

VOID SHEET

TO: License Fee Management Branch

FROM: RIII - Monte Phillips, Chief MLB

SUBJECT: VOIDED APPLICATION

Control Number: 303278

Applicant: Total Petroleum Incorporated

License Number: 21-17721-01

Docket Number: 030-13224

Date Voided: 02/10/1998

Reason for Void: This is a complete duplicate of  
licensing action Control # 303551, right down to the text of the  
letter. Apparently, the original case file was misplaced so the licensee  
re-submitted in entirety and paid a duplicate fee for CN 303551.

Signature [Signature]

Date 5/4/98

Attachment:  
Official Record Copy of  
Voided Action

FOR LFMB USE ONLY

- ☒ Refund Authorized and processed\*
- ☐ No Refund Due
- ☐ Fee Exempt or Fee Not Required

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Log completed ☒

Processed by: SAC 5/12/98

1/0

ML  
30  
BT

BETWEEN:

License Fee Management Branch, ARM  
and  
Regional Licensing Sections

(FOR LFMS USE)  
INFORMATION FROM LTS

Program Code: 03120  
Status Code: 0  
Fee Category: 3P 1C  
Exp. Date: 20030630  
Fee Comments:  
Decom Fin Assur Req'd: N

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED

Applicant/Licensee: TOTAL PETROLEUM INCORPORATED  
Received Date: 971103  
Docket No: 3013224  
Control No.: 303278  
License No.: 21-17721-01  
Action Type: Amendment

2. FEE ATTACHED

Amount:  
Check No.: Ø

3. COMMENTS

Signed D. Hersey  
Date 11-12-97

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered / /)

1. Fee Category and Amount: 3P 1C \$350

2. Correct Fee Paid. Application may be processed for:

Amendment \_\_\_\_\_  
Renewal \_\_\_\_\_  
License \_\_\_\_\_

3. OTHER \_\_\_\_\_

Signed SC  
Date 2/9/98

1997 NOV 14 AM 11:15

Log	<u>Nov 5 1997</u>
Remitter	
Check No.	<u>500053</u>
Amount	<u>\$350</u>
Fee Category	<u>3P 1C</u>
Type of Fee	<u>AND</u>
Date Check Rec'd	<u>2/9/98</u>
Date Completed	<u>2/9/98</u>
By	<u>SC</u>

# TOTAL

TOTAL PETROLEUM, INC.

October 30, 1997

United States Nuclear Regulatory Commission  
Region III  
801 Warrenville Rd.  
Lisle IL 60532-4351

TO WHOM IT MAY CONCERN:

I am writing this letter to advise you of a transfer of ownership that occurred September 25, 1997, as Total Petroleum, Inc. including the Alma Refinery was purchased by Ultramar Diamond Shamrock. While corporate management has changed, the management of the Refinery has remained essentially the same. The Radiation Safety Officer listed on the license number 21-17721-01 has not changed. The following are the answers to questions from the NRC notice 89-25, Rev. 1.

1. The name of the organization will remain Total Petroleum, Inc.
2. The licensee contact remains the same with the same telephone number,

Radiation Safety Officer Mike Brooks (517) 463-9645.

3. The officers of Total Petroleum, Inc. have changed. Please see attachment. Changes in refinery personnel that have control over licensed activities are:

Remove Richard Colby and Russell Crouch as they are no longer TPI employees. All others remain the same.

4. The transferor will remain in business.
5. Total Petroleum N.A. Limited, the parent corporation of Total Petroleum, Inc. was acquired by a Canadian subsidiary of Ultramar Diamond Shamrock, and therefore is a wholly owned indirect subsidiary of Ultramar Diamond Shamrock Corporation. Total Petroleum, Inc. is and remains the facility owner and operator.
6. No planned changes are expected in the organization, location, facility, equipment, or procedures including emergency procedures except additional equipment may be added in the future as the Refinery grows or maintenance of existing gauges becomes necessary.
7. No change in the use, possession, location or storage of licensed material is expected.
8. No immediate changes are planned that would require an amendment to the license except to remove the two individuals listed in Section 3.

*Pm: 10-30-97*

s:\mainfrad-saf.doc

EAST SUPERIOR STREET  
ALMA, MICHIGAN 48802



TELEPHONE (517) 463-1161  
FAX (517) 463-9655

RECEIVED

NOV 03 1997

REGION III

303278

NOV 03 1997

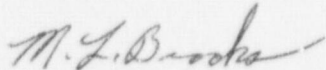
9. All surveillance items and records such as calibrations, leak test, surveys, inventories, and accountability requirements are current at the time of transfer. The leak test are done in May and November each year. These are sent to TN Technologies.
10. Decommissioning of the facility does not apply to this transfer since the plant will keep running.
11. Contamination is not present at this facility, therefore this is NA.
12. Cleanup and decontamination is also NA.
13. The management at this facility has remained essentially the same. Decommissioning is not an issue as contamination is not present. Total Petroleum, Inc. accepts full responsibility for any enforcement actions.
14. Both the transferor and transferee agree to the change in ownership or control of the licensed material and activity. The management is aware of its responsibility under the terms of the license including possible enforcement.
15. This facility is committed to radiation safety and will continue to abide by all constraints, conditions, requirements, representations and commitments identified in the existing license.

We here are not certain if this request is necessary under part 30 of Title 10, Chapter 1. If it is necessary, then we apologize that we did not get this to you prior to September 25, 1997.

If you have any questions, please do not hesitate to call me at (517) 463-9645.

Please approve this transfer.

Sincerely,



Mike Brooks  
Radiation Safety Officer



September 25, 1997

Directors: Timothy J. Fretthold  
William R. Klesse  
H. Pete Smith

Officers:

Roger R. Hemminghaus	Chairman of the Board and Chief Executive Officer
Jean Gaulin	Vice Chairman of the Board, Chief Operating Officer, and President
Timothy J. Fretthold	Executive Vice President and Chief Administrative Officer
William R. Klesse	Executive Vice President
H. Pete Smith	Executive Vice President and Chief Financial Officer
W. Paul Eisman	Senior Vice President
Alain Ferland	Senior Vice President
R. S. Beadle	Senior Vice President
Christopher Havens	Senior Vice President
Steven A. Blank	Treasurer and Vice President
Thomas M. O'Brien	Vice President and Controller
Curtis V. Anastasio	Vice President
John S. Emley	Vice President and Chief Information Officer
Harold D. Mallory	Secretary
K. K. Eaton	Vice President
Michael Russell	Vice President
Penelope R. Viteo	Vice President
Larry D. Thurmond	Vice President
Lyle Hawthorne	Vice President
Joseph W. Gordier	Vice President
Robert E. Kerns	Vice President
Jerry McVicker	Vice President
Rudd Martowe	Vice President
Richard Boucher	Vice President
Louis Guévremont	Vice President
Charles Patry	Vice President
Claude Lambert	Vice President
Stephan Motz	Vice President
Patrick W. McConahy	Vice President
Reed Williams	Vice President
Lynn Hillman	Vice President
Mike Milam	Vice President
Joseph C. Shockney	Vice President
Pierre Martel	Vice President
Cheryl Trevor	Assistant Controller and Assistant Secretary
Daniel F. Frye, III	Assistant Treasurer
Margaret J. Gowans	Assistant Treasurer
Patti K. Meisetschleager	Assistant Treasurer
Rene Noel	Controller, Northeast Refining
Marcel Dupuis	Controller, Northeast Marketing
Robert Blaylock	Assistant Controller
Kent Brewer	Assistant Controller
Ron Mechler	Assistant Controller
Jeri Neiens	Assistant Controller
Thomas A. Nichta	Assistant Controller

DATE: 11-6-97

CORRESPONDENCE CLARIFICATION SHEET

REVIEWER: BJ HOLT FRAZIER  
LICENSEE: Total Pet. Inc.  
LICENSE NUMBER: 21-17721-01

The following correspondence has been received from the above licensee and it is not clear what action(s) is(are) required: Please review this correspondence and indicate which of the following applies, and please return to Debbie Hersey, as soon as possible.

☐ Additional Information to Control No. \_\_\_\_\_  
Process in as a new action, additional information, and no fee required.

☐ Process as new licensing action. Review has already been started on Control No. \_\_\_\_\_ and this information cannot be combined with current in-house action.

☐ Can be combined with Control No. \_\_\_\_\_. Review has not started.

☐ Appears to be information for the license file - file it.

☐ Licensee is adding Nuclear Pharmacists.

☐ Amendment is necessary \_\_\_\_\_. Amendment is not necessary \_\_\_\_\_.  
(Information for license file)

☐ Licensee is adding authorized users.

☐ A check is included \_\_\_\_\_. No check is included \_\_\_\_\_.  
Amendment is necessary \_\_\_\_\_. Amendment is not necessary \_\_\_\_\_.  
(This is a Notification)

☒ Process in as a new licensing action:  
A. Amendment Appears that NOT necessary  
B. Renewal \_\_\_\_\_  
C. New License Application \_\_\_\_\_

☐ Other: \_\_\_\_\_

Thank You For Your Help!!!

10/16/96

## LICENSE FEE REQUIREMENTS

LICENSE FEE AND DEBT COLLECTION BRANCH  
DIVISION OF ACCOUNTING AND FINANCE  
OFFICE OF THE CONTROLLER  
U.S. NUCLEAR REGULATORY COMMISSION  
WASHINGTON, DC 20555-0001TOTAL PETROLEUM, INC.  
ATTN: MIKE BROOKS, RSO  
EAST SUPERIOR STREET  
ALMA, MI 48802

## TYPE OF ACTION

- ☐ NEW LICENSE  
☐ RENEWAL OF LICENSE  
☒ AMENDMENT TO LICENSE

REQUESTED DATE

10-30-97

LICENSE NUMBER

21-17721-01

CONTROL NUMBER

303278

## I. APPLICATION FEE DUE

Your request for a licensing action is subject to the fee(s) in the category(ies) noted below in accordance with Section 170.31 of the enclosed Federal Register notice. Payment of the fee is required prior to the issuance of the license, renewal, or amendment.

FEE CATEGORY	APPLICATION	RENEWAL	AMENDMENT
3P	\$	\$	\$ 350.00
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$

FEE(s) DUE	\$	350.00
PAYMENT RECEIVED	\$	0.00
AMOUNT DUE	\$	350.00

☒ Your request was received without the prescribed application fee.

☐ No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_. Payment of the additional fee noted above is required.

☐ Your request will increase the scope of your license program. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(d)(2).

☐ Your license expired prior to the receipt of your application for renewal. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(a).

MAKE PAYMENT OF THE FEE(S) TO THE U.S. NUCLEAR REGULATORY COMMISSION AND MAIL THE PAYMENT TO THE ADDRESS LISTED AT THE TOP OF THIS FORM. IF WE DO NOT RECEIVE A REPLY FROM YOU WITHIN 30 CALENDAR DAYS FROM THE DATE LISTED BELOW, WE SHALL ASSUME THAT YOU DO NOT WISH TO PURSUE YOUR APPLICATION AND WILL VOID THIS ACTION.

SIGNATURE -- LICENSE FEE ANALYST

SHIRLEY CRUTCHFIELD

LFDCB

11/17/97

LFDCB

Distribution:

Pending Fee File

LFARB R/F (2)

OCF/DAF/R

OCF/DAF/SF(LF-3.2.7)

Region 2

DATE

Nov. 19, 1997





P.O. BOX 9 • ST. PAUL PARK, MN 55071 • (612) 459-9771

February 6, 1998

Ms. Shirley Crutchfield  
License Fee and Debt Collection Branch  
Office of the Controller  
U. S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dear Ms. Crutchfield:

Attached please find a check in the amount of \$350.00 which is our license amendment fee per our amendment request of November 3, 1997.

If you have any questions or problems, please contact Mike Gamlen, 612-458-2770.

Sincerely,

A handwritten signature in cursive script that reads "Marilyn VanHalanger". The signature is written in dark ink and is positioned above the printed name.

Marilyn VanHalanger  
Human Resources Department

MVH:mvh

cc: Mike Gamlen



## CONVERSATION RECORD

TIME DATE

8a.m. 11/17/97

☐ VISIT☐ CONFERENCETELEPHONE<sub>x</sub>☒ INCOMING

OUTGOING

NAME OF PERSON(S) CONTACTED OR IN CONTACT

Mike Brooks

Total Petro

ORGANIZATION (OFFICE, DEPT. ETC.)

517-463-9645

TELEPHONE NO.

SUBJECT

Request for a change of ownership.

## SUMMARY

I spoke with Mike for the following information: (1) The letter <sup>needs</sup> ~~news~~ to be signed by both transferor and transferee and we need a statement of corrective action for the violation; (2) Violation does not appear to willful. RSO was not made aware of the COO until after it had happened;

This action is certified by \_\_\_\_\_

## ACTION REQUIRED

Mike Brooks will speak with William Bodnar, new plant manager 517-463-9651 about corrective action. Response due in 20 days.

NAME OF PERSON DOCUMENTING CONVERSATION

James R. Mullauer

SIGNATURE

DATE

## ACTION TAKEN

SIGNATURE

TITLE

DATE

Note to Self  
use the Radiology as letter example



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION III  
801 WARRENVILLE ROAD  
LISLE, ILLINOIS 60532-4351

November 12, 1997

Mike Brooks  
Radiation Safety Officer  
Total Petroleum Incorporated  
East Superior Street  
Alma, MI 48801

SUBJECT: ACKNOWLEDGEMENT OF CORRESPONDENCE  
(Letter Dated October 30, 1997)

Dear Licensee:

In response to your request, we have completed the initial processing, which is an administrative review of your application for a(n):

☐ New License                      ☒ Amendment                      ☐ Renewal  
☐ Termination                      ☐ Auth User (Amendment not required)                      ☐ Other

No administrative deficiencies were identified during this initial review. However, it should be noted that a technical review may identify omissions in the submitted information.

It appears that your request is routine (see 1-3 below, as applicable).

1. New and amendment actions are normally processed within 90 days, unless we find major deficiencies, or policy issues requiring central program office assistance.
2. Renewal actions are normally processed within 180 days, however, under timely filing (before expiration), you may continue to operate under your existing license.
3. Termination actions are normally processed within 90 days, unless confirmatory surveys following decontamination/decommissioning activities are involved.

A copy of your correspondence has been forwarded to our Licensing Fee and Debt Collection Branch (301/415-6097) for approval of the fee category and amount, if required.

If you have a compelling safety or business-related reason for requesting expedited review, please contact the Materials Licensing Branch at (630) 829-9887. We will try to complete your request as soon as practicable. Any correspondence about this request should reference the control number.

Nuclear Materials Support Branch

Mail Control No. 303278  
License No. 21-17721-01

MAY 02 1997

Craig Diener  
Radiation Safety Officer  
ADAC Medical Technologies  
23 Town and Country Drive  
Washington, MO 63090

Dear Mr. Diener:

This refers to your amendment request dated November 7, 1996, in which you notified the NRC of the transfer of ownership and control of NRC License No. 24-26293-01, and to our telephone conversation with you on February 5, 1997.

As we discussed on February 5, 1997, the change of ownership transaction required an amendment to the existing license. Failure to obtain NRC consent to the change of ownership prior to the change is a violation of 10 CFR 30.34(b) and is addressed in the attached Notice of Violation. The root cause and corrective action for the violation appear to have been addressed by ADAC Medical Technologies, therefore, no response to the violation is required. However, we caution you that future violations of this type involving ADAC Medical Technologies's licensed activities may result in escalated enforcement actions.

Enclosed is Amendment No. 02 to your NRC Material License No. 24-26293-01 in accordance with your request. Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

DD NEW  
P. DATE H  
→ Please note that the expiration date on your NRC license was extended 5 years in accordance with 10 CFR 30.36(a)(2).

Please be advised that your license expires at the end of the day, in the month, and year stated in the license. Unless your license has been terminated, you must conduct your program involving byproduct materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.



2. Notify NRC, in writing, within 30 days:
  - a. When the Radiation Safety Officer permanently discontinues performance of duties under the license or has a name change; or
  - b. When the mailing address listed on the license changes. (no fee is required if the location of byproduct material remains the same.)
3. In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
  - a. When you decide to terminate all activities involving materials authorized under the license; or
  - b. If you decide not to complete the facility, acquire equipment, or possess and use authorized material.
4. Request and obtain a license amendment before you:
  - a. Change Radiation Safety Officers;
  - b. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;
  - c. Add or change the areas of use or address or addresses of use identified in the license application or on the license; or
  - d. Change ownership of your organization.
5. Submit a complete renewal application with proper fee or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations. A license will not normally be renewed, except on a case-by-case basis, in instances where licensed material has never been possessed or used.

In addition, please note that NRC Form 313 requires the applicant, by his/her signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action

against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Statement of Policy and Procedure for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

Sincerely,

Original Signed By  
Roy J. Caniano, Acting Director  
Division of Nuclear Materials Safety

License No. 24-26293-01  
Docket No. 030-32087

Enclosures: 1. Amendment No. 02  
2. Notice of Violation  
3. Enforcement Policy (NUREG-1600)

DOCUMENT NAME: M:\03032087.CL7

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	DNMS/RIII	<input checked="" type="checkbox"/>	DNMS/RIII	<input checked="" type="checkbox"/>	DNMS/RIII				
NAME	GWatson:brt		CFFrazier <i>Chavez</i>		RJCaniano <i>JP</i>				
DATE	04/29/97 GW		05/1/97		04/12/97				

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

J.D. Technical Services, Inc.  
Washington, Missouri

License No. 24-26293-01  
Docket No. 030-32087

During the NRC review of your amendment request dated November 7, 1996, a violation of NRC requirement was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

10 CFR 30.34(b) states that no license issued or granted pursuant to the regulations of this part or, Parts 31 through 39, nor any right under a license shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any other person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing.

Contrary to the above, on November 13, 1995, J.D. Technical Services, Inc. transferred control of License No. 24-26293-01 to ADAC Medical Technologies and the Commission had not been provided full information about the transfer or given its consent to the transfer in writing prior to November 13, 1995.

This is a Severity Level IV violation (Supplement VI).

The review showed that steps had been taken to correct the identified violation and to prevent recurrence. Consequently, the NRC requires no reply to the violation and we have no further questions regarding this matter.

Dated at Lisle, Illinois  
this *2nd* day of May 1997



In addition to your request for NRC consent to a change of ownership and the removal of Russell Crouch and Richard Colby from the license, please note the following additional changes made to your NRC license: (1) in accordance with 10 CFR 30.36, effective February 15, 1996, the expiration date of our license has been extended by a period of five years. Your new expiration date is stated in Item 4 of the license; (2) license condition No. 13.E. was modified since your license does not authorize hydrogen-3; and (3) license condition No. 25 was deleted since this requirement is stated in 10 CFR 30.35(g) which you must comply.

TAX ID # 380757140

Lic No 21-17721-01

Docket No 03013224

**DIVISION OF ACCOUNTING AND FINANCE  
REQUEST FOR REFUND TO EMPLOYEE/VENDOR**

THE EMPLOYEE/VENDOR IDENTIFIED BELOW HAS OVERPAID THE NUCLEAR REGULATORY COMMISSION FOR GOODS AND/OR SERVICES PROVIDED AND IS DUE A REFUND

EMPLOYEE/VENDOR/PAYEE CODE: \_\_\_\_\_

NAME: Total Petroleum, Inc.

ADDRESS: Attn: Mike Brooks, RSO

ADDRESS: East Superior Street

CITY: Alma

STATE: MI ZIP: 48802

TRANS CODE: PX

TRANS TYPE: \_\_\_\_\_ FUND: \_\_\_\_\_ JOB CODE: \_\_\_\_\_ AMOUNT: \$350.00

TRANS TYPE: IR FUND: R1435 JOB CODE: INTR AMOUNT: \_\_\_\_\_

TRANS TYPE: IR FUND: R1099 JOB CODE: ADCH AMOUNT: \_\_\_\_\_

TRANS TYPE: IR FUND: R1099 JOB CODE: FINE AMOUNT: \_\_\_\_\_

TOTAL REFUND AMOUNT: \$350.00

COMMENTS: Lic 21-17721-01/CK 500053/AMD Rqst Rfnd  
10/30/97 Ltr.

(limit comments to 40 characters, including spaces)

PREPARED BY: Shirley Crutchfield DATE: May 12, 1998

AUTHORIZED BY: Burley Jones DATE: 5/14/98

ORIGINAL INV. NO: \_\_\_\_\_ DATE PAID: \_\_\_\_\_ AMOUNT: \_\_\_\_\_

REFUND ENTERED INTO COLLECT BY: \_\_\_\_\_

REFUND DETERMINED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

PLEASE ATTACH APPROPRIATE SUPPORTING DOCUMENTATION

NOV 5 III

3P AMD (\$350) CK 500053

{ Per Voided information  
duplicate of CN 303551