ConocoPhillips

ConocoPhillips Co.
P. O. Box 1267
1000 South Pine
Ponca City, OK 74602-1267

RECEIVED
SEP 09 2009
DNMS

September 4, 2009

U.S. NRC Region IV
ATTN: Roberto Torres
612 E. Lamar Blvd., Suite 400
Arlington, TX 76011-4125

Dear Sir:

OK-07402-11 License Termination And Financial Assurance Instrument

The Oklahoma Department of Environmental Quality (ODEQ) has terminated ConocoPhillips' Ponca City, OK license OK-07402-11 and released the lab facilities for unrestricted use. Enclosed is a copy of the letter and license amendment from the ODEQ terminating this license and releasing the facilities under this license for unrestricted use. Since no further remediation or actions are required concerning this license, please return our financial assurance instrument you are holding to us since it is no longer needed.

Please call me at 580-767-4089 if additional information is needed concerning the release of the financial assurance instrument for this license.

Sincerely,

Mark Farnsworth

Mark Farnsworth
Radiation Safety Officer
Ponca City Site

Ex-NRC license 35-07402-11
030-09692/030-05921

Enc.

STEVEN A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

BRAD HENRY
Governor

August 13, 2009

Mark Farnsworth
ConocoPhillips Co.
P.O. Box 1267
Ponca City, OK 74602-1267

Re: Termination of Oklahoma Radioactive Materials License
License No.: OK-07402-11
Login No.: 197593

Dear Mr. Farnsworth:

Please find the enclosed Amendment No 14, which terminates the license listed above. On July 22, 2009, the Radiation Management Section of the Oklahoma Department of Environmental Quality (DEQ) received the above referenced request to terminate your Oklahoma radioactive materials license. You submitted a DEQ Form No. 410-314, Certificate of Disposition of Materials, showing that you have disposed of all licensed materials. You also provided the results of a final survey which showed no residual contamination above the limits specified in Appendix B to OAC 252:410.

Based on a review of these documents, the DEQ has concluded that all licensable radioactive material has been removed from your facility and residual radioactive material attributable to licensed activities does not exceed current DEQ criteria for release for unrestricted use. No further remediation or actions with respect to DEQ regulated radioactive material is required. Your facilities in lab 5640 RW and 5648 RW are hereby released for unrestricted use.

If you have questions or require clarification on any of the information stated above, please contact Kevin Sampson at (405) 702-5161.

Sincerely,

Mike Broderick, Environmental Programs Manager
Radiation Management Section
Land Protection Division

MB/ks

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DEQ Form 410-374 (10-00)

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

Amendment No. 14

MATERIALS LICENSE

Pursuant to the Oklahoma Radiation Management Act (27A O.S. §2-9-101, *et seq.)* and the Oklahoma Radiation Management Rules (Rules) at Oklahoma Administrative Code (OAC) 252:410, including rules incorporated by reference from Title 10 of the Code of Federal Regulations, 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 the source(s) of radiation (byproduct, source and special nuclear material, accelerator produced material, radium sealed sources and/or radiation machines) designated below; to use such source(s) for the purpose(s) and at the place(s) designated below; and to deliver or transfer such material to persons authorized to receive it in accordance with applicable rules. This license is subject to all applicable rules and orders of the Oklahoma Department of Environmental Quality (DEQ) now or hereafter in effect and to any conditions specified below.

Licensee	In accordance with an application dated July 21, 2009
1. ConocoPhillips Co. Continental Business Unit 2. P.O. Box 1267 Ponca City, Oklahoma 74602-1267	3. License number OK-07402-11 is hereby terminated 4. 5. DEQ Login No. 197593

FOR THE DEPARTMENT OF ENVIRONMENTAL QUALITY

Date 8/12/9

By

Mike Broderick, Environmental Programs Manager
Radiation Management Section
Land Protection Division

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FedEx Express

The World On Envelope

ORIGIN ID: TUL (580) 767-4946
Whitney Rowe
ConocoPhillips
1000 S PINE
RW 1482
PONCA CITY OK 74601

CAD # 407569
SHIP DATE: 04SEP09
ACTUAL WGT: 1 LB

Revenue Bar Code
(000) 000-0000

TO: ROBERTO TORRES
U.S. NRC REGION IV
612 E. LAMAR BLVD
SUITE 400
ARLINGTON TX 76011
REF: ZM0149

Delivery Address

FedEx PRIORITY OVERNIGHT

TUE

CAD #407569

DELIVER BY:
08SEP09
AA

TRK #9633 7476 5290 Form 201

DFW

76011-TX-US

XH FWHA

AT 184 1 B
5290
09.08

FZ

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Excerpt from 2008 Region IV Annual Audit Report on Financial Assurance Instruments:

Conoco, Inc., License No. 35-07402-11 was transferred to the State of Oklahoma in September of 2001 when Oklahoma became an Agreement State. However, as requested by the State of Oklahoma, Region IV continues to hold the financial assurance instrument for this license. The financial instrument is segregated within the cabinet from other Region IV financial instruments. This instrument will be returned to Conoco when the Oklahoma Department of Environmental Quality verifies that the required decommissioning financial assurance has been provided to the State of Oklahoma.

Status: The State of Oklahoma informed the [Region IV] Financial Assurance Instrument Custodian (FAIC) in 2007 that Conoco submitted a license renewal and that it is currently under revision by the Oklahoma Department of Environmental Quality. Conoco is in the process of decommissioning their research and development operations and switching to a fixed gauge license. The FAIC spoke with Mark Farnsworth, Conoco's Radiation Safety Officer (580-767-4089), and informed him to notify NRC once this license is terminated so Region IV can return the superseded financial assurance documents to Conoco.

RJT
9-10-09
Roberto J. Torres
R-IV FAIC

Instruments Held for State of Oklahoma (Agreement State)

Licensee Name and License Number	Instrument Type and Number	Provider	Issuance Date	Expiration Date	Amount	Date Placed in Safe	Annual Audit Notes (as of 5/13/09)
35-07402-11 Conoco, Inc.	LOC #XXXXXXXXX STANDBY TRUST	The Chase Manhattan Bank, N.A.	05/02/96	N/A	$1,000,000	05/13/96	State of Oklahoma licensee is terminating this license. FA instrument will be returned to licensee once this license is terminated.

DFP Decommissioning Funding Plan
LOC Letter of Credit
SB Surety Bond
SOI Statement of Intent

05/13/09 (RJT)

UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

September 5, 2000

Conoco, Inc.
ATTN: Mark Farnsworth
Radiation Safety Officer
Technology
P.O. Box 1267
Ponca City, OK 74602-1267

SUBJECT: LICENSE AMENDMENT

Please find enclosed Amendment No. 08 to License No. 35-07402-11. You should review this license carefully and be sure that you understand all conditions. If you have any questions, you may contact me at 817-860-8132.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NRC requirements, you must conduct your radiation safety program according to the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate by NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.

2. Notify NRC in writing of any change in mailing address.

3. By 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
   a. When you decide to terminate all activities involving materials authorized under the license; or
   b. If you decide not to complete the facility, acquire equipment, or possess and use authorized material.

4. Request and obtain a license amendment before you:
   a. Change Radiation Safety Officers;
   b. Order byproduct material more than the amount or form authorized on the license;
   c. Add or change the areas or address(es) of use identified in the license application or on the license; or
   d. Change the name or ownership of your organization.

5. Submit a complete renewal application or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.

In addition, please note that NRC Form 313 requires the applicant, by signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant.

NRC will periodically inspect your radiation safety program. Failure to conduct your program according to NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC may result in enforcement action against you. This could include issuance of a notice of violation; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG 1600.

Thank you for your cooperation.

Sincerely,

/RA/
Jacqueline D. Cook
Health Physicist
Nuclear Materials Licensing Branch

Docket: 030-09692/030-05921
License: 35-07402-11
Control: 468076

Enclosures: As stated

U.S. NUCLEAR REGULATORY COMMISSION

Amendment No. 08

MATERIALS LICENSE

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, 36, 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	In accordance with letter dated July 27, 2000
1. Conoco, Inc.	3. License number 35-07402-11 is amended in its entirety to read as follows:
2. Technology P.O. Box 1267 Ponca City, Oklahoma 74602-1267	4. Expiration date December 31, 2003 5. Docket No. 030-09092/030-05921 Reference No.

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. Any byproduct material listed in Section 33.100, Schedule A, of 10 CFR Part 33	A. Any, except sealed sources	A. As specified in Section 33.11(b) of 10 CFR Part 33 for Type B specific license of broad scope
B. Any byproduct material listed in Section 33.100, Schedule A, of 10 CFR Part 33	B. Sealed sources, pills, wires, plated sources, seeds, plaques	B. Not to exceed 2 curies per source, with a total possession limit of 30 curies
C. Americium-241	C. Any, except sealed sources	C. 0.2 millicurie
D. Any byproduct material listed in Section 33.100, Schedule A, of 10 CFR Part 33	D. Sealed sources, foils, wires, plated sources, seeds, plaques (Registered pursuant to 10 CFR 32.210 or applicable Agreement State regulations)	D. Not to exceed 2 curies per source with a total possession limit of 30 curies
E. Americium-241	E. Sealed source (Registered pursuant to 10 CFR 32.210 or applicable Agreement State regulations)	E. Not to exceed 2 curies per source with a total possession limit of 5 curies
F. Americium-241	F. Sealed neutron source (Registered pursuant to 10 CFR 32.210 or applicable Agreement State regulations)	F. Not to exceed 2 curies per source with a total possession limit of 30 curies

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9. Authorized use:

A. through C. For use in research and development as defined in Section 30.4 of 10 CFR Part 30, and calibration of licensee's instruments.

D. through F. For possession and use in devices which have been evaluated and approved for licensing purposes and authorized for distribution under a license issued by the Nuclear Regulatory Commission or an Agreement State. Calibration of licensee's instruments.

CONDITIONS

10. Licensed material shall be used only at the facilities of Conoco Inc., 1000 South Pine Street, Ponca City, Oklahoma.

11. Licensed material shall only be used by, or under the supervision of, individuals designated by the Radiation Safety Committee, W. J. Holms, Chairperson.

12. The Radiation Safety Officer for this license is Mark Farnsworth.

13. A. Sealed sources and detector cells shall be tested for leakage and/or contamination at intervals not to exceed 6 months or at such other intervals as specified by the certificate of registration referred to in 10 CFR 32.210.

B. Notwithstanding Paragraph A, this license sealed sources and detector cells designed to emit alpha particles shall be tested for leakage and/or contamination at intervals not to exceed 3 months.

C. In the absence of a certificate from a transferor indicating that a leak test has been made within 6 months prior to the transfer, a sealed source or detector cell received from another person shall not be put into use until tested.

D. Sealed sources need not be leak tested if:

(i) they contain only hydrogen-3; or

(ii) they contain only a radioactive gas; or

(iii) the half-life of the isotope is 30 days or less; or

(iv) they contain not more than 100 microcuries of beta and/or gamma emitting material or not more than 10 microcuries of alpha emitting material; or

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(v) they are not designed to emit alpha particles, are in storage, and are not being used. However, when they are removed from storage for use or transferred to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source or detector cell shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.

E. The leak 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, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(b)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. The report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011 ATTN: Director, Division of Radiation Safety and Safeguards. The report shall specify the source involved, the test results, and corrective action taken.

F. 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. Maintenance, repair, cleaning, replacement and disposal of foils contained in detector cells shall be performed only by the device manufacturer or other persons specifically authorized by the Commission or an Agreement State to perform such services.

15. A. Detector cells containing a titanium tritide or a scandium tritide foil shall only be used in conjunction with a properly operating temperature control mechanism which prevents the foil temperature from exceeding that specified by the manufacturer and approved by U.S. Nuclear Regulatory Commission.

16. Each gauge shall be tested for the proper operation of the on-off mechanism and indicator, if any, at no longer than 6-month intervals or at such longer intervals as specified by the manufacturer and approved by U.S. Nuclear Regulatory Commission.

17. Installation, initial radiation survey, relocation, removal from service, maintenance, and repair of devices containing sealed sources shall be performed by licensee or by persons specifically licensed by the Commission or an Agreement State to perform such services. Installation, replacement, and disposal of sealed sources shall be performed only by persons specifically licensed by the Commission or an Agreement State to perform such services.

18. Prior to initial use and after installation, relocation, dismantling, alignment, or any other activity involving the source or removal of the shielding, the licensee shall assure that a radiological survey is performed to determine radiation levels in accessible areas around, above, and below the gauge with the shutter open.

This survey shall be performed only by persons authorized to perform such services by the Commission or an Agreement State. A record of the results of this survey shall be maintained for the duration of the license.

19. The licensee shall operate each gauge within the manufacturer's specified temperature and/or

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environmental limits such that the shielding and shutter mechanism of the source holder are not compromised.

20. The licensee shall assure that the shutter mechanism is locked in the closed position during periods when a portion of an individual's body may be subject to the direct radiation beam. The licensee shall review and modify as appropriate its "lock-out" procedures whenever a new gauge is obtained to incorporate the device manufacturer's recommendations.

21. The licensee is authorized to hold radioactive material with a physical half-life of less than 65 days for decay-in-storage before disposal in ordinary trash provided:

    A. Radioactive waste to be disposed of in this manner shall be held for decay a minimum of 10 half-lives.

    B. Before disposal as ordinary trash, byproduct material shall be surveyed at the container surface with the appropriate meter set on its most sensitive scale and with no interposed shielding to determine that its radioactivity cannot be distinguished from background. All radiation labels shall be removed or obliterated.

22. Licensed material shall not be used in or on humans under this license.

23. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.

24. In addition to the possession limits in Condition 9 of this license, shall further restrict the possession of unsealed licensed material to quantities less than 10 times the applicable limits in Appendix C of 10 CFR Part 20 as specified in 10 CFR 30.35(d).

25. If only one radionuclide is possessed, the possession limit is the quantity specified for that radionuclide in 10 CFR 33.100, Schedule A, Column I. If two or more radionuclides are possessed, the possession limit is determined as follows: for each radionuclide, determine the ratio of the quantity possessed to the applicable quantity specified in 10 CFR 33.100, Schedule A, Column I, for that radionuclide. The sum of the ratios for all radionuclides possessed under the license shall not exceed unity.

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26. 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 U.S. 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. Letter dated September 1, 1993

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

/RA/

Date September 5, 2000

By

Jacqueline D. Cook
Nuclear Materials Licensing Branch
Region IV
Arlington, Texas 76011