



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

September 29, 2003

Docket No. 03029288
Control No. 132873

License No. 37-17860-02

David J. Allard, C.H.P.
Director
Bureau of Radiation Protection
Office of Air, Recycling and Radiation
Pennsylvania Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

SUBJECT: BUREAU OF RADIATION PROTECTION, APPLICATION FOR LICENSING ACTION, CONTROL NO. 132873

Dear Mr. Allard:

This refers to your request for renewal of your NRC Byproduct Materials License No. 37-17860-02. 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 when you decide to terminate all activities involving materials authorized under the license; or
4. Request and obtain a license Amendment before you:

- a) change Radiation Safety Officers;
 - b) add or change the areas of use, or addresses of use identified in the license application or on the license; or
 - c) 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).

An Environmental Assessment (EA) which resulted in a Finding of No Significant Impact (FONSI) was prepared for this action. A summary of the EA and the FONSI were published in the Federal Register on September 29, 2003 (68 FR 56019) and are accessible at the NRC Web site at <http://www.nrc.gov/reading-rm.html>

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 James Kottan

James Kottan
Senior Health Physicist
Decommissioning and Laboratory Branch
Division of Nuclear Materials Safety

Enclosures:

- 1. Amendment No. 10

D. Allard

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Bureau of Radiation Protection

2. 10 CFR Parts 19, 20, 21, 30, 71, 170, and 171
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:

Bryan Werner, Radiation Safety Officer

D. Allard
Bureau of Radiation Protection

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DATE	09/29/2003		09/29/2003					

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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. Commonwealth of Pennsylvania Department of Environmental Protection Office of Air, Recycling and Radiation Protection Bureau of Radiation Protection</p> <p>2. Rachel Carson State Office Building P.O. Box 2063 Harrisburg, Pennsylvania 17105-2063</p>	<p>In accordance with the letter dated February 26, 2003</p> <p>3. License number 37-17860-02 is amended in its entirety to read as follows:</p> <p>4. Expiration date March 31, 2008</p> <p>5. Docket No. 030-29288 Reference No.</p>	
<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any Byproduct or Special Nuclear Material</p>	<p>7. Chemical and/or physical form</p> <p>A. See Item 9</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. See Item 9</p>
<p>9. Authorized use:</p> <p>A. Decontamination and decommissioning of facilities; packaging of stock material and radioactive waste; storage of radioactive material and packaged radioactive waste prior to shipment. This authorization is limited to radioactive contamination which existed on January 11, 1988.</p>		

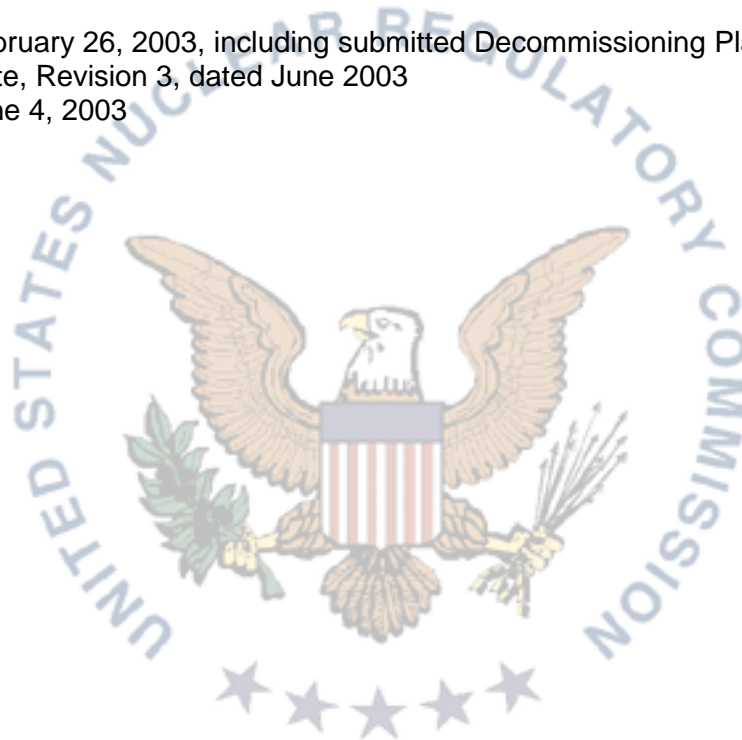
CONDITIONS

10. Licensed material may be used only at the licensee's facilities located at 115 Reactor Road, Karthaus, Pennsylvania.
11. Licensed material shall be used by or under the supervision of individuals designated in writing by the Radiation Safety Committee, David J. Allard, Chairperson.
12. The Radiation Safety Officer for this license is Bryan Werner.
13. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
37-17860-02Docket or Reference Number
030-29288

Amendment No. 10

14. 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. Letter dated February 26, 2003, including submitted Decommissioning Plan for the Quehanna, Pennsylvania site, Revision 3, dated June 2003
 - B. Letter dated June 4, 2003



For the U.S. Nuclear Regulatory Commission

Original signed by James KottanDate September 29, 2003

By _____

James Kottan
Decommissioning and Laboratory Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406