



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

October 27, 2003

Docket No. 03012894
Control No. 133106

License No. 37-02006-09

Charles G. Krisch
Vice President
Lockheed Martin Commercial Space Systems
100 Campus Drive
Newtown, PA 18940

**SUBJECT: LOCKHEED MARTIN COMMERCIAL SPACE SYSTEMS, ISSUANCE OF
LICENSE RENEWAL, CONTROL NO. 133106**

Dear Mr. Krisch:

This refers to your request dated April 25, 2003, for renewal of your NRC license. Enclosed with this letter is the renewed license.

Please note that the facility located at 100 Campus Drive, Newton, Pennsylvania, as authorized location of use remains on your license because the decommissioning survey results of the facility do not appear to meet the current NRC criteria that were published in the enclosed Federal Register Notices, Volumes 63, 64, and 65. I sent, via facsimile, copies of these Federal Register Notices containing these criteria, to Mr. Sydney Porter of your staff on October 7, 2003. In order for us to authorize release of the facility for unrestricted use, we will need either documentation of radiological surveys of the facility demonstrating that the facility meets the NRC criteria for release for unrestricted use, or a justification that the survey results that you submitted with your renewal application meet these criteria.

Please be reminded that you are required to follow the procedures described in Appendix T to NUREG 1556, Volume 7, for radioactive waste management and disposal. These procedures do not permit disposal of any contaminated items by holding them for only 120 days in storage. Only the radioisotopes of half-life less than or equal to 120 days may be stored for decay in storage and may be disposed of in accordance with Condition 19 of the enclosed license. All other material must be disposed of as radioactive waste in accordance with the procedures in Appendix T, for disposal of such waste.

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.
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).

An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14).

C. Krisch
Lockheed Martin Commercial Space Systems

3

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 Sattar Lodhi, Ph.D.

Sattar Lodhi, Ph.D.
Health Physicist
Nuclear Materials Safety Branch 2
Division of Nuclear Materials Safety

Enclosures:

1. Amendment No. 15
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)
6. Federal Register Notices, Volume 63, No. 222, Volume 64, No. 234, and Volume 65, No. 114

cc:
Sydney W. Porter, Jr., Radiation Safety Officer

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OFFICE	DNMS/RI	N	DNMS/RI	DNMS/RI		
NAME	SLodhi /SL/					
DATE	10/27/03					

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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 style="text-align: center;">Licensee</p> <p>1. Lockheed Martin Commercial Space Systems</p> <p>2. 100 Campus Drive Newtown, Pennsylvania 18940</p>	<p>In accordance with the letter dated April 25, 2003,</p> <p>3. License number 37-02006-09 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date October 31, 2013</p> <hr/> <p>5. Docket No. 030-12894 Reference No.</p>
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| <p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material with atomic numbers 3 through 83</p> <p>B. Cobalt 60</p> <p>C. Thorium</p> | <p>7. Chemical and/or physical form</p> <p>A. Neutron irradiated electronic components</p> <p>B. Sealed Sources (AECL Models C-166, C-167, or C-198)</p> <p>C. Magnesium-thorium alloy (not to exceed 2% thorium by weight)</p> | <p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. 200 microcuries per component and 100 millicuries total</p> <p>B. No single source to exceed the maximum activity specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State</p> <p>C. 5 kilograms</p> |
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9. Authorized use:
- A. Research and development as defined in 10 CFR 30.4.
 - B. For irradiation of materials in self-shielded irradiator devices that have been registered either with the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or with an Agreement State and which have been distributed in accordance with a Commission or Agreement State specific license authorizing distribution to persons specifically authorized by a Commission or Agreement State license to receive, possess, and use the devices.
 - C. Possession and storage only.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
37-02006-09Docket or Reference Number
030-12894

Amendment No. 15

CONDITIONS

10. Licensed material in items 6.A. and 6.B. may be used or stored only at the licensee's facilities located at 230 Mall Boulevard, Building 100, King of Prussia, Pennsylvania. Licensed material in item 6.C. shall be used or stored at the licensee's facilities at 100 Campus Drive, Newtown, Pennsylvania.
11. Licensed material shall be used by, or under the supervision of, individuals who have received the training described in letter dated May 23, 2003, and have been designated, in writing, by the Radiation Safety Officer. The licensee shall maintain records of individuals designated as users for 3 years following the last use of licensed material by the individual.
12. The Radiation Safety Officer for this license is Sydney W. Porter, Jr., CHP.
13. The licensee shall not use licensed material in or on human beings.
14. The licensee shall not use licensed material in field applications where it is released except as provided otherwise by specific condition of this license.
15.
 - A. Sealed sources shall be tested for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State.
 - B. In the absence of a certificate from a transferor indicating that a leak test has been made within the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State, prior to the transfer, a sealed source received from another person shall not be put into use until tested and the test results received.
 - C. Sealed sources need not be tested if they are in storage and are not being used; however, when they are removed from storage for use or transferred to another person and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.
 - D. The leak test shall be capable of detecting the presence of 0.005 microcurie (185 becquerels) of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie (185 becquerels) or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(c)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
37-02006-09Docket or Reference Number
030-12894

Amendment No. 15

- E. Tests for leakage and/or contamination, limited to leak test sample collection, shall be performed by the licensee or by other persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services. The licensee is not authorized to perform the analysis; analysis of leak test samples must be performed by persons specifically licensed by U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.
- F. Records of leak test results shall be kept in units of microcuries and shall be maintained for 5 years.
16. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
17. The licensee shall conduct a physical inventory every six months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 5 years from the date of each inventory and shall include the radionuclides, quantities, manufacturer's name and model numbers, and the date of the inventory.
18. The licensee shall not repair, remove, replace, or alter any of the following: electrical and mechanical systems that control source or shielding movement, the irradiator's shielding or sealed source, safety interlocks, or any component that may affect safe operation of the irradiator. These activities shall be performed by a person specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.
19. The licensee is authorized to hold radioactive material with a physical half-life of less than or equal to 120 days for decay-in-storage before disposal in ordinary trash, provided:
- A. Waste to be disposed of in this manner shall be held for decay a minimum of 10 half-lives.
- B. Before disposal as ordinary trash, the waste shall be surveyed at the container surface with the appropriate survey instrument set on its most sensitive scale and with no interposed shielding to determine that its radioactivity cannot be distinguished from background. All radiation labels shall be removed or obliterated.
- C. A record of each such disposal permitted under this license condition shall be retained for 3 years. The record must include the date of disposal, the date on which the byproduct material was placed in storage, the radionuclides disposed, the survey instrument used, the background dose rate, the dose rate measured at the surface of each waste container, and the name of the individual who performed the disposal.
20. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
21. 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

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
37-02006-09Docket or Reference Number
030-12894

Amendment No. 15

any enclosures, listed below. The U.S. 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 May 23, 2003, including the attached application
- B. Facsimile dated May 27, 2003



For the U.S. Nuclear Regulatory Commission

Date October 27, 2003

By **Original signed by Sattar Lodhi, Ph.D.**

Sattar Lodhi, Ph.D.
Nuclear Materials Safety Branch 2
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406