

From: [Ullrich, Elizabeth](#)
To: [Brian Henderson](#); victor.letourneaut@up-sidemanagement.com
Cc: [Burritt, Arthur](#); [Reichard, Michael](#)
Subject: FW: application for new license for Up-side Management company
Date: Wednesday, August 15, 2018 1:20:00 PM

My apologies, I missed an entire segment of your email address.
Betsy

From: Ullrich, Elizabeth
Sent: Wednesday, August 15, 2018 1:19 PM
To: 'bmhenderson@techservices.com' <bmhenderson@techservices.com>; 'victor.letourneaut@up-sidemanagement.com' <victor.letourneaut@up-sidemanagement.com>
Cc: Burritt, Arthur <Arthur.Burritt@nrc.gov>; Reichard, Michael <Michael.Reichard@nrc.gov>
Subject: application for new license for Up-side Management company

To: Willie Bremer

As we discussed a few minutes ago regarding your application for a new license for Up-Side Management Company, I understand the following:

1. The current license for “Up-Side Radiological Services LLC” [LN 09-29309-01] is a joint venture between Up-Side Management Corporation and Radiological Services; under a prior agreement, that license will revert to Radiological Services sometime soon, and Up-Side Management Company wishes to have its own license in order to continue these activities.
 2. At this time, Up-Side Management Corporation and Up-Side Radiological Services LLC share an address and president. When the joint venture ends, the shared address will end.
 3. You purposefully applied for a “Type A Broad Scope license...” to provide “services in radiological assessment and remediation planning services...as well as services in all aspects of radioactive decontamination and decommissioning...” and “radioactive waste management services”.
- Please note that I neglected to discuss that a Type A broad scope license, issued under Part 33, has additional requirements that are not covered under the ‘site remediation contractors [aka decommissioning services]’ activities as described in NUREG-1556 Volume 18. I don’t believe you actually want a Part 33 broad scope license [guidance in 1556 Volume 11] but are really looking for the broad range of radionuclides; those radioactive materials are covered under the site remediation license. In addition, a broad scope license would add another program code and fee category to your license. **We will clarify this with you during the regular licensing review.**
 - As we did discuss, the site remediation contractor/decommissioning services activities, with program code 03219 in fee category 3N(2), covers byproduct material. Source material as requested in your application will fall under program code 11300’source material greater than 150 kilograms in fee category 2F. The SNM you requested will fall under program codes 22110, 22111, 22120

22140, 22150 and 22151 all in fee category 1D. **You will need to determine if you still wish these materials to be authorized. No response is needed at this time, but you should think about it so you can respond when a request for additional information is issued.**

- The waste activities you have requested fall under program code 03234 in fee category 4B. **As we discussed, I will get a determination from our legal counsel if an environmental assessment is required.** I believe it is, because the only exception I find in 10 CFR 51.22 related to waste is in 51.22(c)(14)(xii) "Acceptance of packaged radioactive wastes from others for transfer to licensed land burial facilities...". I will get back to you on this. It is my understanding that, if an environmental assessment is needed, you may reconsider if waste services will be provided.

Please let me know if any of my understandings are incorrect. Your application will continue through the administrative process. I plan to request this action be assigned to me and one other reviewer because it is a complex action.

Thanks,
Betsy Ulrich

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