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NUCLEAR REGULATORY COMMISSION

Heritage Minerals, Incorporated License Renewal and Opportunity for Hearing

[Docket No.: 040-08980]

AGENCY: Nuclear Regulatory Commission

ACTION: Notice Of Intent to Approve Renewal Request for the Heritage Minerals, Inc. (HMI), facility located in Manchester Township, New Jersey, and Opportunity for Hearing

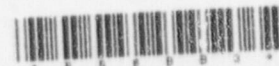
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The U.S. Nuclear Regulatory Commission (NRC) is considering approval of the renewal request for Source Material License No. SME-1541, issued to Heritage Minerals, Inc. (HMI), to authorize decontamination and decommissioning activities of those areas of the licensee's Manchester Township, New Jersey site which require remediation prior to release for unrestricted use. The proposed licensing action also will authorize temporary storage of licensed material prior to disposition and be issued for a period of five years.

HMI is authorized by the NRC to perform within specific areas of its Manchester Township facility decontamination activities of licensed radioactive materials, and to possess, package, store, and transfer to authorized recipients monazite sands containing natural thorium. Residual radioactive contamination may also be present in some interior areas of the mill facilities on the site. There are no processing activities authorized by the license or by the proposed license renewal. The renewal is to promote timely decommissioning and remediation of the licensed material and associated monazite stockpile by HMI. Due to the lack of progress regarding disposition of the monazite pile

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from past operations, the NRC added this site to its Site Decommissioning Management Plan (SDMP) in 1990. The NRC established and implemented the SDMP to identify and resolve issues associated with the timely and effective cleanup of the sites on the list.

HMI ceased active operations in 1990 and maintained an active license until it expired on December 31, 1995. The licensee submitted a timely renewal request to the NRC on November 9, 1995 for an additional license term, followed by submittal of a proposed decommissioning plan and schedule on December 30, 1996, and a Final Status Survey on November 3, 1997. The NRC requires the licensee to remediate those portions of the HMI facility licensed by NRC to meet the NRC guidance criteria for release of facilities for unrestricted use, and to maintain effluents and doses within NRC requirements and as low as reasonably achievable during remediation activities.

The decommissioning plan schedule describes time estimates to complete various elements of the decommissioning process. Included in the schedule are arrangements to obtain governmental approval to export materials, obtain agreements with freight handlers and transporters, complete facility decontamination, and conduct a final NRC survey followed by license termination. The licensee also intends to remediate interior areas of the site in accordance with the NRC guidance criteria. No demolition of site structures was requested, however, the licensee may determine future use of the buildings and equipment after license termination. Open land areas within the site where enhanced natural

radioactivity has been detected will not be addressed by this action. NRC final radiation surveys and inspection will not be performed and license termination will not be approved until HMI's decontamination and remediation activities are completed.

Prior to approving the renewal request, NRC will have made findings required by the Atomic Energy Act of 1954, as amended, and NRC's regulations. These findings will be documented in a Safety Evaluation Report.

The NRC hereby provides notice that this is a proceeding on an application for renewal of a license falling within the scope of Subpart L, "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings," of NRC's rules and practice for domestic licensing proceedings in 10 CFR Part 2. Pursuant to §2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing in accordance with §2.1205(c). A request for a hearing must be filed within thirty (30) days of the date of publication of this Federal Register Notice.

The request for a hearing must be filed with the Office of the Secretary either:

1. By delivery to the Docketing and Service Branch of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738; or
2. By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Attention: Docketing and Service Branch.

In addition to meeting other applicable requirements of 10 CFR Part 2 of the NRC's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

1. The interest of the requestor in the proceeding;
2. How that interest may be affected by the results of the proceeding, including the reasons why the requestor should be permitted a hearing, with particular reference to the factors set out in §2.1205(g);
3. The requestor's areas of concern about the licensing activity that is the subject matter of the proceeding; and
4. The circumstances establishing that the request for a hearing is timely in accordance with §2.1205(c).

In accordance with 10 CFR 2.1205(e), each request for a hearing must also be served, by delivering it personally or by mail, to:

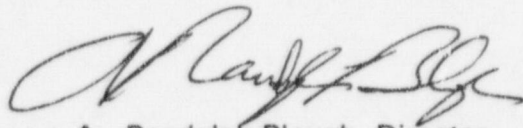
1. The applicant, Heritage Minerals, Inc, Attention: Anthony J. Thompson, Esquire, Shaw, Pittman, Potts & Trowbridge, 2300 N. Street NW, Washington, DC 20037-1128; and
2. The NRC staff, by delivery to the Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738 or by mail, addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

For further details with respect to this action, the application for amendment request is available for inspection at the NRC's Public Document Room, 2120 L Street NW., Washington, DC 20555 or at NRC's Region I offices located at 475 Allendale Road,

King of Prussia, PA 19406. Persons desiring to review documents at the Region I Office should call Ms. Sheryl Villar at (610) 337-5239 several days in advance to assure that the documents will be readily available for review.

Dated at King of Prussia, Pennsylvania this 27th day of February 1998

FOR THE NUCLEAR REGULATORY COMMISSION



A. Randolph Blough, Director
Division of Nuclear Materials Safety
Region I