

TELEPHONE CONVERSATION RECORD

Licensee Name: Shieldalloy	Date: July 21, 1999	Time: 10:45 am
License No.: SMB-743	Docket No.: 040-07102	Control No.: N/A
Licensee Contact: Dave ??? and Carol Berger	Telephone No: 800-762-2020 x 226	
NRC Contact: Betsy Ullrich	Telephone No: 610-337-5040	
Subject: letter dated June 18		
<p>Summary: Dave ??? and Carol Berger called because I signed the July 14, 1999 letter responding to their February 19, 1999, letter in response to our January 21, 1999 NOV. They had particular concern with the last paragraph:</p> <p><i>Additionally, as documented in our letter dated January 21, 1999, you are reminded of our statements regarding the control of licensed material outside of your fence line. As was stated in our letter, your sampling results outside of your fence line do not appear to meet the site-specific release criteria. We noted in our letter that you should prepare a formal request, including data to support the release of the affected area outside of your fence line, and submit the request to the Fuel Cycle Licensing Branch for approval as a licensing action. We will review this matter during the next inspection.</i></p> <p>They believed that they had provided sufficient information at the enforcement conference regarding this issue, and do not understand what else needs to be done. They wanted to know if the NRC had done an analysis of the data, and if so, they would like a copy of the analysis. If not, they want to know what is the basis for saying that their data is not sufficient, how did the NRC decide that their information is not sufficient? They stated that they are not sure how to proceed, that they do not understand what it is that they should be requesting an amendment to do, as indicated in the July 14 letter i.e. they should submit a formal request to do... what? They do not want to propose sampling when they do not understand the intent of the sampling, if we are suggesting that more sampling is required.</p> <p>According to them, they had provided an analysis which compared the results of all sample results reported to them by EPA, NRC (M Miller samples), ORISE and IT with the results of samples taken from background areas in the vicinity. They did a statistical analysis and the two sets of data were indistinguishable using a non-parametric test. They are also concerned at being considered the only generator of source material in the area, given that the landfill next door has been in use for a number of years and has accepted waste from at least two glass-making facilities, and that waste frequently contains source material.</p>		
Action Required/Taken: Review file, talk to JDK, call back.		
Signature:  Betsy Ullrich	Date: July 21, 1999	

TELEPHONE CONVERSATION RECORD

Licensee Name: Shieldalloy	Date: July 21, 1999	Time: 4:35 pm
License No.: SMB-743	Docket No.: 040-07102	Control No.: N/A
Licensee Contact: Dave Smith, RSO	Telephone No: 800-762-2020 x 226	
NRC Contact: Betsy Ullrich	Telephone No: 610-337-5040	

Subject: letter dated June 18, questions from earlier conversation

Summary: Dave Smith and Carol Berger had called earlier in the day regarding the July 14, 1999 letter responding to their February 19, 1999, letter in response to our January 21, 1999 NOV, with questions about the off-site material They wanted to know if the NRC had done an analysis of the data, and if so, they would like a copy of the analysis. If not, they want to know what is the basis for saying that their data is not sufficient, how did the NRC decide that their information is not sufficient? They stated that they are not sure how to proceed, that they do not understand what it is that they should be requesting an amendment to do, as indicated in the July 14 letter i.e. they should submit a formal request to do... what? They do not want to propose sampling when they do not understand the intent of the sampling, if we are suggesting that more sampling is required.

I told Dave that I had reviewed the letters and reports, and that the paragraph in the July 14 letter, and the nearly identical paragraph in the January 21 letter, both refer to the discussion "Control of Licensed Material" in the Enforcement conference Report enclosed with the January 21 letter. A quick analysis using MARSSIM methodology indicates that the number of samples taken is not sufficient to make a statistically valid comparison of the data sets, and using MARSSIM methods on the data sets indicates that the release criteria is not met. However, we did only a quick, informal review. Dave stated that Carol Berger did not use MARSSIM because they did not feel that the data was good enough for that detailed an analysis. I told him that MARSSIM is the currently approved methodology, and if Shieldalloy wishes to use an alternate methodology to MARSSIM to demonstrate that the areas outside of the controlled area are able to be released, then they will have to submit that methodology in a license amendment request, to the NRC headquarters office that does their licensing. Dave brought up the point that the material may not be theirs; I stated that, at this time, there are samples that indicate there elevated source materials levels outside the fence and it is their job to control their material and to demonstrate that the material outside is or is not their material. He said that he understood.

I suggested that if he and Carol are still unclear about this issue, they should send us a letter with very specific questions.

Action Required/Taken: File

Signature:


Betsy Ullrich

Date: July 21, 1999