

MATERIALS LICENSE

Amendment No. 05

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, 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.

Licensee 1. Department of the Army U. S. Army Communications Electronics Command 2. AM SEL-SF Ft. Monmouth, New Jersey 07703-5024		In accordance with the Memorandum of Understanding dated June 22, 1990, 3. License number 29-01022-14 is amended in its entirety to read as follows:	
		4. Expiration date	August 31, 1992
		5. Docket or Reference No.	030-29741
6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license	
A. Cobalt 60	A.	A.	
B. Cesium 137	B.	B.	
C. Cesium 137	C.	C.	
D. Strontium 90	D.	D.	
E. Strontium 90	E. Sealed Sources (ECOM Dwg. No. SM-B-509U48)	E. 45 millicuries (not to exceed 150 microcuries per source)	
F. Strontium 90	F.	F.	
G. Strontium 90	G. Sealed Source (3M Dwg. No. 12-1921-04/4-8)	G. 18 millicuries (not to exceed 36 microcuries per source)	
H. Plutonium 239	H. Electroplated source	H. 0.0115 grams (not to exceed 23 micrograms (1.4 microcuries) per set)	
Information in this record was deleted in accordance with the Freedom of Information Act, exemptions 2 and 9. FOIA 2006-0237		I. Deposited on acrylic plastic disk I. 0.246 grams [not to exceed 819 micrograms (50.3 microcuries) per set]	

OFFICIAL RECORD COPY ML10 EX 2

LL/14

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License number	29-01022-14
Docket or Reference number	030-29741
Amendment No. 05	

(6., 7. & 8. continued)

6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
J. Cobalt 60	J. <i>Handwritten: J.</i>	J. <i>Handwritten: J.</i>
K. Plutonium 239	K. Eberline Instrument Corp. Model CS-1	K. 1 gram (not to exceed 163 nanograms (10 nanocuries) per source)
L. Thorium 230	L. Eberline Instrument Corp. Model CS-12	L. 1 milligram (not to exceed 0.98 micrograms (20 nanocuries) per source)
M. Thorium 232	M. Nuclear Research Corp. Model No. B-1093	M. 2.76 kilograms (not to exceed 2.7 grams (300 nanocuries) per source)
N. Krypton 85	N. Sealed Sources (USAEA Dwg. No. B124-12-8)	N. 120 curies (not to exceed 6 millicuries per source)
O. Americium 241	O. Sealed Sources (Amersham Radiochemical Center, Amersham Code 2084)	O. 50 millicuries (not to exceed 10 millicuries each)
P. Cobalt 60	P. Sealed source (U.S. Nuclear Type 366)	P. 13 curies
Q. Thorium 232	Q. Solid form (Thorium fluoride coating on optical system)	Q. 40 kilograms (not to exceed 2 grams (0.218 microcuries) per optical system)

9. Authorized use

- A. through P. Calibration and operational check of radiation detection instrumentation.
- Q. Optical coating on thermal imaging devices.

CONDITIONS

- 10. Licensed material may be used at the licensee's facilities, Ft. Monmouth, New Jersey, and at Department of Defense installations anywhere in the United States.
- 11. A. Licensed material shall be used by or under the supervision of individuals who have completed the training described in application dated May 7, 1986, with enclosures. Records of individuals who have satisfactorily completed the training program shall be maintained by the Radiation Safety Officer.
- B. At least one individual qualified under Condition 11.A. shall be present whenever licensed material is being used.
- C. The Radiation Safety Officer for this license is Barry J. Silber.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License number:

29-01022-14

Docket or Reference number

030-29741

Amendment No. 05

(Continued)

CONDITIONS

12. Sealed sources containing licensed material shall not be opened by the licensee.
 13. A(1) Any sealed source(s) or detector cell(s) specified in Item(s) 7.A. through G., J., O. and P. shall be tested for leakage and/or contamination at intervals not to exceed 6 months. Any source or detector cell received from another person which is not accompanied by a certificate indicating that a test was performed within 6 months before the transfer shall not be put into use until tested.
 - (2) Notwithstanding the periodic leak test required by this condition, any licensed sealed source or detector cell is exempt from such leak tests when the source or detector cell contains 100 microcuries or less of beta and/or gamma emitting material or 10 microcuries or less of alpha emitting material.
 - B. The periodic leak test required by item A(1) of this condition does not apply to sealed sources that are stored and not being used. In lieu of that requirement, such sealed sources shall be tested for leakage and/or contamination at intervals not to exceed ten years. The sources excepted from this test shall be tested for leakage prior to any use or transfer to another person unless they have been leak tested within six months prior to the date of use or transfer.
 - C. The test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie or more of removable contamination, the source or detector cell shall be removed from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. A report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region I, ATIN: Chief, Nuclear Materials Safety Branch, 475 Allendale Road, King of Prussia, Pennsylvania 19406. The report shall specify the source involved, the test results, and corrective action taken. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission. Records may be disposed of following Commission inspection.
 - D. Tests for leakage and/or contamination shall be performed by the licensee or by other persons specifically licensed by the Commission or an Agreement State to perform such services.
14. The licensee shall conduct a physical inventory every 6 months to account for any sealed source specified in Items 7.A. through 7.J., and 7.N, O. and P. received and possessed under the license. Records of inventories shall be maintained for 3 years from the date of each inventory.
 15. The licensee may transport licensed material in accordance with the provisions of 10 CFR Part 17, "Packaging and Transportation of Radioactive Material".

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

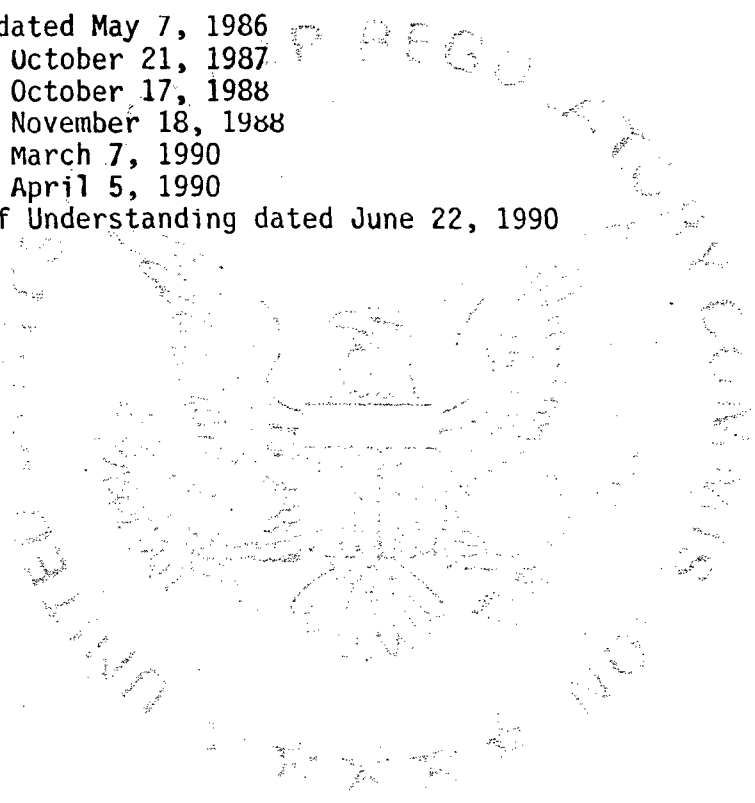
License number	29-01022-14
Docket or Reference number	030-29741
Amendment No. 05	

(Continued)

CONDITIONS

16. 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. Application dated May 7, 1986
- B. Letter dated October 21, 1987
- C. Letter dated October 17, 1988
- D. Letter dated November 18, 1988
- E. Letter dated March 7, 1990
- F. Letter dated April 5, 1990
- G. Memorandum of Understanding dated June 22, 1990



Date JUN 22 1990

For the U.S. Nuclear Regulatory Commission

Original Signed By:

John D. Kinneman

By

 Nuclear Materials Safety Branch
Region I

King of Prussia, Pennsylvania 19406

JUN 22 1990

License No. 29-01022-14
Docket No. 030-29741
Control No. 112685

Commander
U.S. Army Materiel Command
ATTN: AMCSF
5001 Eisenhower Avenue
Alexandria, Virginia 22333-0001

Gentlemen:

Please find enclosed an amendment to your NRC Material License.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the Region I Material Licensing Section, (215) 337-5093, so that we can provide appropriate corrections and answers.

Please be advised that you must conduct your program involving licensed radioactive materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, please note the items in the enclosed, "Requirements for Materials Licensees."

Since serious consequences to employees and the public can result from failure to comply with NRC requirements, the NRC expects licensees to pay meticulous attention to detail and to achieve the high standard of compliance which the NRC expects of its licensees.

You will be periodically inspected by NRC. A fee may be charged for inspections in accordance with 10 CFR Part 170. Failure to conduct your program safely and in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in prompt and vigorous enforcement action against you. This could include issuance of a notice of violation, or in case of serious violations, an imposition of a civil penalty or an order suspending, modifying or revoking your license as specified in the General Policy and Procedures for NRC Enforcement Actions, 10 CFR Part 2, Appendix C.

We wish you success in operating a safe and effective licensed program.

Sincerely,

Original Signed By:
John D. Kinneman

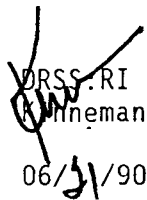
John D. Kinneman, Chief
Nuclear Materials Safety Section B
Division of Radiation Safety
and Safeguards

Enclosures:

1. Amendment No. 05
2. Requirements for Materials Licensees

DRSS:RI
Eckert/k1

06/21/90


DRSS:RI
Kinneman

06/21/90

OFFICIAL RECORD COPY

ML 29-01022-14/LTR - 0002.0.0
06/21/90

JUN 22 1990

License No. 29-01022-14
Docket No. 030-29741
Control No. 112685

Commander
U.S. Army Materiel Command
ATTN: AMCSF
5001 Eisenhower Avenue
Alexandria, Virginia 22333-0001

Gentlemen:

This letter accompanies the license amendment requested in your letter dated June 22, 1990.

From the June 5, 1990, meeting involving representatives of the Department of the Army (DOA), the Defense Logistics Agency (DLA), and the Nuclear Regulatory Commission's (NRC's) Headquarters (HQ) staffs, we recognize the high level of Department of Defense (DoD) management interest in the transfer of certain DOA depots to DLA control and DoD's accelerated schedule for these transfers. We also understand that it was only within the last few weeks that DoD, DLA, and DOA personnel planning these transfers recognized that these DOA/DLA transfers also involved NRC-licensed activities and that it was necessary to get NRC's prior written permission before the transfer could occur. Accordingly, we have issued the enclosed amendment(s) as an interim measure to meet DOA and DLA needs as well as the requirements of NRC's regulations. Please note that additional license amendments will be needed before changes are made in named personnel, operating procedures, or any other matter discussed in the documents incorporated by reference in each license.

However, as noted in the June 5 meeting and in subsequent telephone conversations between NRC HQ personnel and representatives of DLA and DOA, the long-term solution is for DLA to obtain its own license(s) as quickly as possible, but not later than the expiration date on each affected license. Until DLA obtains its own licenses, DOA remains the licensee responsible for ensuring compliance with NRC regulations and all terms and conditions of its licenses.

We would appreciate receiving a schedule of DLA's submission of license applications. In the schedule, please provide the following information for each license affected by the transfer of DOA activities to DLA:

OFFICIAL RECORD COPY ML1B

1. License number;
2. Name and address of DOA organization currently named in Items 1 and 2 of the license;
3. Expiration date;
4. Date by which DLA will submit application for license in its name;
5. NRC regional office responsible for licensing.

We would appreciate receiving your response to this letter by October 31, 1990. Please send copies of your response to the attention of Dr. John Glenn at NRC HQ and to the materials licensing sections in each affected NRC Regional Office.

Sincerely,

Original Signed By:
Lee H. Bettenhausen

Lee H. Bettenhausen, Chief
Nuclear Materials Safety Branch
Division of Radiation Safety
and Safeguards

DRSS *MB*
BETTENHAUSEN

6/22/90



DEPARTMENT OF THE ARMY
HEADQUARTERS, U. S. ARMY MATERIEL COMMAND
5001 EISENHOWER AVENUE, ALEXANDRIA, VA 22333-0001



June 22, 1990

Safety Office.

U.S. Nuclear Regulatory Commission
Region I
ATTN: Materials Licensing Branch
475 Allendale Road
King of Prussia, Pennsylvania 19406

REFERENCE: AMCSF-P/90-0121

Gentlemen:

In accordance with instructions received from John Glenn, U.S. Nuclear Regulatory Commission, at the June 5, 1990 meeting with Army and Defense Logistics Agency, forwarded are two copies of a Memorandum of Agreement between Defense Logistics Agency and this Command. Request the U.S. Nuclear Regulatory Commission license number 29-01022-14 be amended to reflect this agreement. The amendment request is needed to permit Army radioactive items covered by a U.S. Nuclear Regulatory Commission license issued to the U.S. Army Materiel Command organization to be received, stored, and shipped at Defense Logistics Agency managed former Army installations. The Memorandum of Agreement also defines the responsibilities of the Defense Logistics Agency and the U.S. Army Materiel Command major subordinate command for compliance with the license.

Expeditious processing would be appreciated in order not to impact the Defense Management Review initiative for consolidating all depot supply functions beginning June 24, 1990. Please acknowledge receipt of this correspondence on the enclosed DA Form 209, Delay, Referral or Follow-On Notice. If you need additional information, please contact Ms. Patricia A. Elker, 202 274-5476.

Sincerely,

for W. G. Tuttle, Jr.
WILLIAM G. T. TUTTLE, JR.
General, U.S. Army
Commanding

FEE EXEMPT

Enclosures

Copies Furnished:
See page 2

112685
6/22/90

OFFICIAL RECORD COPY ML10

Copies Furnished:

OASA (SAILE-ESCH)

HQDA (SGPS-PSP-E)

HQ, U.S. Nuclear Regulatory Commission, ATTN: John Glenn, Chief,
Medical and Commercial Use Safety Branch

U.S. Nuclear Regulatory Commission, Region II, III, IV and V
COMMANDER

AMCCOM, ATTN: AMSMC-SF

CECOM, ATTN: AMSEL-SF

DESCOM, ATTN: AMSDS-SF

TACOM, ATTN: AMSTA-CZ

TROSCOM, ATTN: AMSTR-X

Defense Logistics Agency, ATTN: DLA-DS (COL Masters)

Director, USAMC Field Safety Activity, ATTN: AMXOS

AMCSM

AMCCC-C

AMCMP

AMCAE

MEMORANDUM OF AGREEMENT
BETWEEN
U.S. ARMY MATERIEL COMMAND
AND
DEFENSE LOGISTICS AGENCY
FOR
STORAGE AND SUPPLY OF RADIOACTIVE COMMODITIES

1.0. PURPOSE

The purpose of this Memorandum of Agreement (MOA) is to enable written U.S. Nuclear Regulation Commission (NRC) permission to be obtained to permit radioactive items covered by NRC licenses issued to Army licensees to be received, stored, and shipped at Defense Logistics Agency (DLA) managed former Army installations (hereinafter the installations). This MOA also defines the responsibilities of DLA and the U.S. Army Materiel Command (AMC) Major Subordinate Commands (MSCs) for compliance with those licenses.

2.0. AFFECTED NRC LICENSES

AMC will request NRC amend the following licenses issued to its MSCs to reflect the provisions of this MOA so as to comply with NRC Information Notice No. 89-25: "Unauthorized Transfer of Ownership or Control of Licensed Activities," dated 7 March 1989:

2.1. U.S. Army Armament, Munitions and Chemical Command:
12-00722-04, 12-00722-06, 12-00722-07, 12-00722-09, 12-00722-13, 12-00722-14, and SUC-1380.

2.2. U.S. Army Communications-Electronics Command: 29-01022-14.

2.3. U.S. Army Tank Automotive Command: 21-01222-05.

2.4. U. S. Army Troop Support Command: 24-12705-01.

3.0. SCOPE

This memorandum pertains to those facilities, operations, personnel involving operations and functions covered by the licenses listed in paragraph 2.

4.0. RESPONSIBILITIES

4.1. DLA

4.1.1. DLA agrees to comply with all applicable sections of Title 10, 29, 32 Part 655, 40, and 49 Code of Federal Regulations, and AMC MSC NRC license commitments and conditions, related to receipt, storage and shipment of the regulated materials.

4.1.2. DLA will respond to all Army requests for information.

4.1.3. After noncompliances with requirements of 4.1.1 above are identified, corrective actions will be taken in coordination with the AMC MSC NRC licensee.

4.1.4. DLA will assume full responsibility for all violations and resultant contamination deriving from DLA management or operating practices subsequent to any depot transfer to DLA control.

4.1.5. DLA will notify NRC and the AMC MSC NRC licensee immediately of any reportable incident or violation in accordance with 10 CFR Part 20 and 21.

4.1.6. DLA will comply with emergency procedures contained in the AMC MSC NRC license. In the event additional assistance is needed, the AMC MSC NRC licensee will provide onsite assistance upon request by DLA. DLA will conduct annual emergency training drills.

4.1.7. DLA will identify a HQ DLA point of contact with whom the AMC MSC NRC licensees will provide information.

4.1.8. DLA agrees to permit AMC MSC NRC licensees to audit compliance and survey the installations that have been transferred to DLA.

4.1.9. DLA installation radiation protection officers are responsible for training installation managers and radiation workers as required by Title 10 CFR 19, 20 and 21.

4.1.10. Any DLA proposed change in management, control or radiation safety pertaining to the licenses listed in paragraph 2.0 will be coordinated with the AMC MSC NRC licensees and if NRC requires written NRC permission will be obtained prior to implementation.

4.2. AMC

4.2.1. AMC MSC NRC licensees will provide DLA with copies of all affected AMC MSC NRC licenses, amendments thereto and related correspondence that will impact on DLA functions.

4.2.2. The involved AMC MSC NRC licensees will conduct at least an annual NRC license compliance survey/audit of the installations that have been transferred to DLA.

4.2.3. AMC MSC NRC licensees will provide health physics consultation/assistance for affected licenses and as requested. In event of an emergency, the AMC MSC NRC licensee will provide onsite assistance if required or when requested by DLA.

4.2.4. AMC MSC NRC licensees will assure availability of proper training for radiation protection officers at the installations transferred to DLA.

4.2.5. The U.S. Army Ionizing Radiation Dosimetry Center will provide dosimetry services.

4.2.6. Bioassays will be arranged by the AMC MSC NRC licensee as required.

4.2.7. AMC MSC NRC licensees will assist DLA in any corrective actions needed to comply with requirements set in 4.1.1.

4.2.8. AMC will have full responsibility for all violations and resultant contamination deriving from Army management or operating practices occurring prior to any depot transfer to DLA control.

4.2.9. AMC agrees that at the time of transfer each installation will be staffed with an adequately trained and qualified radiation protection officer, and an alternate radiation protection officer.

5.0. ISSUE RESOLUTION

Should a dispute arise as to the interpretation of this MOA, the dispute will be referred to the appropriate management levels for resolution.

6.0. REVIEW

This MOA shall be reviewed as necessary and be amended by mutual consent with written permission of the NRC.

7.0. AUTHORITY

7.1. Section 81 and 184 of the Atomic Energy Act of 1954, as amended require that a license be possessed to conduct licensed activities, and 10 CFR Section 30.34 (b) states that no NRC licenses nor any right under a license shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing. Similar wording is found in Sections 40.46 and 70.36 of the regulations for source and special nuclear material.

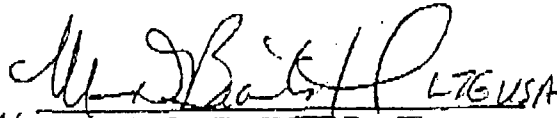
7.2. Deputy Secretary of Defense Memorandum, 12 April 1990, subject: Supply Depot Consolidation.

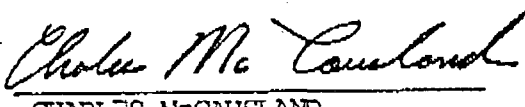
8.0. EFFECTIVE DATE

This MOA is established to conform with the above and is effective when signed by both parties.

FOR U.S. ARMY MATERIEL COMMAND

FOR DEFENSE LOGISTICS AGENCY

for 
 WILLIAM G. T. TUTTLE, JR.
 General, USA
 Commanding


 CHARLES McCAUSLAND
 Lieutenant General, USAF
 Director

112685

OFFICIAL RECORD COPY

ML18

08. 19. 90

EXPEDITE

DEPARTMENT OF THE ARMY
HEADQUARTERS, U. S. ARMY MATERIEL COMMAND
5001 EISENHOWER AVENUE, ALEXANDRIA, VA 22333-0001

PO 2
030-29741



Recd by fax 6-19-90

S: 19 Jun 90

AMCSF-P

18 June 1990

MEMORANDUM FOR Colonel Charles W. Masters, Chief of Staff, U.S. Army Defense Logistics Agency, Alexandria, VA 22304-6000

SUBJECT: U.S. Army Defense Logistics Agency (DLA)/U.S. Army Materiel Command (AMC) Memorandum of Agreement (MOA)

1. Federal regulations require written U.S. Nuclear Regulatory Commission (NRC) permission prior to the transfer of management, control or radiation safety of NRC licensed operations and materials such as exist at Sharpe Army Depot which is scheduled to transfer to DLA 1 July 1990. Willful failure to obtain written NRC permission can result in criminal prosecution.
2. Request the enclosed MOA be signed to obtain NRC written permission to permit radioactive items covered by NRC licenses issued to Army licensees to be received, stored, and shipped at DLA managed former Army installations. The MOA also defines the responsibilities of DLA and AMC major subordinate commands for compliance with those licenses until DLA obtains its own NRC license for these functions. We understand DLA intends to get its own license in 4 years.
3. Expeditious processing is needed to enable us to get the signed MOA to NRC Headquarters and the NRC Regional Offices for their approval and incorporation into the various Army licenses by 19 June 1990.
4. Point of contact for AMCSF-P is Ms. Patricia A. Elker, DSN 284-9340.

Encl

William B. McGrath
WILLIAM B. McGRATH
Major General, USA
Chief of Staff

REC'D IN LMS

JUN 20 1990

OFFICIAL RECORD COPY ML 10

112685

DRAFT

MEMORANDUM OF AGREEMENT
BETWEEN
THE DEPARTMENT OF ARMY
AND
THE DEFENSE LOGISTICS AGENCY
FOR
STORAGE AND SUPPLY OF RADIOACTIVE COMMODITIES

1.0. PURPOSE

The purpose of this Memorandum of Agreement (MOA) is to enable written U.S. Nuclear Regulation Commission (NRC) permission to be obtained to permit radioactive items covered by NRC licenses issued to Army licensees to be received, stored, and shipped at Defense Logistics Agency (DLA) managed former Army installations. This MOA also defines the responsibilities of DLA and the U.S. Army Materiel Command (AMC) major subordinate commands (MSCs) for compliance with those licenses until DLA obtains its own NRC license for these functions.

2.0. AFFECTED NRC LICENSES

AMC will request NRC amend the following licenses issued to its MSCs to reflect the provisions of this MOA so as to comply with NRC Information Notice No. 89-25; "Unauthorized Transfer of Ownership or Control of Licensed Activities," dated 7 March 1989;

2.1. U.S. Army Armament, Munitions and Chemical Command:
12-00722-04, 12-00722-06, 12-00722-07, 12-00722-09, 12-00722-13, 12-00722-14, and SUC-1380.

2.2. U.S. Army Communications-Electronics Command: 29-01022-14.

2.3. U.S. Army Tank Automotive Command: 21-01222-05.

2.4. U. S. Army Troop Support Command: 24-12705-01.

3.0. SCOPE

This memorandum pertains to those facilities, operations, personnel involving operations and functions covered by the licenses listed in paragraph 2.

4.0. RESPONSIBILITIES

4.1. DLA

4.1.1. DLA agrees to comply with all applicable sections of Title 10, 29, 32 Part 655, 40, and 49 Code of Federal Regulations, and AMC MSC NRC license commitments and conditions.

4.1.2. DLA will respond to all Army requests for information.

2074

4.1.3. After potential noncompliances to requirements of 4.1.1 above are identified, corrective actions will be taken in coordination with the AMC MSC NRC licensees.

4.1.4. DLA will assume full responsibility for all violations and potential resultant contamination deriving from DLA management or operating practices subsequent to any depot transfer to DLA control.

4.1.5. DLA will notify NRC and the AMC MSC NRC licensees immediately of any reportable incident or violation in accordance with 10 CFR Part 20 and 21.

4.1.6. DLA will comply with emergency procedures contained in the AMC MSC NRC license. In the event additional assistance is needed, the AMC MSC NRC licensees will provide onsite assistance if required. DLA will conduct annual emergency training drills.

4.1.7. DLA will identify a HQ DLA point of contact with whom the AMC MSC NRC licensees will provide information.

4.1.8. DLA agrees to permit AMC MSC NRC licensees to audit compliance and survey DLA managed former Army installations that have been transferred to DLA.

4.1.9. DLA installation radiation safety officers are responsible for training installation managers and radiation workers as required by Title 10 CFR 19, 20 and 21.

4.1.10. Any DLA proposed change in management, control or radiation safety pertaining to the licenses listed in paragraph 2.0 will be coordinated with the AMC MSC NRC licensees and if NRC requires written NRC permission will be obtained prior to implementation.

4.2. AMC

4.2.1. AMC MSC NRC licensees will provide DLA with copies of all affected AMC MSC NRC licenses, amendments thereto and related correspondence.

4.2.2. The involved AMC MSC NRC licensees will conduct at least an annual NRC license compliance survey/audit of former Army installations that have been transferred to DLA.

4.2.3. AMC MSC NRC licensees will provide health physics consultation/assistance for affected licenses and as requested. In event of an emergency, the AMC MSC NRC licensees will provide onsite assistance if required.

4.2.4. AMC MSC NRC licensees will assure availability of proper training for radiation protection officers at former Army installations transferred to DLA.

3044

DRAFT

P 0 5

4.2.5. The U.S. Army Ionizing Radiation Dosimetry Center will provide dosimetry services.

4.2.6. Bioassays will be arranged by the AMC MSC NRC licensees as required.

4.2.7. AMC MSC NRC licensees will assist DLA in any corrective actions needed upon determination of noncompliances to requirements set in 4.1.1.

5.0. ISSUE RESOLUTION

Should a dispute arise as to the interpretation of this MOA, the dispute will be referred to the appropriate management levels for resolution.

6.0. ANNUAL REVIEW

This MOA shall be reviewed annually by both parties, may be amended by mutual consent, and with written permission of the NRC.

7.0. AUTHORITY

7.1. Section 81 and 184 of the Atomic Energy Act of 1954, as amended require that a license be possessed to conduct licensed activities, and 10 CFR Section 30.34 (b) states that no NRC licenses nor any right under a license shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing. Similar wording is found in Sections 40.46 and 70.36 of the regulations for source and special nuclear material.

7.2. Deputy Secretary of Defense Memorandum, 12 April 1990, subject: Supply Depot Consolidation.

8.0. EFFECTIVE DATE

This MOA is established to conform with the above and is effective when signed by both parties.

FOR U.S. ARMY MATERIEL COMMAND

FOR DEFENSE LOGISTICS AGENCY

WILLIAM G. T. TUTTLE, JR.
General, USA
Commanding

CHARLES McCausland
Lieutenant General, USAF
Director

OFFICIAL RECORD COPY ML 10

112685 4 of 4