

From: Andrew Pessin
Sent: Friday, August 29, 2008 10:06 AM
To: Patricia Swain; Jackie Cook
Cc: Bradley Jones; Karla Fuller
Subject: RE: TransCanada's Material's License 21-29258-01

Patti, Jackie,

Yes, given that TransCanada, or its subsidiary, continues to own and operate the pipelines to which the gauges are affixed, the NRC can issue a possession only license for the gauges. We recommend that the license include a condition that requires the licensee to seek NRC approval before the licensee can be permitted to either:

1. Convey or otherwise transfer title or other property interest in the gauges and/or the pipeline segment(s) to which the gauges are attached;
2. Abandon (relinquish possession and control of) the gauges and/or the pipeline segment(s) to which the gauges are attached; or
3. Remove the gauges from their current site.

The recommended long-term strategy is that the gauges remain permanently in place, with a possession/storage only license, renewed every 10 years, and for the source (Cesium-137) to decay fully in place per 10 CFR 20.2001(a)(2).

If you need any further assistance, please let me know.

Andy

From: Patricia Swain
Sent: Wednesday, August 27, 2008 11:49 AM
To: Andrew Pessin
Subject: FW: TransCanada's Material's License 21-29258-01

Hi Andy,

Hope you had a good vacation! Thought I'd try to close out this issue with respect to my branch. So, the pipelines are still in use in the Gulf of Mexico and the gauges apparently never functioned as anticipated (!), so can we renew the license and authorize storage in place per 20.2001(a)(2)?

Thank you for your help on this!
Patti

From: Jackie Cook
Sent: Thursday, August 21, 2008 11:25 AM
To: Patricia Swain; Andrew Pessin
Cc: Jack Whitten
Subject: FW: TransCanada's Material's License 21-29258-01

Patricia & Andy:

Please see TransCanada's response below to the questions I posed to them through you. It appears that based upon their response since TransCanada continues to own the pipeline and remain in control, I can issue this license for Possession Only for a 10 year expiration date. Is my assessment correct?

I appreciate you all's assistance in this important matter.

If additional information or clarification is needed, please don't hesitate to contact me at your convenience.

Sincerely,

Jacqueline "Jackie" D. Cook
Senior Health Physicist
Nuclear Materials Safety Branch B
U.S. Nuclear Regulatory Commission, Region 4
612 E. Lamar Blvd., Suite 400
Arlington, TX 76011-4125
817-860-8132 (office)/817-860-8263 (fax)
e-mail address: Jackie.Cook@nrc.gov

From: Delisi, Salvatore J [mailto:Salvatore_Delisi@transcanada.com]
Sent: Monday, August 11, 2008 9:33 AM
To: Jackie Cook
Cc: Davis, Catharine
Subject: RE: TransCanada's Material's License 21-29258-01

Good Morning, Ms. Cook.

In response to your questions, I submit the following:

1. When did operations stop in using the gauges for their authorized use?

Response: The gauges were installed in 1972 and, from the onset, the system (gauges and control equipment) didn't function as expected.

2. Since the gauges appear to remain on the pipelines, who owns the pipeline and is the pipeline still in use?

Response: ANR Pipeline Company owns these pipelines, which are still in use.

Thanks you again for your help in this matter. Please contact me if additional information is required.

Have a great week.

Sal Delisi

Salvatore J. Delisi
Radiation Safety Officer
Pipeline Integrity Department
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TransCanada / US Pipelines Central
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(248) 205-4595 (Office)
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(248) 205-4695 (FAX)

From: Jackie Cook [mailto:Jackie.Cook@nrc.gov]
Sent: Monday, August 04, 2008 2:33 PM
To: Delisi, Salvatore J
Subject: RE: TransCanada's Material's License 21-29258-01

Good Afternoon, Mr. Delisi:

Yes, it has been a while since you forwarded your amendment request to abandon the 2 cesium-137 sealed sources. I forwarded the technical assistance request (TAR) to our Headquarters office on July 7, 2008. I had a brief phone call today with our Headquarters office - Office of General Counsel (OGC) and our Low-level Waste Branch and they had the following additional questions:

1. When did operations stop in using the gauges for their authorized use?
2. Since the gauges appear to remain on the pipelines, who owns the pipeline and is the pipeline still in use?

Upon your response to the above questions, we will continue processing of the TAR and will let you know our decision once one has been made.

If additional information and clarification is needed, please don't hesitate to contact me at your convenience at the phone numbers and email address listed below.

Sincerely,

Jacqueline "Jackie" D. Cook
Senior Health Physicist
Nuclear Materials Safety Branch B
U.S. Nuclear Regulatory Commission, Region 4
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e-mail address: Jackie.Cook@nrc.gov

From: Delisi, Salvatore J [mailto:Salvatore_Delisi@transcanada.com]
Sent: Tuesday, July 29, 2008 1:05 PM
To: Jackie Cook
Subject: TransCanada's Material's License 21-29258-01

Good Afternoon, Ms. Cook

It's been a while since I forwarded TransCanada's desire to abandon the two Cesium-based sources and thought that I would touch base to see if you or the person handling the next phase of the project had any questions related to my April 1st documents.

If so, please contact me so that I can respond to any questions you have regarding the disposition of these sources. Any updates regarding the process would be greatly appreciated.

Thank you for your help in this matter.

Sal Delisi

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From: Andrew Pessin

Created By: Andrew.Pessin@nrc.gov

Recipients:

Patricia.Swain@nrc.gov (Patricia Swain)
Tracking Status: None
Jackie.Cook@nrc.gov (Jackie Cook)
Tracking Status: None
Bradley.Jones@nrc.gov (Bradley Jones)
Tracking Status: None
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Options

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Recipients received: