



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

July 14, 2006

Docket No. 03036136
Control No. 139083

License No. 29-30779-01

Michael Baselice
Radiation Safety Officer
Spectra Gases, Inc.
3434 Route 22 West
Branchburg, NJ 08876

**SUBJECT: SPECTRA GASES, INC., REQUEST FOR ADDITIONAL INFORMATION
CONCERNING APPLICATION FOR AMENDMENT TO LICENSE, CONTROL
NO. 139083**

Dear Mr. Baselice:

This is in reference to your application dated June 29, 2006 requesting to amend Nuclear Regulatory Commission License No. 29-30779-01. In order to continue our review, we need the following additional information:

1. Your amendment request increased the amount of unsealed licensed material with a half-life greater than 120 days. This amendment will affect the estimate for decommissioning your facility. 10 CFR 30.35 requires that licensees authorized to possess and use unsealed licensed material with a half-life greater than 120 days in quantities greater than those described in 10 CFR 30.35(a) must submit a decommissioning funding plan (DFP). This plan must include an actual estimate of the costs for decommissioning your facility and a description of the methods of assuring funds in accordance with 10 CFR 30.35(e). The appropriate level of detail for the cost estimate is discussed in Appendix A.3 to Volume 3 of NUREG-1757, "Consolidated NMSS Decommissioning Guidance." If the DFP cost estimate is greater than your current certification of financial assurance, you must submit a revised financial assurance instrument in the prescribed amount of the cost estimate. Please follow closely the recommended wording for financial assurance mechanisms found Appendix A to Volume 3 of NUREG-1757.
2. Your application requests that Bill Novak be named on your license as an alternate Radiation Safety Officer (RSO). The NRC does not recognize alternate or assistant RSOs. The individual listed on an NRC license as the RSO is the individual responsible for overseeing the radiation safety program. However, the RSO may delegate certain tasks to other qualified individuals. The RSO must confirm that those delegated tasks were performed as required and in compliance with NRC regulations and your NRC license. No response is required for this question.
3. NUREG-1556, Volume 12, 'Program-Specific guidance about Possession Licenses for Manufacturing and Distribution,' section 8.71 and 8.72, states to provide information demonstrating that the proposed RSO and AU are qualified by training and experience.

Please provide the level of experience of the proposed personnel to use and handle Krypton-85 or other experience with similar isotopes.

4. Additional information is required for the description of facilities and equipment. Per NUREG-1556, Volume 12, section 8.9, please describe the areas(s) assigned for the receipt and shipping of radioactive materials. Please show the location of shielding throughout the facility and description of shielding used on gas bottles both for receipt and shipment. Describe expected maximum dose rates on the gas bottles, dose rates to the workers receiving and shipping, normal operation, and dose rate to extremities when opening and shutting bottle valves.
5. In the description of facilities and equipment, you provided a diagram entitled, "General Schema of Main Filling Process." The source cylinder area is monitored and the area is ventilated to the atmosphere. However, it is not clear that the other areas would be monitored or ventilated such that any openings in the system would be ventilated or detected. Please discuss controls and detection capability for a major leak or rupture of the system.
6. Per NUREG-1556, Volume 12, Section 8.10.1, Audit Program, the applicant must provide a description of its audit program that addresses the following:

- Objects of audits;
- Scope of audits;
- Qualifications of auditors;
- Frequency of audits including a justification of that frequency;
- Audit techniques;
- Process to deal with and correct problems or deficiencies; and
- Records to be maintained.

The previously submitted information did not describe these attributes. Please submit the requested information about your audit program.

7. Please provide information that the air emissions to the environment will not result in a TEDE in excess of 10 millirems per year to individual members of the public.
8. In your application in section 10.g., you followed the recommended wording for performing surveys, however our guidance document has a typographical error in the that section. Please state:

We will survey our facility and maintain contamination levels in accordance with the survey frequencies and contamination levels published in Appendix P to NUREG-1556, Vol 12, 'Consolidated Guidance about Material Licenses: Program-Specific guidance about Possession Licenses for Manufacturing and Distribution.'

9. You discussed the importing of materials and the potential exporting of materials in the future. Please review the rules associated with importing and exporting nuclear materials in 10 CFR 110, Export and Import of Nuclear Equipment and Material. No response is required to this question.

M. Baselice
Spectra Gases, Inc.

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10. Your current license allows for research and development as defined in 10 CR 30.4. Please confirm you still need this authorized use or request that it be removed.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial 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 8:00 p.m. EST, Monday through Friday (except Federal holidays).

We will continue our review upon receipt of this information. Please reply to my attention at the Region I Office and refer to Mail Control No. 139083. If you have any technical questions regarding this deficiency letter, please call Dennis Lawyer at (610) 337-5366 or me at (610) 337-5303.

If we do not receive a reply from you within 30 calendar days from the date of this letter, we will assume that you do not wish to pursue your application.

Sincerely,

Original signed by Thomas K. Thompson

Thomas K. Thompson
Senior Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

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SUNSI Review Complete: DLawyer

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