



**BP RESEARCH**

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Cleveland, Ohio 44128-2837

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November 6, 1990

A. Bert Davis  
US Nuclear Regulatory Commission  
Region III  
799 Roosevelt Road  
Glen Ellyn, IL 60137

Dear Mr. Davis:

In response to your letter of 11/2/90 concerning 10 CFR 30.35 and the status of our license, please refer to the enclosed copy of our renewed license (February, 1990) and the cover letter which accompanied it.

The high-lighted sentences state that we are not obligated to file the decommissioning paperwork in view of condition 19 which was added to our license; therefore, I did not submit any plan.

If there are still any problems with our compliance with 10 CFR 30.35, please contact me at (216) 581-5324.

Sincerely,

*Anne Zucker*

Anne Zucker  
Radiation Safety Officer

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION III  
200 WASHINGTON BOULEVARD  
CLEVELAND, OHIO 44115-1001

BP America  
ATTN: Ms. Ann Zucker  
Radiation Safety Officer  
440 Warrensville Center Road  
Cleveland, OH 44128-2837

Gentlemen:

Enclosed is Amendment No. 26 renewing your NRC License No. 34-01308-02 in accordance with your request.

On June 27, 1988, the Commission established regulations for decommissioning licensed nuclear facilities. The regulations address decommissioning planning needs, timing, funding methods, etc. The intent of the regulations is to ensure that the decommissioning of all licensed facilities will be accomplished in a safe and timely manner, and that licensees will provide adequate funds to cover all costs associated with decommissioning. According to 10 CFR 30.35 (enclosed), financial assurance requirements for a Part 30 licensee are based upon the type, form, and quantity of material authorized on the license. A license which authorizes an unlimited quantity of material (i.e., does not specify a possession limit) requires that a licensee develop a complete decommissioning funding plan. In order to relieve you of this responsibility, we have added License Condition 19 to your license which states that you must restrict your possession of licensed material below the minimum limits specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance. This condition will be deleted should you ever choose to amend your license to specify possession limits.

However, you should note that all licensees, regardless of possession limits, are required to keep records relative to information which the Commission considers important to decommissioning. Therefore, we have added License Condition 20, requiring that you maintain such records as set forth in Section 30.35(g).

Please review the enclosed document carefully and be sure that you understand all conditions. You must conduct your program involving radioactive materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.

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MATERIALS LICENSE  
SUPPLEMENTARY SHEET

License number	34-01308-02
Docket or Reference number	030-05645
Amendment No. 26	

13. Sealed sources containing licensed material shall not be opened.
14. Licensed material shall not be used in or on human beings or in field applications where activity is released except as provided otherwise by specific condition of this license.
15. The licensee may transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
16. Detector cells containing licensed material shall not be opened or the sources removed from the detector cell by the licensee.
17. In lieu of using the conventional radiation caution colors (magenta or purple on yellow background) as provided in Section 20.203(a)(1), of 10 CFR Part 20, the licensee is hereby authorized to label detector cells and cell baths, containing licensed material and used in gas chromatography devices, with conspicuously etched or stamped radiation caution symbols without a color requirement.
18. A. Detector cells containing titanium tritide foil shall only be used in conjunction with a properly operating temperature control mechanism which prevents foil temperatures from exceeding 225 degrees Centigrade.  
 B. Detector cells containing scandium tritide foil shall only be used in conjunction with a properly operating temperature control mechanism which prevents foil temperatures from exceeding 325 degrees Centigrade.
19. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.
20. The licensee shall maintain records of information important to safe and effective decommissioning at BP America, Research Center, 4440 Warrensville Road, Cleveland, Ohio per the provisions of 10 CFR 30.35(g) until this license is terminated by the Commission.