



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
612 EAST LAMAR BLVD, SUITE 400  
ARLINGTON, TEXAS 76011-4125

June 2, 2010

J.R. Simplot Company  
Department of Plant Sciences  
ATTN: Rekha Chawla, Ph.D.  
Radiation Safety Officer  
5369 West Irving Street  
Boise, Idaho 83706

SUBJECT: TERMINATION OF NRC RADIOACTIVE MATERIALS LICENSE NO. 11-29338-01

By letter dated March 15, 2010, J.R. Simplot Company informed the U.S. Nuclear Regulatory Commission (NRC) of their intentions to terminate NRC radioactive materials license 11-29338-01. The submitted NRC Form 314 dated March 15, 2010 stated that no radioactive materials had ever been procured or possessed under the license.

An NRC inspector conducted an inspection on March 15, 2010 and confirmed that there was no radioactive material and that material was never procured. Based on the documentation submitted and a review of your historical file, the staff concluded that no licensable radioactive material was present in the facility and the facility at 5369 West Irving Street, Boise, Idaho, 83706, is suitable for unrestricted use in accordance with 10 CFR 20.1402, "Radiological Criteria for Unrestricted Use." Based on these conclusions, no further remediation or actions with respect to NRC regulated material is required.

Please find enclosed Amendment No. 02 to License No. 11-29338-01, authorizing your license termination. An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(20)(i).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have questions or require clarification on any of the information stated above, please contact me at 817-276-6547.

Sincerely,

**/RA/**

Casey Alldredge, Health Physicist  
Nuclear Materials Safety, Branch B

J.R. Simplot Company

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Docket: 030-37987  
License: 11-29338-01  
Control: 472649  
Enclosure: As stated

## CHECKLIST

### NUREG 1757 - Appendix C: CHECKLIST OF ACTIONS TO BE COMPLETED BY NRC STAFF UPON RECEIPT OF LICENSED FACILITIES NOTIFICATION OF INTENT TO CEASE LICENSED OPERATIONS

**Facility Information:** License No.: 11-29338-01 Docket No.: 030-37987

Facility Name: J.R. Simplot Company  
Department of Plant Sciences  
Address: 5369 West Irving Street  
Address: Boise, Idaho, 83706

Project Manager: Casey Alldredge  
Date of Notification: March 15, 2010

J.R. Simplot was determined to be Group 1

#### Group 1 Licensees

Question 1:

No

This licensee possessed and used only sealed sources and their most recent leak tests are current and demonstrate that the sealed sources did not leak while in their possession.

Comments:

Question 2:

No

This licensee possessed and used relatively short-lived radioactive material (i.e.,  $T_{1/2}$  less than or equal to 120 days) in an unsealed form, the maximum activity authorized under the license has decayed to less than the quantity specified in 10 CFR Part 20, Appendix C, and the licensee's survey performed in accordance with 10 CFR Part 30.36 does not identify any residual levels of radiological contamination greater than decommissioning screening criteria.

No radioactive materials were ever procured or possessed by the licensee.

Radioactive Material Disposition

March 15, 2010      Date on the submitted NRC Form 314 or equivalent

March 15, 2010      Staff verified disposition of sealed sources or unsealed radioactive material by one of the following:

\_\_\_\_\_      Letter from Form 314 Recipient

\_\_\_\_\_      Call to Form 314 Recipient

Comments:      Staff verified that no radioactive material was ever procured or possessed by licensee during normal announced inspection.

Radioactive Material Records Disposition

No      Licensee transfer of records discussed in 10 CFR 30.35, 30.36, 30.51; 40.36, 40.42, 40.61; or 70.25, 70.38, 70.51:

\_\_\_\_\_      To U. S. NRC

\_\_\_\_\_      To individual assuming responsibility for the license, with a copy of the cover letter to the U.S. NRC.

Comments:      Since the licensee never procured or possessed any radioactive material, there was no transfer of records.

Confirmatory or Side-by-Side Survey

\_\_\_\_\_      Termination survey submitted by licensee.

\_\_\_\_\_      Termination survey satisfies NRC survey requirements.

\_\_\_\_\_      Confirmatory or Side-by-Side survey performed:

Type:  
Date(s):  
Inspector:

\_\_\_\_\_      Close-out inspection performed:

Date(s): March 15, 2010  
Inspector: Larry Donovan

Comments:      Since no work was ever done, nor material ever received, a clear 591 form was left with the licensee.

## Materials License Termination/Retirement Form

LICENSE #: <u>11-29338-01</u>	DOCKET #: <u>030-37987</u>
LICENSEE: J.R. Simplot, Inc.  ADDRESS: 5369 West Irving Street Boise, Idaho 83706	EXPIRATION DATE: May 31, 2019 DATE OF CONTACT: March 15, 2010 CONTACTED BY: Rekha Chawla, Ph.D. TITLE: Radiation Safety Officer TELEPHONE: 208-327-3218

LICENSE TERMINATED:  
June 2, 2010

**BASIS FOR TERMINATION AND/OR RETIREMENT:**

Licensee never ordered, received, or used any radioactive material and subsequently decided that planned work could be done using other methods that do not involve radioactive material. Therefore the licensee decided to terminate their license.

Licensing staff completing form: <u>Casey Alldredge</u>	Date: June 2, 2010
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