



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
2100 RENAISSANCE BLVD.
KING OF PRUSSIA, PA 19406-2713

December 19, 2018

Victor Letourneaut, President
Up-Side Management Company
324 East Third Street
Jacksonville, FL 32206

SUBJECT: UP-SIDE MANAGEMENT COMPANY, REQUEST FOR ADDITIONAL
INFORMATION, MAIL CONTROL NO. 609627

Dear Mr. Letourneaut:

This is in reference to your response for additional information letter dated October 4, 2018, requesting a new NRC License No. 09-35501-01. In order to continue our review, we need the following additional information:

1. In your letter in item 3, you confirmed that you wish to be licensed as a Broad Scope A license. After discussions with us by telephone on December 6, 2018, it is our understanding that you no longer wish to pursue becoming a Broad Scope A at this time. Please confirm that you do not wish to become a Broad Scope A licensee at this time. You may not approve new uses, nor may you change your procedures as committed to us without an amendment. Authorized users will be trained as described in item 3 of your letter.
2. In our discussion on December 6, 2018, we discussed the need to separate the authorization to possess material at the temporary job site and possession incident to providing services.
 - A. Specifically delineate what amount of material you need to provide services in which the licensee that you support possesses the material and you are authorized only for provided services.
 - B. List material you need to actually possess to provide those services. This amount will be used for determine if you need to provide financial assurance or an emergency plan.
3. In item 3 of your letter, you state that you have substantial experience through your joint venture with Radiological Survey & Remedial Services, LLC. Having said that, please discuss what activities that Upside Management Company (U-SMC) has been engaged that did not have a component of Radiological Survey & Remedial Services, LLC overseeing the activity. It is suggested that you provide an organizational chart showing how the joint venture of the two companies are formed and the portions that U-SMC comprised.
4. In response 4, you confirmed that you wish to have iodine-125, Iodine-131, strontium-90 and thorium-232 sources on your license. Although other decommissioning vendors may have this on their license, it is not typical. Please justify why you need these isotopes in larger quantities than already authorized by the other isotope authorizations.

5. After your response to item 4, you still requested Items G and J. on your application. Please confirm that you understand item J must be removed and you may possess material under item G.
6. In response to item 5, although you confirmed many items, you did not request sealed sources as stated in 10 CFR 30.32(g). Please review NUREG-1556, Volume 18, Rev 1, section 8.5.1 and 10 CFR 30.32(g) to determine the authorization for your sources. If specific manufactures and model numbers are not feasible, then you might consider requesting constraints as allowed in 10 CFR 30.32(g)(4).
7. In response to item 7 and 8, you state that you would perform waste management activities like cutting, grinding, scabbling, laser delamination, nitrocion, alternate decontamination methods, compaction, stabilization, and repackaging. NUREG-1556, Volume 18, rev. 1, section 8.10.1 states, that applicants who perform high-risk licensed activities should submit their operating and emergency procedures for radiological conditions that might be encountered as part of their license application. Please review section 8.10.1 and submit your operating and emergency procedures for these processes and any other higher risk processes that you might encounter.
8. In response 19, you clearly state that you will not package type B packages. In your request in section 6 your request for performing commercial services for transport in packages or containers approved for use under the provision of 10 CFR 71. Please clarify specifically what authorization you are requesting.
9. In item 22, you did not state, "Leak testing and analysis will be done by the applicant." This is stated in section 8.10.5 in NUREG-1556, Vol. 18, Rev. 1 Please make this statement.
10. In item 24, you responded that you would follow a regulatory bases but discussed requirements such as EPA and DOE. Please confirm that the release criteria of facilities will meet 10 CFR Part 20, Subpart E, Radiological Criteria for License Termination for any facility and land area under this NRC license.
11. Additionally in item 24, you acknowledge that Table 2 "Acceptable Surface Contamination Levels," was for items. However the section discussing the table does not make this clear. Please revise this section to ensure compliance with 10 CFR Part 20, Subpart E.
12. Your request for materials and authorization allows U-SMC to take possession of material incident to disposal, and for possession of sealed sources for calibration. You state in section 5 of your letter that financial assurance is not required. However, you did not specify any method that would limit you from possessing quantities that would require provision of financial assurance or an emergency plan. Please provide your method for preventing your from exceeding financial assurance as well as emergency plan requirements. Alternately, you may submit financial assurance and emergency plans.
13. Section 5, isotope D still states per source when the form requested is "any". Thus we will use total curies if listed. No response is needed for this item.

14. Section 9, Facilities and Equipment did not discuss instrumentation for environmental surveys that you plan to perform. Per NUREG-1556, Vol 18, Rev 1 section 8.10.3 states for you to provide a description of the instrumentation that will be used to perform required radiological surveys. Please provide a description of laboratory equipment you may use for environmental surveys.

We will continue our review upon receipt of this information. Please reply to my attention at:

Dennis Lawyer, Health Physicist
Mail Control No. 609627
USNRC, Region I
Division of Nuclear Materials Safety
2100 Renaissance Boulevard
King of Prussia, PA 19406

Alternatively, the letter may be scanned and submitted as a pdf document attached to an email; or it may be transmitted by facsimile to (610) 337-5269.

In order to continue prompt review of your application, we request that you submit your response to this letter within 30 calendar days from the date of this letter.

An electronic version of the NRC's regulations is available on the NRC Web Site at: www.nrc.gov. Additional information regarding use of radioactive materials may be obtained on the NRC Web Site at: <http://www.nrc.gov/materials/miau/mat-toolkits.html>. This site also provides the link to the toolbox for updated information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter 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>. Please be aware that you may request that certain portions of your submittal to NRC be withheld from public disclosure as proprietary information. To do this, you must execute an affidavit as specified in 10 CFR 2.390. You must list all portions that you wish to be held proprietary, along with your reasoning as to why that is appropriate. While it is allowable, please refrain from submitting proprietary information in support of a license unless necessary. Keep in mind that all NRC licenses are considered to be in the public domain, and therefore may be viewed by any member of the public who requests to see them.

If you have any questions regarding this request for additional information, please contact me at Dennis Lawyer or via electronic mail at dennis.lawyer@nrc.gov.

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Lawyer", with a long horizontal flourish extending to the right.

Dennis Lawyer, Health Physicist
Commercial, Industrial, R&D
and Academic Branch
Division of Nuclear Materials Safety
Region I

License No. 09-35501-01
Docket No. 03039124
Mail Control No. 609627

cc: Willie Bremer, Radiation Safety Officer

UP-SIDE MANAGEMENT COMPANY, REQUEST FOR ADDITIONAL INFORMATION, MAIL CONTROL NO. 609627 DATED December 19, 2018

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