



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

August 23, 2006

Docket No. 04000341  
Control No. 139118

License No. STC-133

Michael J. Pecullan  
Manager, DNSC Occupational Radiation Protection  
Defense Logistics Agency  
Defense National Stockpile Center  
8725 John J. Kingman Road  
Suite 3229  
Fort Belvoir, VA 22060-6223

SUBJECT: DEFENSE LOGISTICS AGENCY, LICENSE AMENDMENT, CONTROL NO.  
139118

Dear Mr. Pecullan:

This refers to your license amendment request. Enclosed with this letter is the amended license.

The Notice of Availability of Environmental Assessment and Finding of No Significant Impact for this action was published on August 22, 2006, in the Federal Register, Volume 71, Number 162. A copy of the Federal Register Notice is enclosed for your information.

The plan entitled, "Final Status Survey Plan, DNSC, Binghamton Depot, Binghamton, NY" dated February 2006 (ML060730389) was reviewed and is accepted for use in the final status survey of the DNSC Binghamton Depot location.

Please review the enclosed document carefully and be sure that you understand and fully implement all the conditions incorporated into the amended license. 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.

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 included on the NRC's website at [www.nrc.gov](http://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).

M. Pecullan  
Defense Logistics Agency

2

Thank you for your cooperation.

Sincerely,

***Original signed by James P. Dwyer***

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

Enclosures:  
Amendment No. 26  
Federal Register, Volume 71, Number 162, Pages 48952 and 48953

DOCUMENT NAME: E:\Filenet\ML062370385.wpd

**SUNSI Review Complete: DLawyer**

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NAME	DLawyer / <b><i>DRL1</i></b> /		EUIrlich / <b><i>BU</i></b> /		JDwyer / <b><i>JPD1</i></b> /			
DATE	08/23/2006		08/23/2006		8/23/06			

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. Defense Logistics Agency Defense National Stockpile Center</p> <p>2. 8725 John J. Kingman Road Suite 3229 Fort Belvoir, Virginia 22060-6223</p>	<p>In accordance with the letter dated October 19, 2005,</p> <p>3. License number STC-133 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date February 28, 2010</p> <hr/> <p>5. Docket No. 040-00341 Reference No.</p>
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<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Uranium and Thorium</p>	<p>7. Chemical and/or physical form</p> <p>A. Natural uranium and thorium mixtures as ores, concentrates and solids</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. 2,000,000 kilograms</p>
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<p>9. Authorized use:</p> <p>A. Storage, sampling, repackaging and transfer as necessary for the activities of the National Defense Stockpile.</p>
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**CONDITIONS**

- 10. Licensed material shall be used only at the licensee's facilities located at DNSC Hammond Depot, 3200 Sheffield Avenue, Hammond, Indiana; DNSC New Haven Depot, State Route 14, New Haven, Indiana; DNSC Curtis Bay Depot, 710 Ordnance Road, Baltimore, Maryland; DNSC Somerville Depot, 152 US Highway Route 206 South, Somerville, New Jersey; DNSC Binghamton Depot, Hoyt Avenue, Binghamton, New York; and DNSC Scotia Depot, Route 5, Scotia, New York.
- 11. A. Licensed material shall be used by, or under the supervision of, Michael J. Pecullan or individuals who have completed the training described in the application dated September 10, 1999, and the letter dated January 7, 2000.
- B. The Radiation Safety Officer for this license is Michael J. Pecullan.
- 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."

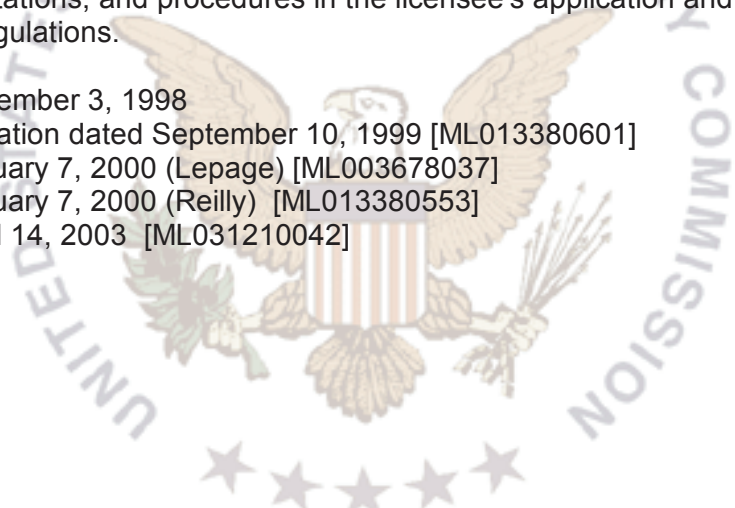
**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number  
STC-133

Docket or Reference Number  
040-00341

Amendment No. 26

- 13. The licensee may use the following Derived Concentration Guideline Level (DCGL) for decommissioning of the licensee's facilities at the DNSC Binghamton Depot, Hoyt Avenue, Binghamton, New York, with the intention of release of the facility for unrestricted use: not more than 37.3 disintegrations per minute per 100 square centimeters (37.3 dpm/100 cm<sup>2</sup>) of natural thorium and 110 dpm/100 cm<sup>2</sup> of natural uranium.
- 14. Notwithstanding 10 CFR Section 20.1003, definition of weighting factor, the licensee may utilize the adult conversion factors from Federal Guidance Report Number 13 for the decommissioning of the licensee's facilities at the DNSC Binghamton Depot, Hoyt Avenue, Binghamton, New York.
- 15. 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 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 November 3, 1998
  - B. Letter and application dated September 10, 1999 [ML013380601]
  - C. Letter dated January 7, 2000 (Lepage) [ML003678037]
  - D. Letter dated January 7, 2000 (Reilly) [ML013380553]
  - E. Letter dated April 14, 2003 [ML031210042]



For the U.S. Nuclear Regulatory Commission

**Original signed by Elizabeth Ullrich**

Date August 23, 2006  
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By \_\_\_\_\_  
Elizabeth Ullrich  
Commercial and R&D Branch  
Division of Nuclear Materials Safety  
Region I  
King of Prussia, Pennsylvania 19406