CONVERSATION RECORD

TIME | DATE 6-27-2007

O VISIT O CONFERENCE X TELEPHONE

O INCOMING
X OUTGOING

NAME OF PERSON(S) CONTACTED OR IN CONTACT	ORGANIZATION (OFFICE, DEPT.ETC.)	TELEPHONE NO.
Veronica McNeal Safety & Health Coordinator	Arkema Inc. 17168 W. Jefferson Ave. Riverview, MI 48193	734-246-2113 FAX -2073

SUBJECT

Control No. 316240 – Re- request by Arkema Inc., Riverview, Michigan, License Number 21-32364-01, to terminate subject license, based on their transfer on December 19, 2006, of all remaining licensed material (two sealed sources of Cs-137 and a single foil sealed source of Ni-63) to Thermo Measuretech, under Thermo Measuretech's Texas Radioactive Material License L03524.

SUMMARY

In our telephone conversations on this date, Ms. McNeal related that Paul Shelton, RSO, has terminated employment following his request to terminate subject license by application dated 4-30-2007, with cover letter dated May 8, 2007, and that no replacement RSO is to be named since all material (non-leaking sealed sources) was transferred on December 19, 2006, to Thermo Measuretech's in Sugar Land, Texas which possesses Texas License L03524, authorizing them to possess the transferred material. I related that I had obtained a copy of the subject Texas license which authorized the recipient, Thermo Measuretech, to possess the radionuclides and activities involved in the transfer. Further, I acknowledged the letter (included in the license termination request submitted by Mr. Shelton) from Angelica Guidry, Nuclear Services Specialist, for Thermo Measuretech wherein Ms. Guidry confirmed their organization's receipt of the three sealed sources in question.

Also, in my discussion with Ms. McNeal, I noted that the Ni-63 foil source was not authorized on NRC License No. 21-32364-01 issued to Arkema Inc, but noted that it could be possessed under a General License, based on information in the Sealed Source & Device Registry for the device. She agreed to check their information in order to confirm that it had been possessed under the General License provisions of 10 CFR 31.5 (a). I then pointed out the requirement in 10 CFR 31.5 (c)(8)(ii) to provide a 30 day report to the Director of Nuclear Material Safety and Safeguards, ATTN: Document Control Desk/GLTS, using an appropriate method listed in 10 CFR 30.6(a). This report is for the purpose of providing information regarding transfers of General License devices to a specific licensee. I agreed to send her, by facsimile, a copy of the above referenced regulations along with a copy of this Conversation Record so that Ms. McNeal can confirm that this required notification has been or will be accomplished, if in fact the Ni-63 foil source was possessed under a general License.

Further, in the absence of Mr. Shelton as related above, it was agreed that I would send the amendment terminating License No. 21-32364-01 to Ms. McNeal.

ACTION REQUIRED

Ms. McNeal to provide the above requested information by telephone call tomorrow, 6-28-2007
License reviewer to send by facsimile, a copy of this Conversation Record and referenced regulations.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this conversation record will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html (the Public Electronic Reading Room).

NAME OF PERSON DOCUMENTING CONVERSATION	SIGNATURE	DATE
Loren J. Hueter		6-27-2007

§ 30.6 Communications.

(a) Unless otherwise specified or covered under the regional licensing program as provided in paragraph (b) of this section, any communication or report concerning the regulations in parts 30 through 36 and 39 of this chapter and any application filed under these regulations may be submitted to the Commission as follows:

(1) By mail addressed: ATTN: Document Control Desk, Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

(2) By hand delivery to the NRC's offices at 11555 Rockville Pike, Rockville, Maryland.

(3) Where practicable, by electronic submission, for example, via Electronic Information Exchange, or CD-ROM. Electronic submissions must be made in a manner that enables the NRC to receive, read, authenticate, distribute, and archive the submission, and process and retrieve it a single page at a time. Detailed guidance on making electronic submissions can be obtained by visiting the NRC's Web site at *http://www.nrc.gov/site-help/e-submittals.html*, by calling (301) 415-0439, by e-mail to *EIE@nrc.gov*, or by writing the Office of Information Services, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. The guidance discusses, among other topics, the formats the NRC can accept, the use of electronic signatures, and the treatment of nonpublic information.

(b) The Commission has delegated to the four Regional Administrators licensing authority for selected parts of its decentralized licensing program for nuclear materials as described in paragraph (b)(1) of this section. Any communication, report, or application covered under this licensing program must be submitted to the appropriate Regional Administrator. The Administrators' jurisdictions and mailing addresses are listed in paragraph (b)(2) of this section.

(1) The delegated licensing program includes authority to issue, renew, amend, cancel, modify, suspend, or revoke licenses for nuclear materials issued pursuant to 10 CFR parts 30 through 36, 39, 40, and 70 to all persons for academic, medical, and industrial uses, with the following exceptions:

(i) Activities in the fuel cycle and special nuclear material in quantities sufficient to constitute a critical mass in any room or area. This exception does not apply to license modifications relating to termination of special nuclear material licenses that authorize possession of larger quantities when the case is referred for action from NRC's Headquarters to the Regional Administrators.

(ii) Health and safety design review of sealed sources and devices and approval, for licensing purposes, of sealed sources and devices.

(iii) Processing of source material for extracting of metallic compounds (including Zirconium, Hafnium, Tantalum, Titanium, Niobium, etc.).

(iv) Distribution of products containing radioactive material to persons exempt pursuant 10 CFR 32.11 through 32.26.

(v) New uses or techniques for use of byproducts, source, or special nuclear material.

(2) *Submissions*--(i) *Region I.* The regional licensing program involves all Federal facilities in the region and non-Federal licensees in the following Region I non-Agreement States and the District of Columbia: Connecticut, Delaware, Maine, Massachusetts, New Jersey, Pennsylvania, and Vermont. All mailed or hand-delivered inquiries, communications, and applications for a new license or an amendment, renewal, or termination request of an existing license specified in

§ 31.5 Certain detecting, measuring, gauging, or controlling devices and certain devices for producing light or an ionized atmosphere.[2]

(a) A general license is hereby issued to commercial and industrial firms and research, educational and medical institutions, individuals in the conduct of their business, and Federal, State or local government agencies to acquire, receive, possess, use or transfer, in accordance with the provisions of paragraphs (b), (c) and (d) of this section, byproduct material contained in devices designed and manufactured for the purpose of detecting, measuring, gauging or controlling thickness, density, level, interface location, radiation, leakage, or qualitative or quantitative chemical composition, or for producing light or an ionized atmosphere.

(b)(1) The general license in paragraph (a) of this section applies only to byproduct material contained in devices which have been manufactured or initially transferred and labeled in accordance with the specifications contained in--

(i) A specific license issued under § 32.51 of this chapter; or

(ii) An equivalent specific license issued by an Agreement State.

(2) The devices must have been received from one of the specific licensees described in paragraph (b)(1) of this section or through a transfer made under paragraph (c)(9) of this section.

(c) Any person who acquires, receives, possesses, uses or transfers byproduct material in a device pursuant to the general license in paragraph (a) of this section:

(1) Shall assure that all labels affixed to the device at the time of receipt and bearing a statement that removal of the label is prohibited are maintained thereon and shall comply with all instructions and precautions provided by such labels;

(2) Shall assure that the device is tested for leakage of radioactive material and proper operation of the on-off mechanism and indicator, if any, at no longer than six-month intervals or at such other intervals as are specified in the label; however:

(i) Devices containing only krypton need not be tested for leakage of radioactive material, and

(ii) Devices containing only tritium or not more than 100 microcuries of other beta and/or gamma emitting material or 10 microcuries of alpha emitting material and devices held in storage in the original shipping container prior to initial installation need not be tested for any purpose;

(3) Shall assure that the tests required by paragraph (c)(2) of this section and other testing, installation, servicing, and removal from installation involving the radioactive materials, its shielding or containment, are performed:

(i) In accordance with the instructions provided by the labels; or

(ii) By a person holding a specific license pursuant to parts 30 and 32 of this chapter or from an Agreement State to perform such activities;

(4) Shall maintain records showing compliance with the requirements of paragraphs (c)(2) and (c)(3) of this section. The

records must show the results of tests. The records also must show the dates of performance of, and the names of persons performing, testing, installing, servicing, and removing from the installation radioactive material and its shielding or containment. The licensee shall retain these records as follows:

(i) Each record of a test for leakage or radioactive material required by paragraph (c)(2) of this section must be retained for three years after the next required leak test is performed or until the sealed source is transferred or disposed of.

(ii) Each record of a test of the on-off mechanism and indicator required by paragraph (c)(2) of this section must be retained for three years after the next required test of the on-off mechanism and indicator is performed or until the sealed source is transferred or disposed of.

(iii) Each record that is required by paragraph (c)(3) of this section must be retained for three years from the date of the recorded event or until the device is transferred or disposed of.

(5) Shall immediately suspend operation of the device if there is a failure of, or damage to, or any indication of a possible failure of or damage to, the shielding of the radioactive material or the on-off mechanism or indicator, or upon the detection of 185 bequerel (0.005 microcurie) or more removable radioactive material. The device may not be operated until it has been repaired by the manufacturer or other person holding a specific license to repair such devices that was issued under parts 30 and 32 of this chapter or by an Agreement State. The device and any radioactive material from the device may only be disposed of by transfer to a person authorized by a specific license to receive the byproduct material in the device or as otherwise approved by the Commission. A report containing a brief description of the event and the remedial action taken; and, in the case of detection of 0.005 microcurie or more removable radioactive material or failure of or damage to a source likely to result in contamination of the premises or the environs, a plan for ensuring that the premises and environs are acceptable for unrestricted use, must be furnished to the Director of Nuclear Material Safety and Safeguards, ATTN: GLTS, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001 within 30 days. Under these circumstances, the criteria set out in Sec. 20.1402, "Radiological criteria for unrestricted use," may be applicable, as determined by the Commission on a case-by-case basis;

(6) Shall not abandon the device containing byproduct material;

(7) Shall not export the device containing byproduct material except in accordance with part 110 of this chapter;

(8)(i) Shall transfer or dispose of the device containing byproduct material only by export as provided by paragraph (c)(7) of this section, by transfer to another general licensee as authorized in paragraph (c)(9) of this section, or to a person authorized to receive the device by a specific license issued under parts 30 and 32 of this chapter, or part 30 of this chapter that authorizes waste collection, or equivalent regulations of an Agreement State, or as otherwise approved under paragraph (c)(8)(iii) of this section.

(ii) Shall, within 30 days after the transfer of a device to a specific licensee or export, furnish a report to the Director of Nuclear Material Safety and Safeguards, ATTN: Document Control Desk/ GLTS, using an appropriate method listed in § 30.6 (a) of this chapter. The report must contain--

(A) The identification of the device by manufacturer's (or initial transferor's) name, model number, and serial number;

(B) The name, address, and license number of the person receiving the device (license number not applicable if exported); and

(C) The date of the transfer.

(iii) Shall obtain written NRC approval before transferring the device to any other specific licensee not specifically identified in paragraph (c)(8)(i) of this section.

(9) Shall transfer the device to another general licensee only if--

(i) The device remains in use at a particular location. In this case, the transferor shall give the transferee a copy of this section, a copy of §§ 31.2, 30.51, 20.2201, and 20.2202 of this chapter, and any safety documents identified in the label of the device. Within 30 days of the transfer, the transferor shall report to the Director of Nuclear Material Safety and

TRANSMISSION VERIFICATION REPORT

TIME : 06/27/2007 10:34
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FAX : 6305151259
TEL :
SER.# : 000A7J925770

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
801 Warrenville Road, Suite 255
Lisle, Illinois 60532-4351

TELEFAX TRANSMITTAL

DATE: 6-27-07

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(including this page)

SEND TO: Veronica McNeal

LOCATION: Riverview, Michigan

FAX NUMBER: 734-246-2073 ☐ ***VERIFY BY CALLING SENDER***

FROM:
(SENDER) Jason Hunter

TELEPHONE NUMBER: 630-829-9829 FAX NUMBER: 630-515-1078

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MESSAGE