.

APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:

DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:

IF YOU ARE LOCATED IN:

CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA, RHODE ISLAND, OR VERMONT, SEND APPLICATIONS TO:

LICENSING ASSISTANT SECTION
NUCLEAR MATERIALS SAFETY BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, PUERTO RICO, SOUTH CAROLINA, TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA, SEND APPLICATIONS TO:

SAM NUNN ATLANTA FEDERAL CENTER
U. S. NUCLEAR REGULATORY COMMISSION, REGION II
61 FORSYTH STREET, S.W., SUITE 23T85
ATLANTA, GEORGIA 30303-8931

IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:

MATERIALS LICENSING BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION III
801 WARRENVILLE RD.
LISLE, IL 60532-4351

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR WYOMING, SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TX 76011-8064

040-08980
X

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.

1. THIS IS AN APPLICATION FOR (Check appropriate item)

- A. NEW LICENSE
- B. AMENDMENT TO LICENSE NUMBER _____
- C. RENEWAL OF LICENSE NUMBER SMB-1541

2. NAME AND MAILING ADDRESS OF APPLICANT (Include ZIP code)

Heritage Minerals Incorporated
c/o Hovchild Plaza
4000 Route 66
Tinton Falls, NJ 07753

3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

Heritage Minerals Incorporated
Route 70 Mile Marker 41
Lakehurst, NJ

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

John Lord

TELEPHONE NUMBER

732-922-6100

SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.

5. RADIOACTIVE MATERIAL

a. Element and mass number; b. chemical and/or physical form; and c. maximum amount
see SMB-1541 attached for items 5 - 11

6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE.

8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.

9. FACILITIES AND EQUIPMENT.

10. RADIATION SAFETY PROGRAM.

11. WASTE MANAGEMENT.

12. LICENSE FEES (See 10 CFR 170 and Section 170.31)

FEE CATEGORY: Full Recovery | AMOUNT ENCLOSED: \$ No Fee

13. CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON

THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 39, AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF

WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO

CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE

John Lord

SIGNATURE

John S. Lord

DATE

8/25/03

FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$	✓	
APPROVED BY				DATE	133325

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.

<p style="text-align: center;">Licensee</p> <p>1. Heritage Minerals, Incorporated</p> <p>2. One Hovchild Plaza 4000 Route 66 Tinton Falls, New Jersey 07753</p>	<p>In accordance with the letter dated November 9, 1995,</p> <p>3. License number SMB-1541 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date June 30, 2003</p> <hr/> <p>5. Docket No. 040-08980</p>
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<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Natural Thorium</p> <p>B. Natural Uranium</p>	<p>7. Chemical and/or physical form</p> <p>A. Monazite</p> <p>B. Monazite</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. 15,000 kilograms</p> <p>B. 300 kilograms</p>
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9. Authorized use:

A. and B. 1. Decontamination of land and facilities.
2. For possession, packaging, storage, and transfer to authorized recipients of monazite-rich product.

CONDITIONS

- 10. Licensed material may be used only at the licensee's facilities at Heritage Minerals, Incorporated, Route 70, Mile Marker 41, Lakehurst, New Jersey.
- 11. A. Licensed material shall be used by, or under the supervision of, Adrian E. Albrethsen, Ph.D.
- B. The Radiation Safety Officer for this license is Adrian E. Albrethsen, Ph.D.
- 12. This license does not authorize the production of source material in the form of monazite-rich sand during the processing of ore to extract titanium and zircon mineral sands.
- 13. This license does not authorize the processing of monazite-rich sand to extract or concentrate the monazite.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number

SMB-1541

Docket or Reference Number

040-08980

Amendment No. 2

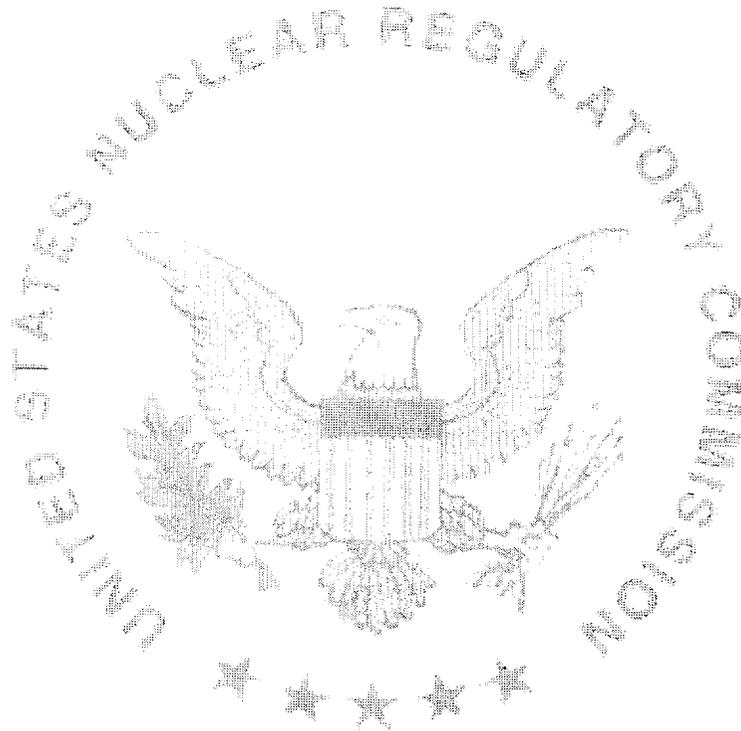
14. Plant buildings and equipment shall be cleaned so that fixed surface contamination does not exceed 3,000 disintegrations per minute (dpm) when measured over an area of 100 square centimeters (100 cm²) or 1,000 dpm/100 cm² averaged over an area not to exceed one square meter; and removable contamination does not exceed 200 dpm/100 cm² before releasing them for unrestricted use. For measurement purposes all contamination may be assumed to be natural thorium in equilibrium with its daughters.
15. All areas in the plant buildings and at the monazite pile identified as having radiation levels above natural background on a map of the licensee's site attached to the letter dated September 27, 1990, or in the November 10, 1997 Final Status Survey Plan (FSSP) for License Termination of Heritage Minerals NRC License #SMB-1541, enclosed to the letter dated November 3, 1997, shall be decontaminated to meet the criteria for release for unrestricted use described in Option 1 of the Branch Technical Position, "Disposal or Onsite Storage of Thorium or Uranium Wastes from Past Operations," 46 Federal Register 52061 (October 23, 1981) before the area is released for unrestricted use. The licensee shall not release any of these areas for unrestricted use without specific, written authorization from the NRC. This license condition does not prohibit the licensee from making specific application to the NRC for approval of other limits or methods of disposal.
16. The licensee may transport licensed material in accordance with the provisions of 10 CFR 71, "Packaging and Transportation of Radioactive Material."
17. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.
- A. Application dated March 6, 1989
 - B. Letter dated April 27, 1989
 - C. Letter dated August 21, 1989
 - D. Letter dated March 13, 1990
 - E. Letter dated July 25, 1990, with attachments
 - F. Letter dated August 23, 1990
 - G. Letter dated October 6, 1990
 - H. Letter dated February 28, 1991
 - I. Letter dated February 8, 1993
 - J. Letter dated March 20, 1995
 - K. Letter dated December 30, 1996
 - L. Letter dated March 17, 1997
 - M. Letter dated May 9, 1997
 - N. FSSP dated November 10, 1997
 - O. Letter dated December 5, 1997

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number
SMB-1541

Docket or Reference Number
040-08980

Amendment No. 2



For the U.S. Nuclear Regulatory Commission

Date May 26, 1998

By Craig Z. Gordon

Craig Z. Gordon
Decommissioning and Laboratory Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406

This is to acknowledge the receipt of your letter/application dated

6/25/2003, and to inform you that the initial processing which includes an administrative review has been performed.

Review SMB-1541 There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

Please provide to this office within 30 days of your receipt of this card

A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 133325.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.

BETWEEN: : (FOR LFMS USE)
 : INFORMATION FROM LTS
 : -----
 License Fee Management Branch, ARM : Program Code: 11800
 and : Status Code: 2
 Regional Licensing Sections : Fee Category: 14
 : Exp. Date: 20030630
 : Fee Comments: SEE 3/12/91 NOTE
 : Decom Fin Assur Req'd: Y
 :

LICENSE FEE TRANSMITTAL

A. REGION I

1. APPLICATION ATTACHED
 Applicant/Licensee: HERITAGE MINERALS, INC.
 Received Date: 20030626
 Docket No: 4008980
 Control No.: 133325
 License No.: SMB-1541
 Action Type: Renewal

2. FEE ATTACHED
 Amount: /
 Check No.: /

3. COMMENTS
 Signed M. A. Perkins
 Date 6/27/2003

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered /_/)

1. Fee Category and Amount: _____
 2. Correct Fee Paid. Application may be processed for:
 Amendment _____
 Renewal _____
 License _____
 3. OTHER _____

Signed _____
 Date _____

FULL COST RECOVERY ACTION

TAC NO. 401580