



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

May 31, 2005

Docket No. 04008974
Control No. 136479

License No. STB-1530

Kevin M. Budney
Vice President/Radiation Safety Officer
Budney Overhaul & Repair, Ltd.
131 New Park Drive
P.O. Box 158
Berlin, CT 06037

SUBJECT: BUDNEY OVERHAUL & REPAIR, LTD., LICENSE RENEWAL, CONTROL NO.
136479

Dear Mr. Budney:

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 expects licensees to conduct their programs with meticulous attention to detail and high standards of safety and 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;

K. Budney
Budney Overhaul & Repair, Ltd.

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- 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.

You will be periodically inspected by the NRC. Failure to conduct your program safely and in accordance with NRC regulations, license conditions, and the 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, imposition of a civil penalty, or an order suspending, modifying or revoking your license.

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

Current NRC regulations and guidance are available at the NRC web site at <http://www.nrc.gov/materials/miau/mat-toolkits.html> and <http://www.nrc.gov/who-we-are/governing-laws.html> or by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

Thank you for your cooperation.

Sincerely,

Original signed by Elizabeth Ullrich

Elizabeth Ullrich
Senior Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosure:
Amendment No. 5

DOCUMENT NAME: G:\Docs\Mailed\Lic Cvr Letter\lstb-1530.136479.06012005.wpd

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NAME	JNicholson/JJN		EUlrich/EXU					
DATE	05/31/2005		06/01/2005					

OFFICIAL RECORD COPY

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. Budney Overhaul & Repair, LTD</p> <p>2. 131 New Park Drive P.O. Box 158 Berlin, Connecticut 06037</p>	<p>In accordance with the application dated February 15, 2005,</p> <p>3. License number STB-1530 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date June 30, 2015</p> <hr/> <p>5. Docket No. 040-08974 Reference No.</p>
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<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Thorium</p>	<p>7. Chemical and/or physical form</p> <p>A. Magnesium-thorium alloy containing not more than 4% thorium by weight</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. 300 kilograms</p>
<p>9. Authorized use:</p> <p>A. For possession, storage, welding and precision machining of magnesium-thorium castings.</p>		

CONDITIONS

- 10. Licensed material may be used and stored only at the licensee's facilities located at 131 New Park Drive, Berlin, Connecticut.
- 11. A. Licensed material shall be used by, or under the supervision of, Kevin Budney.
B. The Radiation Safety Officer for this license is Kevin Budney.
- 12. 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
STB-1530

Docket or Reference Number
040-08974

Amendment No. 5

- 13. This license does not authorize commercial distribution of licensed material to persons generally licensed pursuant to 10 CFR Part 31 or equivalent regulations of any Agreement State or to persons exempt from licensing pursuant to 10 CFR 30.14 through 30.20 inclusive, or equivalent regulations of any Agreement State.
- 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 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. Application dated February 15, 2005 (ML050740052)
 - B. Letter dated May 20, 2005



For the U.S. Nuclear Regulatory Commission

Date May 31, 2005

By *Original signed by Elizabeth Ullrich*
 Elizabeth Ullrich
 Commercial and R&D Branch
 Division of Nuclear Materials Safety
 Region I
 King of Prussia, Pennsylvania 19406