



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

August 7, 1996

U.S. Department of Energy
ATTN: Mr. Steve Cowan
Deputy Assistant Secretary
for Waste Management
Environmental Management
Washington, D.C. 20585

Dear Mr. Cowan:

We are requesting the assistance of the Department of Energy (DOE) to store or dispose of one well logging neutron source containing approximately 3 curies of americium-241/beryllium (AmBe) located in Stone Creek, Ohio, and one general neutron source containing 30 mCi americium-241/beryllium located in Franklin Park, Illinois. Both sources exceed Class C limits for near-surface disposal of low-level radioactive material.

The well logging source was previously possessed by Perfection Services, Inc., located in Stone Creek, OH, which filed for bankruptcy in February of this year. This source, and an additional 18 other sources, were to be transferred to another licensee as part of an order from the bankruptcy court. Leak test results, taken as a precursor to the transfer of the sources to the new licensee, indicated that the source, and another cesium-137 source, were leaking. It should be noted that low levels of additional contamination have been identified in specific areas of the facility, as well.

The new licensee is not authorized to accept unsealed radioactive material. The 17 sources that were determined to not be leaking will likely be transferred to the new licensee. Our General Counsel staff is attempting to petition the bankruptcy court and the trustee to allocate funds for disposal of the leaking cesium-137 source. All other attempts to provide disposal of the leaking cesium-137 source, including contacting the State of Ohio, have been unsuccessful. If the staff is unsuccessful in the petition, and no other arrangements can be made for disposal, we would request DOE store or dispose of this source, as well.

The leaking sources and the site are currently under the control of the bankruptcy trustee, a non-licensee, and the situation is being closely monitored by our Region III office. The trustee had attempted to abandon the facility previously, but is currently maintaining control over it. Based on the lack of a responsible licensee and the inability to transfer the leaking sources to the new licensee or to another authorized recipient, control over the material cannot be ensured.

In addition to petitioning the court and trustee for disposal of the cesium-137 well logging source, the Region III and General Counsel staffs are attempting to ascertain the extent to which the trustee can provide assistance with the transport of the AmBe source to a site of DOE's choosing.

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The exact location of the well logging source(s) can be obtained from Ms. B. J. Holt at (630) 829-9836 or Ms. Cynthia Pederson at (630) 829-9800, of our Region III office.

The general neutron source was previously possessed by Gammie Nuclear Services, located in Franklin Park, IL, whose license expired June 1994, and who has not applied for license renewal. The State issued an order to the former licensee to dispose of or transfer the material. Gammie Nuclear Services has abandoned the site, not responded to the order, and has not disposed of or transferred the source. Attempts by the State to contact Gammie Nuclear Services have been unsuccessful.

The State contacted the manufacturer of the source who indicated that they would not accept the return of the source because of the lack of disposal options. Attempts by the State to locate another licensee willing and able to accept the source have been unsuccessful. Based on the lack of a responsible licensee, lack of disposal options, and the absence of another licensee willing and able to accept the source, control over the material cannot be ensured. Additionally, the State of Illinois has indicated that the State can provide transportation for the neutron source to a site of DOE's choosing.

The exact location of the neutron source can be obtained from Mr. Bruce Sanza, of the Illinois Department of Nuclear Safety, at (217) 785-9932.

Since control and proper disposition of the material cannot be ensured, the leaking well logging source and neutron source must be removed from their respective facilities as soon as possible to protect public health and safety. We believe the situations above represent a threat to the public health and safety and, therefore, meet the conditions specified by Mr. Leo P. Duffy in his letter of April 7, 1992, for emergency assistance by DOE. I have enclosed additional information on the sources for your use. Your attention to this matter is greatly appreciated.

If you have any questions concerning this matter, do not hesitate to call me at (301) 415-7197, or Mr. Douglas Broadus at (301) 415-5847.

Sincerely,

Original signed by Donald A. Cool

Donald A. Cool, Director
Division of Industrial and
Medical Nuclear Safety
Office of Nuclear Material Safety
and Safeguards

Enclosure: As stated

Distribution:

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* Concurrence via facsimile

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OFFICE	IMAB <i>5/8/96</i>	E	IMAB <i>5/8/96</i>	RIII/DNMS	IMNS <i>5/17/96</i>		
NAME	DABroadus		LWCamper	BJHolt*	DACool <i>5/17/96</i>		
DATE	8/7/96		8/7/96	8/7/96	8/7/96		

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Enclosure

Information concerning two leaking well logging sources in an un-licensed facility in Ohio:

- Source Model: 71-1 manufactured by Gulf Nuclear Incorporated. Source contains approximately 3 curies Am-241/Be in the form of pressed americium oxide powder and beryllium metal. Results from a leak test on July 25, 1996: 0.0079 microcuries Am-241 contamination.
- Source Model: CSV manufactured by Gulf Nuclear Incorporated. Source contains approximately 2 curies cesium-137 in the form of cesium chloride adsorbed to ceramic pellets. Results from a leak test on July 25, 1996: 1.3 microcuries Cs-137 contamination.

Information concerning one neutron sealed source in an un-licensed facility in Illinois:

- Source Model: AMN.PE1 manufactured by Amersham Corporation. Source contains approximately 30 millicuries Am-241/Be in the form of pressed americium oxide powder and beryllium metal.