

State of New Jersey

CHRIS CHRISTIE
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Environmental Safety and Health
Bureau of Environmental Radiation
Radioactive Materials Program
P.O. Box 415
Trenton, NJ 08625-0415
Phone (609) 984-5462
Fax (609) 633-2210

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

May 27, 2010

David Smith, Radiation Safety Officer
SHIELDALLOY METALLURGICAL CORPORATION
35 S WEST BLVD
PO BOX 768
NEWFIELD, NJ 08344

RE: New Jersey State Radioactive Materials License
SHIELDALLOY METALLURGICAL CORPORATION
Program Interest No.: 517488
Activity No.: RAD100002 - 517488

Dear Mr. Smith:

The Department received your letter of May 12, 2010 requesting an exemption from the provisions of the Increased Control orders (EA-07-305 and EA-05-090). The Department concurs that the special circumstances at Shieldalloy would not allow for aggregation of the radioactive material to give rise to severe detrimental deterministic effects. Therefore, conditions 11 and 12 have been removed.

Your letter contains certain inaccuracies. You state that the slag in the storage yard is not conducive to leaching. However, more information is needed before making this conclusion. Also, the Nuclear Regulatory Commission (NRC) provided information indicating the presence of cracks in the slag which may significantly alter the surface to volume ratio. Your description of the radioactivity in the slag as natural could be interpreted to mean that it is at natural concentrations for New Jersey. This is not the case.

As for your statements regarding the IAEA Code of Conduct, they are also not entirely accurate. The IAEA Code of Conduct established the baseline for security of radioactive sources. The Code is guidance to the Member States; therefore, the Member States can implement it and add more as appropriate. The Increased Controls are based on the Code; however, the NRC expanded the security of radioactive material not only to sealed sources, but unsealed as well. States can choose to apply it to other radioactive material that the State has authority over, including diffuse NORM. The State of New Jersey has the authority to regulate diffuse sources of radium and issue Increased Control Orders as appropriate. (See question #196 from the NRC

RAD100002 - 517488

Questions and Answers Regarding Increased Controls and Implementation for Licensees That Possess Radioactive Material Quantities of Concern.)

Enclosed is New Jersey State Radioactive Materials License No. RAD100002 - 517488 amending your previous license in its entirety, authorizing the storage of specific radioactive materials in the State of New Jersey. Please review each condition carefully.

Should you have any questions regarding your license, please call our office at (609) 984-5557. Thank you for your cooperation.

Sincerely,

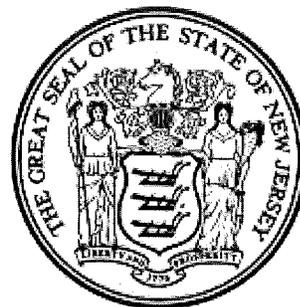
A handwritten signature in black ink that reads "Jenny Goodman". The signature is written in a cursive style with a large, looped "J" and "G".

Jenny Goodman, Supervisor
Diffuse NARM, Source Material, General
Licensing & Decommissioning

Enclosure



State of New Jersey
 Department of Environmental Protection
 Division of Environmental Safety Health & Release Prevention
 Bureau of Environmental Radiation
 Radioactive Materials Program
 P.O. Box 415, Trenton, New Jersey 08625
 Phone (609) 984-5462



Radioactive Materials License

Pursuant to the Radiation Protection Act (N.J.S.A. 26:2D) and the Radiation Code (N.J.A.C. 7:28, et seq.), as amended, 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 radioactive material(s) 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. This license is subject to all applicable rules, regulations, and orders of the New Jersey Department of Environmental Protection, now or hereafter in effect, and to any conditions specified below.

DOCUMENT INFORMATION

Program Interest (PI) ID: 517488

Issuance Date: May 27, 2010

License Number: RAD100002 - 517488

Expiration Date:

ADMINISTRATIVE INFORMATION

Licensee Name and Administrative Address
 SHIELDALLOY METALLURGICAL CORPORATION
 35 S WEST BLVD PO BOX 768
 NEWFIELD BORO, NJ 08344

Administrator:
 Hoy Frakes
Radiation Safety Officer:
 David Smith

PROGRAM INFORMATION

Program Code	Description
11810	Source Material Standby - No Operations
70001	Financial Assurance (FA)

LICENSE CONDITIONS

This license is subject to the following conditions:
 Section A – Authorized Materials, Form, Limits, Uses & Users
 Section B – Authorized Locations
 Section C – Location & Device Inventory
 Section D – Supporting Documents
 Section E – License Conditions

This license, which shall be effective immediately, is issued on behalf of the Department under the authority of:

Signature: Jenny Goodman
 Print Name: Jenny Goodman

May 21, 2010
 Date

SECTION A – Materials, Form, Limits, Uses & Users

Material	Form	Max Limit	Authorized Uses	Authorized Users
Thorium-232	Solid	35 curies	Non-Human Use - Possession and storage only as a result of remediation, decontamination and/or decommissioning activities.	Hoy Frakes David Smith David J White
Uranium-238	Solid	35 curies	Non-Human Use - Possession and storage only as a result of remediation, decontamination and/or decommissioning activities.	Hoy Frakes David Smith David J White

SECTION B – Authorized Locations

Site ID	Site Name	Street Address	Municipality
16028	SHIELDALLOY METALLURGICAL CORP	12 S WEST BLVD	Vineland City

SECTION C – Inventory of locations and devices

ID	Category	Type	Description
911606	Rad Material Radiation Authorized Area	Possession only	Facility at West Blvd., Newfield, NJ

SECTION D – Supporting Documents

Doc Type	Title/Description	Date	Contact Name (signature)
Other	Radiation Protection Program Plan Rev.003	5/3/2010	David Smith
Letter	Request for DP	10/8/2009	Patricia Gardner
Letter	Request for Exemption or Stay	11/18/2009	Dennis Krumholz
Letter	Denial of Exemption and Stay Request	12/11/2009	Jill Lipoti
Letter	Granting of Adjudicatory Hearing	2/24/2010	Leslie Ledogar
Letter	Application for Exemption from Increased Controls	5/12/2010	David Smith

SECTION E – License Conditions (Requirements Report attached)

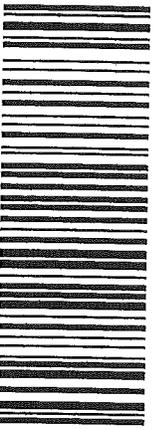
SHIELDALLOY METALLURGICAL CORPORATION
517488 RAD100002 RAD Materials License -Amended License
Requirements Report

Subject Item: PI 517488 -

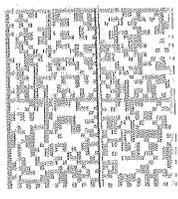
1. The licensee must confine his possession and use of source material to the materials, physical forms, maximum possession limits and authorized uses and authorized users listed in section A of this license document. Licensed material shall only be stored at the locations specified in sections B and C of this license document. [N.J.A.C. 7:28-58.1]
2. Locations specified in section C of this license document shall be maintained as an area with restricted access and completely enclosed by a fence with a locked gate. [N.J.A.C. 7:28-58.1]
3. Licensed material shall only be handled by, or under the supervision of, individuals specified in section A of this license document. [N.J.A.C. 7:28-58.1]
4. Compliance with State and Federal agencies having jurisdiction and regulations for radioactive materials must be maintained. [N.J.A.C. 7:28-58.1]
5. The licensee shall make the following items available to their staff: (A) current copy of the New Jersey Radiation Protection Code; and (B) current copy of the New Jersey Radioactive Materials License. [N.J.A.C. 7:28-58.1]
6. The licensee shall post the following items in an area frequented by employees engaged in the handling of licensed materials: (A) Notice to Employees form RPP-14; (B) Emergency procedures including contact information for the Radiation Safety Officer, State and Local Law Enforcement and Emergency Services, and NJDEP Radioactive Materials Program; and (C) Appropriate signs and labels in accordance with N.J.A.C. 7:28-6.1. [N.J.A.C. 7:28-50.1]
7. In addition to the reporting requirements in N.J.A.C. 7:28 et seq., the Department is to be notified within 24 hours in the event of any potential of radioactive contamination impacting off-site areas. [N.J.A.C. 7:28-1. et seq.]
8. Radioactive waste generated during remediation will be packaged and transported in accordance with N.J.A.C. 7:28-61. Disposal will be at a licensed low level radioactive waste site unless other arrangements are approved by the Department. The Department shall be notified as soon as the disposal site is identified. Waste manifests will be prepared in accordance with the requirements in N.J.A.C. 7:28-6 (Appendix G of 10 CFR 20). [N.J.A.C. 7:28-58.1]
9. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, procedures, and work plans contained in the documents, including any enclosures, specified in section D of this license document. [N.J.A.C. 7:28-58.1]
10. A decommissioning plan is required pursuant to N.J.A.C. 7:28-58.1 (10 CFR 40 adopted by reference) that complies with N.J.A.C. 7:28-12.1 et seq. and results in license termination. [N.J.A.C. 7:28-58.1]

State of New Jersey
Department of Environmental Protection
Bureau of Environmental Radiation
P.O. Box 415
Trenton, N.J. 08625-0415

CERTIFIED MAIL™



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05/28/2010
\$05.710
Mailed From 08608
US POSTAGE

David Smith, RSO
SHIELDALLOY METALLURGICAL CORP
35 S WEST BLVD
PO BOX 768
NEWFIELD, NJ 08344

RETURN RECEIPT REQUESTED

5/29
6/2
6/12

5-91

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