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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of)	Docket Nos.	030-05980
SAFETY LIGHT CORPORATION)		030-05981
UNITED STATES RADIUM)		030-05982
CORPORATION)		030-09335
USR INDUSTRIES, INC.)		030-08444
USR CHEMICAL PRODUCTS, INC.)		
USR METALS, INC.)		
USR LIGHTING, INC.)		
U.S. NATURAL RESOURCES, INC.)		
LIME RIDGE INDUSTRIES, INC.)	(ASLBP NO. 89-590-01-OM)	
METREAL, INC.)	AND 90-598-01-OM-2)	
(Bloomsburg Site Decontamination))		

OFFICE OF SECRETARY
OPERATIONS & SERVICE
PLANNING

JOINT STATUS REPORT AND JOINT MOTION TO
CONTINUE TO HOLD PROCEEDING IN ABEYANCE

I. STATUS

On May 9, 1990, the Atomic Safety and Licensing Board (Licensing Board) presiding in this proceeding granted the joint motion of USR Industries, Inc. ("USR Industries") and the NRC Staff to hold this proceeding in abeyance until November 15, 1990.¹ During the interim, USR Industries hired Chem-Nuclear Systems, Inc. (CNSI) to study the nature and extent of radioactive contamination on portions of the Bloomsburg site. CNSI reported the results of that study in "Soil Coring/Monitoring Well Installation Program and Hydrogeological/Radiological Evaluation of the Safety Light Facility Bloomsburg, Pennsylvania"

¹ *Safety Light Corp.* (Bloomsburg Site Decontamination), Memorandum and Order (Granting Joint Motion of USR Industries and Staff to Hold Proceeding in Abeyance), Atomic Safety and Licensing Board (May 9, 1990) (unpublished order).

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(October 11, 1990), as modified by letter dated November 7, 1990. USR Industries, Safety Light Corporation ("Safety Light"), and the NRC Staff have been discussing the results of that study and the availability of funds for further action at the site. Such discussions were scheduled for completion by November 15, 1990 but have not resulted in a final resolution of this matter. In addition, the NRC Staff has been considering the results of the CNSI study in order to determine whether the March and August, 1989 Orders that are the subject of this proceeding should be modified, relaxed, or rescinded.

As a matter distinct from this proceeding, the NRC Staff is considering Safety Light's submittal in response to the decommissioning funding requirements of 10 C.F.R. § 30.35 (1990), filed on July 27, 1990. Therein, Safety Light (1) advised the NRC that it had endeavored to obtain a surety bond to provide \$750,000 of financial assurance but had thus far been unsuccessful, (2) requested that the NRC consider the coverage and claims relating to the Bloomsburg site under insurance policies issued by seventeen insurance carriers as providing the required level of surety, and (3), in the alternative, pursuant to 10 C.F.R. § 30.11, requested an exemption from the requirements of § 30.35. In order to determine what further action should be taken in this regard, the Staff has

prepared Demands for Information to Safety Light and USR Industries, to be transmitted shortly, which will require a response within 30 days thereafter.² The resolution of the decommissioning funding matter, although outside the scope of this proceeding, is likely to have a significant bearing on the Staff's determination of whether to modify, relax, or rescind the outstanding Orders which are the subjects of this proceeding. Review of responses from Safety Light and USR Industries will require a short period of time, approximately 30 days, at which time the Staff intends to reach a final determination as to whether to modify, relax or rescind the outstanding Orders or to take other appropriate action. The Staff believes that resumption of activity in this proceeding, including the commencement of adjudicatory proceedings, during this period of deliberation will limit the parties' ability to resolve this matter.

II. MOTION

In light of the above considerations, the NRC Staff, Safety Light Corporation, and USR Industries, Inc. request that the Licensing Board continue

² For the Licensing Board's information, the NRC Staff is also sending Demands for Information to licensees other than Safety Light who are not yet in compliance with the requirements of § 30.35.

to hold this proceeding in abeyance until January 21, 1991.

Respectfully submitted,

Robert M. Weisman
Robert M. Weisman
Counsel for NRC Staff

Robert M. Weisman For Gerald
Gerald Charnoff Charnoff
Counsel for USR Industries, Inc.
and Safety Light Corporation

Dated at Rockville, Maryland
this 15th day of November, 1990.

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LIME RIDGE INDUSTRIES, INC.)	90-598-01-0M-2)
METREAL, INC.)	
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OFFICE OF SECRETARY
DUCKETING & SERVICE
BRANCH

CERTIFICATE OF SERVICE

I hereby certify that copies of "JOINT STATUS REPORT AND JOINT MOTION TO CONTINUE TO HOLD PROCEEDING IN ABEYANCE" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or as indicated by an asterisk through deposit in the Nuclear Regulatory Commission's internal mail system or as indicated by a double asterisk by hand delivery or as indicated by triple asterick by express mail service, this 15th, day of November, 1990:

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Dated at Rockville, Maryland
this 15th day of November, 1990.