

November 7, 1997

Docket No. 030-34273

License No. 37-30347-01

Mr. James N. Howell
President
Westbrook Specialty Steels, Inc.
Two Gateway Center
Seventh Floor
Pittsburgh, PA 15222

SUBJECT: RESPONSE TO YOUR LETTER DATED OCTOBER 6, 1997

Dear Mr. Howell:

This letter refers to your letter dated October 6, 1997, in which you requested withdrawal of your application for a materials license. This letter also refers to telephone discussions between Mr. Steven R. Courtemanche of this office with you and Ms. Lue Ann Pawlick of the Mid-Monongahela Industrial Development Association (MMIDA) on October 24, 1997.

It was learned during the October 24, 1997 telephone discussion between you and Mr. Courtemanche that Westbrook Specialty Steels, Inc. (WSS) had ceased its efforts to acquire the properties at Mid Mon Center, Monongahela, Pennsylvania, that WSS never possessed the properties, that WSS wanted the gauges turned back over to GRD Steel Corp. (GRD), that WSS did not have any funds, and that WSS wanted the license to be terminated. You questioned Mr. Courtemanche when he stated that even though you did not acquire the properties, as a whole, you were still responsible for the NRC-licensed material on-site.

Note that Page 1, Item 3 of our November 26, 1996 letter states:

We note in your license application that the Mid Monongahela Industrial Development Association (MIDA) will be maintaining security of the Mid Mon Center, Monongahela, Pennsylvania facility until complete possession of the facilities is turned over to you. Please remember, that as the NRC-licensed entity, you are ultimately responsible for the security of the licensed material and anything that may happen to them.

This means that when the NRC issued you NRC License No. 37-30347-01, you became the responsible party for the two Berthold System, Inc. Model LB 300 ML mold level control devices on-site. NRC License No. 37-30147-01 granted to GRD was terminated on November 26, 1996, and MMIDA is a non-licensed entity. Therefore, the gauges cannot be turned over to either GRD or MMIDA.

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Westbrook Specialty Steels, Inc.

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In order for the NRC to begin processing a request for termination of a license, the licensee must provide documentation that the licensed material has been transferred to an authorized recipient and that no residual contamination remains at the facility. The gauges must be (1) returned to the manufacturer, (2) transferred to a waste broker authorized to receive radioactive waste, or (3) transferred to another NRC or Agreement State licensee authorized to possess the licensed material. Your request to terminate NRC License No. 37-30347-01 cannot be processed until such time as one of the above conditions are met.

It was learned from the October 24, 1997 telephone discussion between Mr. Courtemanche and Ms. Pawlick that the gauges remain in place, that MMIDA personnel continue to maintain security of the gauges, and that they were not informed of your decision to abandon your plans to acquire the Mid Mon Center facilities.

Please submit to this office within seven (7) days of receipt of this letter a written statement containing your planned actions to ensure that the gauges are properly transferred to an authorized recipient.

Sincerely,

ORIGINAL SIGNED BY:

John R. Mc Grath

for Francis M. Costello, Chief
Nuclear Materials Safety Branch 3
Division of Nuclear Materials Safety

Docket No. 030-34273
License No. 37-30347-01

cc:
Lue Ann Pawlick
Manager
Mid-Monongahela Industrial
Development Assoc.
P. O. Box 191
Donora, PA 15033

Commonwealth of Pennsylvania

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