

From: [Roberto Torres](#)
To: [Michael S Soles](#)
Subject: Retraction of amendment request
Date: Thursday, June 22, 2023 3:03:00 PM

Michael Soles, RSO:

The NRC has received your amendment request letter dated June 15, 2023, and staff is unable to process the request due to insufficient information as identified below. Therefore, please send an email retracting the June 15, 2023 letter and resubmit the amendment request when all the information listed below is available.

1. Line item 6: You requested authorization for “Any **radioactive** material between atomic numbers 2 and 103”. Substitute the term “**radioactive**” with “**byproduct material, source material and/or special nuclear material**” as applicable. These three terms are defined in NRC regulations. See definitions below.

Byproduct material means: (1) Any radioactive material (except special nuclear material) yielded in, or made radioactive by, exposure to the radiation incident to the process of producing or using special nuclear material; (2)(i) Any discrete source of radium-226 that is produced, extracted, or converted after extraction, before, on, or after August 8, 2005, for use for a commercial, medical, or research activity; or (ii) Any material that—(A) Has been made radioactive by use of a particle accelerator; and (B) Is produced, extracted, or converted after extraction, before, on, or after August 8, 2005, for use for a commercial, medical, or research activity; and (3) Any discrete source of naturally occurring radioactive material, other than source material, that—(i) The Commission, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of Homeland Security, and the head of any other appropriate Federal agency, determines would pose a threat similar to the threat posed by a discrete source of radium-226 to the public health and safety or the common defense and security; and (ii) Before, on, or after August 8, 2005, is extracted or converted after extraction for use in a commercial, medical, or research activity.

Source Material means: (1) Uranium or thorium, or any combination thereof, in any physical or chemical form or (2) ores which contain by weight one-twentieth of one percent (0.05%) or more of: (i) Uranium, (ii) thorium or (iii) any combination thereof. Source material does not include special nuclear material.

Special nuclear material means: (1) plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Commission, pursuant to the provisions of section 51 of the act, determines to be special nuclear material, but does not include source material; or (2) any material artificially enriched by any of the foregoing but does not include source material.

2. Line item 9: For “Authorized Use” you stated: “As required by NRC”. Please state proposed authorized use.
3. You stated that activation products are expected to have half-lives up to 9 months (270 days). Submit a revised site-specific decommissioning funding plan and revised

decommissioning financial assurance statement of intent letter that includes the proposed new authorization and proposed new licensed material following NRC guidance described in NUREG-1757, Volume 3, revision 1, which can be found in this link. <https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1757/v3/index.html>

Thank you for your cooperation.

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