

**From:** [Taylor, Andrew Charles](#)  
**To:** [Ullrich, Betsy](#)  
**Cc:** [Hulvey, Kimberly Dawn](#)  
**Subject:** [External\_Sender] a new/old issue - Central Lab Services Bldg license #41-08165-18 - RESPONSE  
**Date:** Tuesday, September 14, 2021 6:12:09 PM  
**Attachments:** [image001.png](#)

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Betsy -- With regard to our Central Lab Services Bldg license #41-08165-18, I concur that items 6A and 6B in Am 10 (Jan 14, 2021) do not match items 6A and 6B in Corrected Am 9 (Feb 8, 2017) regarding "Any byproduct material" vs "Any radioactive material."

After checking with the TVA staff that use this license, we have determined that *Option 2* from your list below is preferred.

We understand this to be:

NRC accepts our financial assurance documents from March 2021 and amends the license to list byproduct, source, and SNM materials separately so that this problem does not recur.

That would be to amend the license to authorize four line items:

- 1) any byproduct material 1-83...,
- 2) any BPM > 83...
- 3) any source material not to exceed 10 millicuries [above which FA is required], and
- 4) any SNM

AND keep the license condition 13 limiting possession to quantities less than \$1,25K + \$1,25K for bpm and SNM, respectively

We understand that this option requires no action on our part.

However, if any additional information is needed, then please do not hesitate to contact us.

Andy

**Andrew Taylor, P.E., F.ASME**

Senior Program Manager, Fleet Licensing

Nuclear Regulatory Affairs



**W.** ~~423-751-3262~~ *currently teleworking* **M.** 479-264-2386 **E.** [actaylor@tva.gov](mailto:actaylor@tva.gov)

1101 Market Street (LP 4B-C), Chattanooga, TN 37402

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**From:** Ullrich, Betsy <[Elizabeth.Ullrich@nrc.gov](mailto:Elizabeth.Ullrich@nrc.gov)>  
**Sent:** Monday, September 13, 2021 9:42 AM  
**To:** Taylor, Andrew Charles <[actaylor@tva.gov](mailto:actaylor@tva.gov)>  
**Subject:** RE: RE: a new/old issue - Central Lab Services Bldg license #41-08165-18 - QUESTION

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I have a virtual meeting at 10 am, it should not last more than a half-hour.

And, no, I believe we can issue an amendment with this financial assurance action, no need for a separate request. It is fixing a problem we created in the first place.

Betsy

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**From:** Taylor, Andrew Charles <[actaylor@tva.gov](mailto:actaylor@tva.gov)>  
**Sent:** Monday, September 13, 2021 9:38 AM  
**To:** Ullrich, Betsy <[Elizabeth.Ullrich@nrc.gov](mailto:Elizabeth.Ullrich@nrc.gov)>  
**Subject:** [External\_Sender] RE: a new/old issue - Central Lab Services Bldg license #41-08165-18 - QUESTION

Betsy -- Again, thanks for pointing this out to us, with regard to our Central Lab Services Bldg license #41-08165-18.

QUESTION: would Options #2 and #3 require TVA to request an amendment to this license?

This is probably a good time to have a phone call about this.  
Can I contact you via (610) 337-5040 at 10 AM ET today?

Andy

**Andrew Taylor, P.E., F.ASME**  
Senior Program Manager, Fleet Licensing  
Nuclear Regulatory Affairs



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**From:** Ullrich, Betsy <[Elizabeth.Ullrich@nrc.gov](mailto:Elizabeth.Ullrich@nrc.gov)>  
**Sent:** Monday, September 13, 2021 8:31 AM  
**To:** Taylor, Andrew Charles <[actaylor@tva.gov](mailto:actaylor@tva.gov)>  
**Cc:** Hulvey, Kimberly Dawn <[kdhulvey@tva.gov](mailto:kdhulvey@tva.gov)>  
**Subject:** a new/old issue

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Andy,

I apologize for this taking so long, and for the issue I just recently discovered. We may need a teleconference to decide how best to proceed.

As it turns out, I should have looked into the history of your license before proceeding with the action as I did.

- Your active license is Amendment 10, issued January 14, 2021. This is the amendment that lists your authorized materials as byproduct material.
  - o This amendment was issued and no one at TVA apparently noticed that the authorization had changed from the previous amendment.
  - o I took this to be the correct form of the material, and that is why I said you did not need financial assurance for SNM or for source material...there was no authorization for either. I don't recall anyone mentioning this during our discussions of why I believed you don't/didn't need FA for SNM.
  
- Your previous Amendment 9, issued January 14, 2017 also listed the authorized material as 'any byproduct material' but a Corrected Copy was issued February 8, 2017 to list the authorized material as "any radioactive material" after someone from TVA contacted us to say the authorized material was not correct.

The reason that this happens is that our database in use since 2017 does not allow us to issue licenses for "any radioactive material". Therefore, when reviewers generate the license, the only choice is "any byproduct material" and both times you license was amended, the reviewers forgot to edit the license to change "byproduct" to "radioactive". With Amendment 9, someone at TVA noticed and we issued a Corrected Copy. With Amendment 10, either no one at TVA noticed or did not understand how the change affected the license. No matter which of the options below [or some other alternative] you choose, I recommend that we amend the license to list byproduct, source and SNM separately so that this does not happen again.

Here are our options that I can think of:

1. We can accept your financial assurance documents from March 2021 and issue a

Corrected Copy of Amendment 10.

2. Ditto the above, except amend the license to list byproduct, source, and SNM materials separately so that this does not happen again. That would be to amend the license to authorize 4 line items: any byproduct material 1-83..., 2) any BPM > 83... 3) any source material not to exceed 10 millicuries [above which FA is required], and D) any SNM AND we would keep the license condition 13 limiting possession to quantities less than \$1,25K + \$1,25K for bpm and SNM, respectively
3. Use the FA docs submitted in July, IF, in fact, you do not ever expect to have SNM in "any" greater than 1 E+3 times applicable values [or unity rule for multiple nuclides] [so 0.01 uCi Pu239; 0.01 uCi U233; 0.01 uCi U233; or 0.01 uCi any other Pu] then we could amend the license to limit the SNM to quantities that do not required ANY FA. And I would list byproduct, source and SNM separately.

I have no real preference and would be happy to discuss this with you. I will not be working Tuesday 9/14 after 11:30 am, and will not be working Thursday morning before 10:30 am.

Again, my apologies for the error in the current license, and the error in not researching further into the license history. Let me know if you want to talk about this. If you have a clear choice of one of the above options, you can let me know that and I will get the documents sorted out and the action closed.

Betsy