



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-4006

June 23, 2006

Western X-Ray Company
ATTN: James Peters
Radiation Safety Officer
P.O. Box 785
Seiling, Oklahoma 73663

SUBJECT: TERMINATION OF YOUR NRC RADIOACTIVE MATERIALS LICENSE

On June 1, 2006, you contacted the U.S. Nuclear Regulatory Commission (NRC) and indicated that you wished to terminate your NRC radioactive materials license. The NRC staff has reviewed your sealed source leak test results. Based on its review, the staff has concluded that: 1) all licensable radioactive materials under NRC license 35-19993-01 have been transferred to the State of Oklahoma license OK-19993-02 and no sealed sources were leaking at the time of the transfer, and 2) residual radioactive material attributable to licensed activities does not exceed current NRC criteria. Based on these conclusions no remediation or actions with respect to NRC regulated material is required. NRC license number 35-19993-01, is hereby terminated.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure(s) will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Please contact me at 817-860-8189 if you have questions or require clarification on any of the information stated above.

Sincerely,

/RA/

Roberto J. Torres
Senior Health Physicist
Nuclear Materials Licensing Branch

Docket: 030-19640
License: 35-19993-01
Control: 471009

Enclosure: As stated

CHECKLIST

NUREG 1757 - Appendix C: CHECKLIST OF ACTIONS TO BE COMPLETED BY NRC STAFF UPON RECEIPT OF LICENSED FACILITIES NOTIFICATION OF INTENT TO CEASE LICENSED OPERATIONS

Facility Information: License No.: 35-19993-01 Docket No.: 030-19640

Facility Name: Western X-Ray Company
Address: P.O. Box 785
Address: Seiling, Oklahoma 73663

Project Manager: Roberto J. Torres
Date of Notification: June 1, 2006

License 35-19993-01 was determined to be Group 1

For Groups 1 and 2, the acceptable methods for demonstrating the suitability of the site for unrestricted use is described in Chapters 8 and 9 of NUREG 1757, *Consolidated NMSS Decommissioning Guidance*, Volume 1, "Decommissioning Process for Materials Licensees."

Group 1 Licensees (Refer to Section 8.1 of NUREG 1757)

Question 1:

This licensee possessed and used only sealed sources and their most recent leak tests are current and demonstrate that the sealed sources did not leak while in their possession.

Comments: Most recent leak test results for radiography devices and its corresponding depleted uranium shieldings were negative for removable contamination. Reference ML061740203.

Question 2:

This licensee possessed and used relatively short-lived radioactive material (i.e., $T_{1/2}$ less than or equal to 120 days) in an unsealed form, the maximum activity authorized under the license has decayed to less than the quantity specified in 10 CFR Part 20, Appendix C, and the licensee's survey performed in accordance with 10 CFR Part 30.36 does not identify any residual levels of radiological contamination greater than decommissioning screening criteria.

Comments: Not applicable.

NOTE: Licensees decommissioning under Group 1 would not be required to develop a DP.

(If Licensee is designated as Group 1, then you may end the Checklist here!)
(Please Go to the Last Page)

Group 2 Licensees (Refer to Section 9.1 of NUREG 1757) **N/A**
(Enter Y or N)

- _____ Licensee demonstrated compliance with 10 CFR Part 20.1402 (Radiological criteria for unrestricted use) using the screening methodology.
- _____ Licensee possessed and used only sealed sources and cannot demonstrate current leak tight integrity.
- _____ Complete an Environmental Assessment (EA).
- _____ Confirmatory survey or side-by-side survey completed. This depends on the licensee's survey and radioactive material use at the facility.
- _____ Issue Federal Register Notice to announce FONSI.

Note: Group 2 decommissioning licensees would not be required to develop a DP.

Group 3 Licensees (Refer to Section 10.1 of NUREG 1757) **N/A**
(Enter Y or N)

- _____ Licensee demonstrated compliance with 10 CFR Part 20.1402 (Radiological criteria for unrestricted use) using the screening methodology.
- _____ Licensee possessed and used only sealed sources and cannot demonstrate current leak tight integrity.
- _____ Licensee needs an amendment to modify or add procedures to remediate buildings or sites.
- _____ Complete an Environmental Assessment (EA).
- _____ Confirmatory survey or side-by-side survey completed. This depends on the licensee's survey and radioactive material use at the facility.
- _____ Issue letter to the licensee documenting DP review.
- _____ Issue Federal Register Notice to announce (1) receipt of the DP and NRC's intended actions and (2) announce FONSI.

Note: Group 3 decommissioning licensees are required to submit a simplified DP.

***(If Licensee is designated as Group 2 or 3, then you may end the Checklist here!)
(Please Go to the Last Page)***

Group 4 Licensees (Refer to Section 11.1 of NUREG 1757) **N/A**
(Enter Y or N)

- _____ Facilities decommissioned under Group 4 used licensed material in a manner that resulted in its release into the environment, activated adjacent materials, or resulted in persistent contamination of work areas, but did not result in contamination of ground water.
- _____ These licensees cannot meet, or choose not to use, screening criteria so they must demonstrate that any residual radioactive material remaining at their site is within the levels specified in NRC's criteria for unrestricted use by applying a comprehensive dose analysis.
- _____ Complete an EA and issue SER to document the DP review.
- _____ Perform and document confirmatory survey or side-by-side survey completed.
- _____ Issue Federal Register Notice to announce (1) receipt of the DP and NRC's intended actions and (2) announce FONSI.

Note: DP is required for Group 4.

Group 5 Licensees (Refer to Section 12.1 of NUREG 1757) **N/A**
(Enter Yes or No)

- _____ Facilities that decommission under Group 5 have used licensed material in a manner that resulted in its release into the environment, activated adjacent materials or resulted in persistent contamination of work areas, and resulted in contamination of ground water.
- _____ Group 5 decommissioning includes licensees that intend to decommission their facilities in accordance with NRC criteria for unrestricted use as described in 10 CFR 20.1402.

Note: DP is required.

***(If Licensee is designated as Group 4 or 5, then you may end the Checklist here!)
(Please Go to the Last Page)***

Group 6 Licensees (Refer to Section 13.1 of NUREG 1757) **N/A**
(Enter Yes or No)

_____ Facilities that decommission under Group 6 have used licensed material in a manner that resulted in releases to the environment, activated adjacent materials, or resulted in persistent contamination of work areas or ground water.

_____ Group 6 decommissioning includes licensees that intend to decommission its facility in accordance with NRC criteria for restricted use as described in 10 CFR 20.1403.

Note: DP is required.

Group 7 Licensees (Refer to Section 14.1 of NUREG 1757) **N/A**
(Enter Yes or No)

_____ Facilities that have residual radiological contamination present in building surfaces, soils, and possibly ground water.

_____ These licensees intend to decommission their facilities such that residual radioactive material remaining at their site is in excess of the levels specified in NRC's criteria for unrestricted use.

_____ The licensees will apply site-specific criteria in a comprehensive dose analysis in accordance with alternate criteria for license termination (10 CFR 20.1404).

_____ A site DP that identifies the land use, exposure pathways, institutional controls, and critical group for the dose analysis is required.

Note: These sites require extensive NRC review and are handled on a case-by-case basis with license termination specifically approved by a vote of the NRC Commissioners.

Radioactive Material Disposition

Yes Form 314 or equivalent submitted:

 X Staff verified disposition of sealed sources or unsealed radioactive material by one of the following:

 X **NRC Form 314 dated June 1, 2006, and two facsimiles dated June 22, 2006.**

 X **Call to Form 314 Recipient on June 21, 2006 to request additional leak test results.**

Comments: **Negative leak test results**

Radioactive Material Records Disposition

Licensee transfer of records discussed in 10 CFR 30.35, 30.36, 30.51; 40.36, 40.42, 40.61; or 70.25, 70.38, 70.51:

 To U.S. NRC

 X **To individual assuming responsibility for the license (same company operating under Oklahoma license OK-19993-02), with a copy of the cover letter (statement on June 1, 2006 letter) to the U.S. NRC.**

Comments:

Confirmatory or Side-by-Side Survey N/A

 Termination survey submitted by licensee.

 Termination survey satisfies NRC survey requirements.

 Confirmatory or Side-by-Side survey performed:

Type:
Date(s):
Inspector:

 Close-out inspection performed:

Date(s):
Inspector:

Comments:

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
35-19993-01Docket or Reference Number
030-19640

Amendment No. 11

Western X-Ray Company
ATTN: James Peters
Radiation Safety Officer
P.O. Box 785
Seiling, Oklahoma 73663

In accordance with NRC Form 314 dated June 1, 2006, License No. 35-19993-01 is hereby terminated.



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date: June 23, 2006

By

/RA/

Roberto J. Torres, Senior Health Physicist
Nuclear Materials Licensing Branch
Region IV
Arlington, Texas 76011