

Land O'Lakes, Inc.

4001 LEXINGTON AVE. N., ARDEN HILLS, MINNESOTA

Mailing address: P.O. Box 116, Minneapolis, MN 55440
Telephone: (612) 481-2222

November 13, 1990

A. Bert Davis, Regional Administrator
U.S. Nuclear Regulatory Commission, Region III
799 Roosevelt Road
Glen Ellyn, Illinois 60137

RE: Nuclear Regulatory Commission (NRC) Docket No. 03014160,
License No. 22-18777-01

Dear Mr. Davis:

This letter is in response to your letter dated November 2, 1990 indicating that the Land O'Lakes, Inc. Analytical Laboratory located at 4001 Lexington Avenue North, Arden Hills, Minnesota 55126, may be in violation of NRC regulation 10 CFR 30.35.

In particular, we have only two sealed sources of radioactive byproduct material in our possession at this time. Each is a sealed source of Nickel-63 which is housed in an electron capture detector of a gas chromatograph. The maximum amount of radiation is 15 millicuries per detector.

After careful review of this information and our license we have determined that the type, form, and quantity of material in our possession does not warrant the development and submittal of a decommissioning funding plan or certification of financial assurance as described in 10 CFR 30.35.

In addition, please note that we contacted Debbie Piskura, NRC Region III Materials Licensing Section, by telephone on November 8, 1990 and she also concluded that a decommissioning funding plan or certification of financial assurance is not necessary. Also note we have enclosed a copy of a letter from Cassandra F. Frazier, NRC Region III Materials Licensing Section, which refers to Amendment No. 05 of our NRC License 22-1877-01, dated January 18, 1990, which also states a similar conclusion.

Please note that we have applied for a new license application dated July 27, 1990, which is currently under review. It is our intention to contact Mr. Kevin Null, NRC Region III Materials Licensing Section, who is currently

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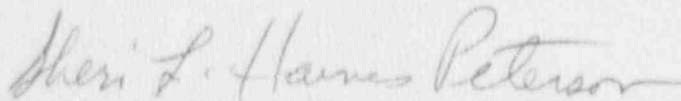
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Mr. A. Bert Davis/Letter
November 13, 1990
Page Two

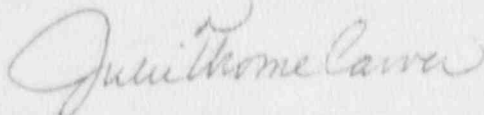
reviewing our license application and request that our license be limited. This should avoid any future confusion regarding our compliance to 10 CFR 30.35.

We swear that the information contained in this letter is true to the best of our knowledge on this, the 13th day of November, 1990 here at Land O'Lakes, Inc., 4001 Lexington Avenue North, Arden Hills, Minnesota 55126.

Sincerely,



Sheri L. Haines Peterson
QC Chemist, Analytical Laboratory



Julie Thome Carver
Chemistry Supervisor, Analytical Laboratory

- Enclosures:
- (1) Copy of letter from Cassandra F. Frazier, NRC Region III Materials Licensing Section regarding our Amendment 05, NRC License No. 22-18777-01, dated January 18, 1990.
 - (2) Copy of our NRC License 22-18777-01 and subsequent amendments.

Copy To: Director
Division of Low-Level Waste Management and Decommissioning
Office of Nuclear Material Safety and Safeguards
Washington, D.C. 20555