



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

December 24, 2005

Docket No. 03030378
Control No. 137881

License No. 29-28143-01

Todd Delaney
President
First Environment, Inc.
91 Fulton Street
Boonton, NJ 07065

SUBJECT: FIRST ENVIRONMENT, INC., CONCERNING APPLICATION FOR RENEWAL
OF LICENSE, CONTROL NO. 137881

Dear Mr. Delaney:

This is in reference to your letter dated October 31, 2005, requesting renewal of Nuclear Regulatory Commission License No. 29-28143-01. Based on information provided to NRC in 2003, that the Thermo Electron Instruments, Inc. gas chromatograph authorized by your license was obsolete and no longer in use, the license was renewed as a "storage only" license with a term of two years to give your company the opportunity to transfer or dispose of the device. A "storage only" license can only be renewed for two years. During this two year period your "storage only" license has not been subject to NRC annual fees. On September 20, 2005, Ronald Tai, Ph.D. of your staff told Steven Courtemanche of my staff that the device was still in your possession because you could not locate the manufacturer or its successor. Since the device is not being used, you have two options available: (1) transfer the licensed material to the manufacturer if it can be located; or (2) dispose of the licensed material through transfer to another licensee authorized to receive it or transfer it to a licensed radioactive waste broker. If the licensed material is not transferred within the next sixty days, we will be forced to renew the license without the "for storage only" designation. This will result in the resumption of payment of NRC annual fees and billing by the License Fee Collection Branch for the past two years in accordance with current regulations.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Industrial, and Academic Uses of Nuclear Material**; then **Toolkit Index Page**. Or you may obtain these documents 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).

Please reply to my attention at the Region I Office and refer to Mail Control No. 137881. If you have any technical questions regarding this deficiency letter, please call Mr. Courtemanche at (610) 337-5075.

T. Delaney
First Environment, Inc.

2

In order to continue prompt review of your application, we request that you submit your response to this letter within 30 calendar days from the date of this letter.

Sincerely,

Original signed by James P. Dwyer

James P. Dwyer, Chief
Commercial and R&D Branch
Division of Nuclear Materials Safety

cc:
Ronald C. Tai, Ph.D., Radiation Safety Officer

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SISP Review Complete: JDwyer

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NAME	Scourtemanche/JPD for SRC		JDwyer/JPD				
DATE	12/24/2005		12/24/2005				

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