



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

March 21, 1984

MEMORANDUM FOR: Samuel J. Chilk
Secretary

FROM: James Lieberman
Director and Chief Counsel
Regional Operations and Enforcement Division
Office of the Executive Legal Director

SUBJECT: REQUEST FOR HEARING ON ORDER MODIFYING LICENSE
(EFFECTIVE IMMEDIATELY) - INTERNATIONAL NUTRONICS, INC.,
LICENSE NO. 29-13848-01; EA 83-122

On January 30, 1984, the Director of the Office of Inspection and Enforcement issued the enclosed Order Modifying License (Effective Immediately) to International Nutronics, Inc. By letter dated February 22, 1984 the licensee requested a hearing on the January 30th order. The hearing request is enclosed for your action.

James Lieberman
Director and Chief Counsel
Regional Operations and Enforcement
Division
Office of the Executive Legal Director

Enclosure: as stated

CC:
M. Malsch, OGC

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Facility Operating Licenses: Availability of Applicants' Environmental Report; Consideration of Issuance of Facility Operating Licenses: Opportunity for Hearing.

The Board is comprised of the following Administrative Judges:

Morton B. Margulies, Chairman, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Mr. Gustave A. Lineberger, Jr., Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Dr. Oscar H. Paris, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Issued at Bethesda, Maryland, this 31st day of January 1984.

B. Paul Cotter, Jr.,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 84-3280 Filed 2-6-84; 8:45 am]

BILLING CODE 7590-01-01

[License No. 29-13848-01 EA 83-122]

In the matter of International Nutronics, Inc.; Order Modifying License, Effective Immediately

I

International Nutronics, Inc., U.S. Highway 46 and Schley Street, Dover, New Jersey 07801 (the Licensee), is the holder of Byproduct Material License No. 29-13848-01, which authorizes the Licensee to possess, store, and use byproduct and source material for irradiation of materials, calibration of instruments, and shielding. The license was last renewed on July 14, 1981 and will expire on July 31, 1986. The license permits use of material only at the Licensee's facilities at U.S. Highway 46 and Schley Street, Dover, New Jersey.

II

On September 30, 1983, the NRC Region I office was notified that during December 1982 water contaminated with cobalt-60 had been released from one of two cobalt-60 source storage pools at the facilities of International Nutronics, Inc. As the result of an inspection started on September 30, 1983 and continuing to the present, Region I inspectors have determined that extensive low-level contamination in soil exists in the areas immediately adjacent to the foundation of the building. Licensee surveys and independent measurements by Region I indicate that no migration of contamination offsite or into the groundwater has occurred as of this

time. However, within the facility, high-level contamination has been detected in the immediate area of the storage pool from which the release occurred. At least one known leaking cobalt-60 source is known to be stored in this pool.

By Order dated November 1, 1983, International Nutronics, Inc. was ordered to take certain steps to ensure that the scope of the contamination was accurately assessed, that no further incidents likely to produce contamination would occur, that contamination would be contained to the areas already affected, and that an orderly decontamination would be initiated on a timely basis. 48 FR 51879 (November 14, 1983). The licensee did not contest the Order.

Items 1., 6., 8., 9., and 10. set forth in Section III of the November 1, 1983 Order prohibited certain activities by International Nutronics, Inc. or permitted them only with the permission of the NRC's Region I Office. Findings by Region I inspectors through January 4, 1984 indicate compliance with those items.

However, the licensee has not fully met the requirements of the Order to develop decontamination plans, decontamination milestones, and to initiate decontamination. Under Section III of the Order, dated November 1, 1983, the Licensee was required to submit a decontamination plan to NRC Region I by November 15, 1983 and to submit operating and radiation control procedures at least two working days prior to implementation. The plan was required to contain a complete characterization of the facility, with a description of the location of all sources of radiation and contamination, and a timetable for decontamination activities and transfer of contaminated waste. By letter dated November 16, 1983, International Nutronics, Inc. submitted an outline of a decontamination plan. The plan identified the major operations which must be completed for a successful decontamination. However, no timetable for completion of the decontamination operations was submitted, as required by the November 1, 1983 Order.

Item 3. of Section III of the Order dated November 1, 1983, required that the Licensee perform a survey of all interior areas of the irradiator facility to evaluate potential exposure to sources of radiation and radioactive materials. Item 7. of Section III of the Order prohibited decontamination efforts or other acts which might produce airborne activity within the irradiation facility, such as entry into a high radiation area or airborne radiation area, until an

adequate exhaust filtration system has been installed and reviewed by NRC Region I. Since the ventilation system has not yet been installed, as of January 24, 1984, some of the surveys required under Items 3 and 7 of Section III of the Order to accurately assess the scope of the contamination have not been made.

Item 4. of Section III of the Order dated November 1, 1983, required that the Licensee evaluate and report to NRC Region I the status of contamination external to the irradiation facility, including building external walls, ancillary buildings, equipment, soil and water. By November 19, 1983, test wells to sample groundwater were drilled and results of groundwater analyses were submitted by that date. However, an evaluation of contamination in building external walls, ancillary buildings, equipment, and soil has not yet been submitted as required. Licensee representatives stated that it has not been possible to complete these surveys because of the weather and the high moisture content of the soil adjacent to the building.

Item 5. of Section III of the Order dated November 1, 1983, required that the Licensee schedule whole-body counts of all employees, past and current, who have worked at the facility since October 1982. A summary of results was to be provided to NRC Region I within seven days after the whole-body counts were completed. As of October 25, 1983, the Licensee had provided the results of the whole body counting for all current and former employees still living in the Dover, New Jersey area. However, no results of whole-body counting have been submitted for employees presently located at the Licensee's California facility who have worked at the Dover facility since October 1982.

During a meeting between a Licensee representative and the Region I staff at King of Prussia, Pennsylvania, on November 21, 1983, the Licensee assured NRC Region I of its commitment to fully assess the extent of contamination and to decontaminate the Dover facility. The Licensee representative acknowledged that the Licensee was having difficulty making reasonable progress toward decontamination.

Since the November meeting, the Licensee's staff at the Dover facility has been reduced and, based on NRC inspection, little to no progress has been made toward decontamination. To date, only the drilling of test wells to sample groundwater, installation of an enclosing barrier around the contaminated storage pool, and the ordering of ventilation equipment have

been accomplished. During December 1983 the staff available to evaluate plan, document, and implement decontamination efforts consisted of one manager and one employee.

Under the terms of the November 1, 1983 Order, the Licensee was put on clear notice that decontamination was necessary and was given ample opportunity to submit proposed milestones and plans for decontamination. In order to ensure that the Licensee provides adequate resources to evaluate, plan, and implement decontamination efforts with proper radiological safety procedures, I have determined that specific decontamination requirements and milestones are necessary. In view of the Licensee's failure to fully meet the terms of the November 1, 1983 Order, though given opportunity to do so, and in view of the need to expeditiously begin decontamination to minimize any threat to public health and safety, I have determined that public health and safety requires that this Order be made immediately effective.

III

Accordingly, pursuant to Sections 81, 161b, and 161c of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 19 CFR Parts 2 and 30, it is hereby ordered, effective immediately, that:

1. The Licensee shall remove all cobalt-60 sources from the contaminated storage pool as soon as practicable, but not later than April 15, 1984.
2. The Licensee shall decontaminate the storage pool water as soon as practicable, but not later than May 15, 1984.
3. The Licensee shall remove and dispose of all packaged waste, contaminated equipment, and contaminated concrete block used as shielding as soon as practicable, but not later than June 15, 1984.
4. The Licensee shall submit, by March 1, 1984, a supplement to the decontamination plan submitted November 16, 1983, identifying the completion date for each interim activity required for decontamination. The plan should specifically address the resources available and needed to implement the decontamination effort. The plan shall describe the methods to be used to remove contaminated soil and building structures to ensure that the maximum dose rate from remaining cobalt-60 contamination will not exceed 10 microrad per hour at 1 meter from the exposed material. Surveys shall be adequate to detect concentrations of cobalt-60 beneath soil or structures capable of producing these dose rates.

5. The Regional Administrator, MRC, Region I may relax or terminate the terms of this Order for good cause shown in writing by the Licensee.

In all other respects, the terms of the Order Modifying License dated November 1, 1983, remain in full force and effect.

IV

The Licensee may request a hearing on this Order within 35 days of its issuance. Any request for hearing shall be addressed to the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy of the request shall also be sent to the Executive Legal Director at the same address. A request for hearing shall not stay the effectiveness of this order.

If a hearing is requested by the Licensee, the Commission will issue an Order designating the time and place of hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained.

Dated at Bethesda, Maryland, this 30th day of January 1984.

For the Nuclear Regulatory Commission:
Richard C. DeYoung,

Director, Office of Inspection and Enforcement.

(FR Doc. 84-3294 Filed 2-6-84; 8:45 am)

BILLING CODE 7530-01-8

[Docket No. 50-352/258]

Philadelphia Electric Co. (Limerick Generating Station, Units 1 and 2); Request for Action Under 10 CFR 2.206.

Notice is hereby given that on December 16, 1983, Del-Aware Unlimited, filed a petition seeking reopening of the construction permit proceedings for the Limerick Generating Station, Units 1 and 2, of the Philadelphia Electric Company. The petition requested action based upon alleged inadequacies in the draft environmental impact statement prepared for the operating license proceeding for the Limerick facility, alleged uncertainty with respect to the completion of the Point Pleasant diversion project which is to supply supplemental cooling water for the facility, and alleged impacts associated with construction of the Point Pleasant diversion project which were not analyzed previously. The request is being treated pursuant to 10 CFR 2.206 of the Commission's regulations and, accordingly, appropriate action will be taken on this request within a reasonable time.

A copy of the petition is available for inspection in the Commission's Public Document Room, 1717 M Street, NW, Washington, D.C. 20555, and at the Local Public Document Room for the Limerick Generating Station, Units 1 and 2 at the Pottstown Public Library, 500-1st High Street, Pottstown, Pennsylvania 19464.

Dated at Bethesda, Maryland, this 31st day of January 1984.

For the Nuclear Regulatory Commission:

Harold R. Denton,

Office of Nuclear Reactor Regulation.

(FR Doc. 84-3294 Filed 2-6-84; 8:45 am)

BILLING CODE 7530-01-8

SECURITIES AND EXCHANGE COMMISSION

Form Under Review by Office of Management and Budget

Agency Clearance Officer: Kenneth A. Fogash (202) 272-2142.

Upon Written Request Copy Available From: Securities and Exchange Commission, Office of Consumer Affairs, Washington, D.C. 20549.

Form 11-K

No. 270-101

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission has submitted for an extension of clearance Form 11-K which serves as an annual report for employee benefit plans subject to the reporting requirements of the Securities Exchange Act of 1934.

The form provides information on an annual basis permitting investors in employee plans to make informed judgments on the performance of plan investment vehicles.

Submit comments to OMB Desk Officer: Ms. Katie Lewin (202) 395-7231, Office of Information and Regulatory Affairs, Room 3235 NEOB, Washington, D.C. 20503.

George A. Fitzsimmons,

Secretary.

January 30, 1984.

(FR Doc. 84-3247 Filed 2-6-84; 8:45 am)

BILLING CODE 8010-01-8

[Release No. 13743; (812-5657)]

SMA Life Assurance Company, SMA Separate Accounts VA-A, VA-B, VA-C, VA-G, and VA-H, and SMA Equities, Inc.; Filing of Application.

January 31, 1984.

Notice is hereby given that SMA Life Assurance Company ("SMA"), SMA