

License: 11-2743401
Packet: 030-32760

Cook, Jackie

From: Cook, Jackie
Sent: Thursday, February 09, 2017 12:10 PM
To: 'allen.stuart@lhoist.com'; 'travis.soffel@lhoist.com'
Cc: 'steven.curreri@lhoist.com'; Simmons, Michelle; Campbell, Vivian; Torres, Roberto; Shaffer, Mark; Howell, Linda
Subject: AMENDMENT TO LICENSE NO. 11-27434-01 Lhoist North America
Importance: High

Good Morning Mr. Stuart and Mr. Soffel! Again, I want to thank you gentlemen for taking time out of your busy schedules to have a teleconference with me on Tuesday, February 7, 2017.

To summarize: It was noted that the expiration date of your materials license (License No. 11-27434-01) is September 30, 2014; however, the expiration date shown in our Web Based Licensing (WBL) tracking system shows an expiration date of September 30, 2022. This issue was noted when your parent company, Lhoist North America, located in Fort Worth, Texas (Agreement State jurisdiction) wanted to acquire the gauges located at your facility in Bancroft, Idaho and you received a copy of the most recent amendment to your material license via email.

In addition, it was noted by Mr. Steven Curreri, Regional Environmental Manager, Lhoist North America, Fort Worth, Texas, that it will be difficult to find a company to transport the gauges from one location to the other with the Bancroft facility having an expired license. After discussion with my Division Director and Branch Chief, it was decided that you will need to request an amendment to your license and we will extend the expiration date until the end of this year (Dec. 31, 2017). Also, following is the website link for NRC Form 314, Certificate of Disposition of Materials (in order to terminate your license since the gauges are being transferred to your parent company located in Fort Worth, Texas): <https://www.nrc.gov/reading-rm/doc-collections/forms/> which should be completed and submitted to us after the gauges are no longer at the Bancroft facility.

Please note that 10 CFR 30.36 (<https://www.nrc.gov/reading-rm/doc-collections/cfr/part030/part030-0036.html>) is the regulation for expiration and termination of licenses and decommissioning of sites and separate buildings or outdoor areas. In addition, please note that 10 CFR 30.36(a) implies that the expiration date of the license is the responsibility of the licensee. 10 CFR 30.36(d) is the timeliness rule which states that you must notify us within 60 days of the occurrence of no principal activities under the license have been conducted for a period of 24 months. (The definition of principal activities is found in 10 CFR 30.4 [<https://www.nrc.gov/reading-rm/doc-collections/cfr/part030/part030-0004.html>]).

Please respond to the following items:

1. Please describe the status of the Bancroft facility since the issuance of the renewal dated September 21, 2012.
2. Please confirm if you've paid fees for this fiscal year (FY) or specify when you last paid fees for this license. For any questions or concerns regarding fees, please contact Mrs. Jawanza Gibbs-Nicholson @ Jawanza.Gibbs-Nicholson@nrc.gov or 301-415-5245. The annual fee schedule can be found in 10 CFR 171.16 (<https://www.nrc.gov/reading-rm/doc-collections/cfr/part171/part171-0016.html>).
3. Please review license condition 13.E. of your license and please respond accordingly.
4. Please submit an amendment request to your license to allow transfer to an authorized recipient.

Please note that because the expiration date is the responsibility of the licensee, we may have to issue a no response notice of violation concurrent with the issuance of the amendment to your license. More information to be forthcoming concerning this.

I understand the above is a lot of information to digest and may be confusing. Please do not hesitate to contact me if you have any questions or additional concerns after reading the above.

Respectfully submitted,

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PUBLIC

- Immediate Release
- Normal Release

NON-PUBLIC

- A.3 Sensitive-Security Related
- A.7 Sensitive Internal
- Other: _____

Reviewer: JC Date: 2/9/17