



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064

December 2, 1997

Mr. Kenneth Goetz  
Safety Manager  
Total Petroleum, Inc.  
P.O. Box 188  
Ardmore, Oklahoma 73402-0188

SUBJECT: INDIRECT TRANSFER OF LICENSE NO. 35-19084-01 AND  
NOTICE OF VIOLATION

Dear Mr. Goetz:

This is in response to your letter dated October 13, 1997, wherein the Nuclear Regulatory Commission (NRC) was informed of the indirect transfer of License No. 35-19084-01, effective September 25, 1997, which was brought about by a change in control of the licensee corporation.

Based on the information furnished us, we have determined that the transfer of the license is in accordance with the Atomic Energy Act of 1954, as amended. We hereby give NRC's consent to same pursuant to 10 CFR 30.34(b). However, the transfer of license should not have taken place until the NRC had given its written consent, as required by 10 CFR 30.34(b). The transfer prior to NRC consent is a violation of this regulation as described in the enclosed Notice of Violation.

You are not required to respond to this letter unless the description of your October 13, 1997, letter does not accurately reflect your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice of Violation.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, should you choose to provide one, will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction.

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PDR ADDCK 03016401  
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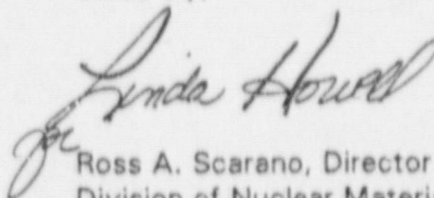
Total Petroleum, Inc.

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Should you have any questions regarding this matter, feel free to contact Beth Prange at (510) 975-0250.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Howell". The signature is written in dark ink and is positioned above the typed name and title.

Ross A. Scarano, Director  
Division of Nuclear Materials Safety

Docket No.: 030-16401  
License No.: 35-19084-01

Enclosure: Notice of Violation

cc w/enclosure:  
State of Oklahoma

Total Petroleum, Inc.

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E-Mail report to Document Control Desk (DOCDESK)

bcc to DCD (IE-07)

bcc with enclosure:

RIV Regional Administrator

CLCain

DBSpitzberg

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\*RIV Nuclear Materials File-5th Floor

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