



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

July 15, 2003

Docket No. 04008980
Control No. 133325

License No. SMB-1541

John F. Lord, P.E.
Manager
Heritage Minerals, Inc.
One Hovchild Plaza
4000 Route 66
Tinton Falls, NJ 07753

SUBJECT: HERITAGE MINERALS, INC., ISSUANCE OF LICENSE RENEWAL, CONTROL
NO. 133325

Dear Mr. Lord:

This refers to your request for renewal of your NRC license. Enclosed with this letter is the renewed license. Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5239, so that we can provide appropriate corrections and answers.

The NRC is required to have your Taxpayer Identification Number in order to make payments (refunds). The self-addressed, stamped NRC Form 531, "Request for Taxpayer Identification Number," is enclosed.

The NRC expects licensees to conduct their programs with meticulous attention to detail and high standards of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NRC requirements, you must conduct your program according to NRC regulations, the conditions of your NRC license, and the representations made in your application. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify the NRC in writing of any change in mailing address.
3. In accordance with 10 CFR 30.36(d), notify the NRC, promptly, in writing, and request termination of the license
 - a) when you decide to terminate all activities involving materials authorized under the license; or
 - b) if you decide not to acquire or possess and use authorized material.

4. Request and obtain a license Amendment before you:
 - a) change Radiation Safety Officers;
 - b) order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license; or
 - c) add or change the areas of use, or addresses of use identified in the license application or on the license; or
 - d) change the name or ownership of your organization.
5. Submit a complete renewal application or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations.

In addition, please note that NRC Form 313 requires the applicant, by signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or a certifying official of the licensee rather than a consultant.

You will be periodically inspected by the NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in NUREG 1600, "General Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy).

In accordance with 10 CFR 2.790, a copy of this letter will be placed in the NRC Public Document Room and will be accessible from the NRC Web site at <http://www.nrc.gov/reading-rm.html>.

Thank you for your cooperation.

Sincerely,

Original signed by Craig Z. Gordon

Craig Z. Gordon
Senior Health Physicist
Decommissioning and Laboratory Branch
Division of Nuclear Materials Safety

Enclosures:

1. Amendment No. 3
2. 10 CFR Parts 19, 20, 21, 30, 71, 170, and 171

J. Lord
Heritage Minerals, Inc.

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3. NRC Forms 3, 313, and 531
4. Section 206 of the Energy Reorganization Act of 1974
5. NUREG 1600, General Policy and Procedure for NRC Enforcement Actions
(Enforcement Policy)

cc: E. Hovnanian

J. Lord
Heritage Minerals, Inc.

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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>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 June 26, 2003</p> <p>3. License number SMB-1541 is amended in its entirety to read as follows:</p> <p>4. Expiration date June 30, 2013</p> <p>5. Docket No. 040-08980</p>	
<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>
<p>9. Authorized use:</p> <p>A. and B. 1. Decontamination of land and facilities. 2. For possession, packaging, storage, and transfer to authorized recipients of monazite-rich product.</p>		

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.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number

SMB-1541

Docket or Reference Number

040-08980

Amendment No. 4

11. A. Licensed material shall be used by, or under the supervision of John F. Lord.
- 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.
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."

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

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Amendment No. 4

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
- P. Letters dated November 30, 1998, June 24, 1999, July 13, 1999, and August 17, 1999
- Q. Letter dated May 6, 2003
- R. Letter dated June 26, 2003.

For the U.S. Nuclear Regulatory Commission

Original signed by Craig Z. GordonDate: July 17, 2003

By

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