

June 25, 1997

MEMORANDUM TO: David L. Meyer, Chief
 Regulatory Publications Branch
 Division of Freedom of Information
 and Publications Services
 Office of Administration

FROM: Michael F. Weber, Chief Original signed by:
 Licensing Branch
 Division of Fuel Cycle Safety
 and Safeguards
 Office of Nuclear Material Safety
 and Safeguards

SUBJECT: NOTICE OF CONSIDERATION OF LICENSE RENEWAL
 REQUEST FOR THE SHIELDALLOY METALLURGICAL
 CORPORATION FACILITY IN NEWFIELD, NEW JERSEY AND
 AN OPPORTUNITY FOR HEARING

Attached please find one signed original of the subject Federal Register notice for your transmittal to the Office of the Federal Register for publication. Also attached are five additional copies of the signed notice and a 3.5" diskette with the notice in WordPerfect 5.1.

Docket No.: 40-7102
 License No.: SMB-743

Attachments: As stated

CONTACT:
 Heather M. Astwood, NMSS
 415-5819

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*See previous concurrence

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NAME	HAstwood		PShea		KHardin		MWeber	
DATE	6/18 /97		6/18 /97		6/20/97		6/24/97	

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

June 25, 1997

MEMORANDUM TO: David L. Meyer, Chief
Regulatory Publications Branch
Division of Freedom of Information
and Publications Services
Office of Administration

FROM: Michael F. Weber, Chief *Michael F. Weber*
Licensing Branch
Division of Fuel Cycle Safety
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Office of Nuclear Material Safety
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SUBJECT: NOTICE OF CONSIDERATION OF LICENSE RENEWAL
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CONTACT:
Heather M. Astwood, NMSS
415-5819

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NUCLEAR REGULATORY COMMISSION

[Docket No. 40-7102]

Consideration of License Renewal Request for the Shieldalloy Metallurgical Corporation Facility in Newfield, New Jersey, and Opportunity for Hearing

AGENCY: U.S. Nuclear Regulatory Commission

ACTION: Notice of Consideration of License Renewal Request for the Shieldalloy Metallurgical Corporation Facility in Newfield, New Jersey and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission is considering renewal of Source Material License SMB-743 (SMB-743), issued to Shieldalloy Metallurgical Corporation, (the licensee) for continued operation of its processing facility in Newfield, New Jersey. The facility processes a mineral concentrate (pyrochlore) to recover niobium. However, the pyrochlore also contains, by weight, more than 0.05 percent natural uranium and thorium, which are source materials and require an NRC license under 10 CFR Part 40. During the manufacturing process, the radioactive materials are concentrated in a high temperature slag and bag house dust which are stored on-site. The licensee originally requested renewal of its license on June 19, 1985, and subsequently revised its application by letter dated September 15, 1995.

Prior to approving the renewal application, NRC will have made findings required by the Atomic Energy Act of 1954, as amended, and NRC's regulations. These findings will be documented in a Safety Evaluation Report and an Environmental Assessment. The renewal of the license will be documented in the issuance of a renewed SMB-743 license.

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The NRC hereby provides notice that this is a proceeding on an application for renewal of a license falling within the scope of Subpart L. "Informal Hearing Procedures for Adjudication in Materials Licensing Proceedings," of NRC's rules and practice for domestic licensing proceedings in 10 CFR Part 2. Pursuant to Section 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing in accordance with § 2.1205(c). A request for a hearing must be filed within thirty (30) days of the date of publication of the Federal Register notice.

The request for a hearing must be filed with the Office of the Secretary either:

1. By delivery to the Docketing and Services Branch of the Office of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738;

or

2. By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington DC 20555. Attention: Docketing and Services Branch.

In addition to meeting other applicable requirements of 10 CFR Part 2 of the NRC's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

1. The interest of the requester in the proceeding;



2. How that interest may be affected by the results of the proceeding, including the reasons why the requester should be permitted a hearing, with particular reference to the factors set out in §2.1205 (g);
3. The requester's concerns in the area of licensing activity that is the subject matter of the proceeding; and
4. The circumstances establishing that the request for a hearing is timely in accordance with §2.1205 (c).

In accordance with 10 CFR § 2.1205(e), each request for a hearing must also be served, by delivering it personally or by mail to:

1. The applicant, Shieldalloy Metallurgical Corporation to the attention of Mr. Scott Eves, West Boulevard, P.O. Box 768, Newfield, NJ 08344; and
2. The NRC staff, by delivery to the Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or by mail addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Any hearing that is requested and granted will be held in accordance with the NRC's Informal Hearing Procedures for Adjudications in Material Licensing Proceedings in 10 CFR Part 2, Subpart L.



For further details with respect to this action, the licensee's renewal request dated September 15, 1995, and an NRC staff assessment of financial assurance aspects of the renewal (SECY-96-210), dated October 1, 1996, are available for inspection at the NRC's Public Document Room, 2120 L Street N.W., Washington, D.C. 20555. Questions should be referred to NRC's project manager for the Shieldalloy, Newfield facility, Heather Astwood, at (301) 415-5819.

Dated at Rockville, Maryland, this 25 day of June, 1997.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by:

Michael F. Weber, Chief
Licensing Branch
Division of Fuel Cycle Safety
and Safeguards, NMSS

Docket No: 40-7102
License No: SMB-743

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*See previous concurrence

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NAME	HAstwood		PShea		KHardin		✓ MWeber	
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Dated at Rockville, Maryland, this ^{25th} day of June, 1997.

FOR THE NUCLEAR REGULATORY COMMISSION



Michael F. Weber, Chief
Licensing Branch
Division of Fuel Cycle Safety
and Safeguards, NMSS

Docket No: 40-7102

License No: SMB-743



June 20, 1997

Mr. C. Scott Eves
V.P., Environmental Services
Shieldalloy Metallurgical Corporation
P.O. Box 768
Newfield, New Jersey 08344

SUBJECT: NOTICE OF OPPORTUNITY FOR A HEARING (TAC NO. L21474)

Dear Mr. Eves:

Enclosed are copies of the Notice of Opportunity for a Hearing to support the renewal of Materials License SMB-743. The Notice has been forwarded to the Office of Federal Register for publication. If you have any questions regarding this action, I can be reached on (301) 415-5819. Please reference the above TAC No. in future correspondence related to the request.

Sincerely,

Original signed by:

Heather Astwood
Licensing Section 2
Licensing Branch
Division of Fuel Cycle Safety
and Safeguards, NMSS

Docket 40-7102
License SMB-743

Enclosure: Notice of Opportunity
for a Hearing

Distribution (Control No. 0603)

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NAME	HAstwood <i>HA</i>		PShea <i>AW</i>		KHardin <i>KA</i>		MWeber <i>MW</i>	
DATE	6/16/97		6/18/97		6/20/97		6/20/97	

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C PDR





UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 20, 1997

Mr. C. Scott Eves
V.P., Environmental Services
Shieldalloy Metallurgical Corporation
P.O. Box 768
Newfield, New Jersey 08344

SUBJECT: NOTICE OF OPPORTUNITY FOR A HEARING (TAC NO. L21474)

Dear Mr. Eves:

Enclosed are copies of the Notice of Opportunity for a Hearing to support the renewal of Materials License SMR-743. The Notice has been forwarded to the Office of Federal Register for publication. If you have any questions regarding this action, I can be reached on (301) 415-5819. Please reference the above TAC No. in future correspondence related to the request.

Sincerely,

A handwritten signature in cursive script that reads "Heather Astwood".

Heather Astwood
Licensing Section 2
Licensing Branch
Division of Fuel Cycle Safety
and Safeguards, NMSS

Docket 40-7102
License SMB-743

Enclosure: Notice of Opportunity
for a Hearing

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