

JAN - 3 1995

License No. 37-00030-02
Docket No. 030-05980
Control No. 116850

Mr. Larry Harmon
Plant Manager
Safety Light Corporation
4150-A Old Berwick Road
Bloomsburg, Pennsylvania 17815

SUBJECT: LICENSE RENEWAL - LICENSE NO. 37-00030-02

Dear Mr. Harmon:

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 I office, the Licensing Assistance Section, (610) 337-5093 or 5239, so that we can provide appropriate corrections and answers.

Note that this amendment is being issued to Safety Light Corporation as listed on the current license which has been in timely renewal since January 27, 1984. The staff is issuing this license amendment only in the name of Safety Light Corporation for its administrative convenience and without prejudice to the staff's position that other companies may be licensees as a result of unlawful reorganizations and transfer of the license to Safety Light Corporation.

On February 7, 1992, the staff denied Safety Light Corporation's applications to renew License Nos. 37-00030-02 and 37-00030-08 due to its failure to comply with the Nuclear Regulatory Commission's requirements in 10 CFR 30.32(h) and 30.35 for financial assurance for decommissioning. On the same date, the staff also issued an Order, which was to become effective when the denials became effective, requiring that the Bloomsburg site be decommissioned in accordance with the criteria and schedule set forth in the Order. Safety Light Corporation, USR Industries, Inc., and the other successors to United States Radium Corporation requested hearings on both the denial and accompanying Order. Since then, the parties have agreed to settle the pending litigation and executed a settlement agreement. In accordance with the provisions of the settlement agreement, as approved by the Atomic Safety and Licensing Board on December 28, 1994, the original denial dated February 7, 1992, and Decommissioning Order dated February 7, 1992, have been rescinded.

OFFICIAL RECORD COPY ML 10

Also, in accordance with the settlement agreement, License No. 37-00030-02 is being renewed for a period of 5 years and includes for this 5 year period, as Condition 18, an exemption from the requirements of 10 CFR 30.32(h) and 30.35 for financial assurance for decommissioning. The renewed license is enclosed.

Please be advised that License No. 37-00030-02 expires at the end of the day, in the month, and year stated in the license. Until the license is terminated, you must conduct your program involving byproduct materials in accordance with the conditions of the 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 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify the NRC, in writing, within 30 days:
 - a. when an authorized user or Radiation Safety Officer, permanently discontinues performance of duties under the license or has a name change; or
 - b. when the licensee's mailing address changes (no fee is required if the location of byproduct material remains the same).
3. Request and obtain a license amendment before you:
 - a. permit anyone to work as an authorized user under the license;
 - b. change Radiation Safety Officers;
 - c. order byproduct material in excess of the amount, or radionuclide, or in a form different than authorized on the license;
 - d. add or change the areas of use, or address or addresses of use identified in the license application or on the license; or
 - e. change ownership of your organization.
4. Submit a complete renewal application with proper fee or termination request at least 30 days before the expiration date of the license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after the license expires is a violation of NRC regulations.

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.

5. Observe the following special conditions:

- a. License No. 37-00030-02 authorizes site characterization and decommissioning. However, you must submit a complete hazards analysis to NRC and receive NRC approval before beginning any activity involving intrusion into the silos or the former canal.
- b. Actual decommissioning of the site may not commence until a formal decommissioning plan is approved by the NRC.
- c. While you did not specifically request it, we added authorization for one millicurie of any byproduct material for instrument calibration.
- d. Your Health and Safety Plan indicates you may use respiratory protection. Be advised that 10 CFR 20.1703 requires that you make a formal notification of your intent to use respiratory protection 30 days prior to use. In addition, you must assure that the respiratory protection program complies with 10 CFR 20.1703.

You will be periodically inspected by the 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 Policy and Procedures for NRC Enforcement Actions, 10 CFR 2, Appendix C.

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.

Thank you for your cooperation.

Sincerely,

Original Signed By:
John D. Kinneman

John D. Kinneman, Chief
Site Decommissioning Section
Division of Radiation Safety
and Safeguards

L. Harmon
Safety Light Corporation

-4-

Enclosures:

1. Amendment No. 43
2. Requirements for Materials Licensees
3. NRC Forms 3 and 313
4. Agreement State List

cc: (w/enclosures 1 and 2)

Gerald Charnoff, Esq.
Shaw, Pittman, Potts & Trowbridge
2300 N Street, N.W.
Washington, D.C. 20037

C. Richter White
Safety Light Corporation
31 Waterloo Avenue
Berwyn, Pennsylvania 19312

Ralph T. McElvenny
USR Industries, Inc.
Suite 550
Post Oak Boulevard
Houston, Texas 77027

Claude Lavoie
Monserco
Unite 4
6620 Kitimat Road
Mississauga, Ontario, Canada L5N 2B8

DOCUMENT NAME: G:\WPS\MLTR\L3700030.02

OFFICE	DRSS/RI <i>[Signature]</i>	DRSS/RI <i>[Signature]</i>	NMSS/DO by	DRSS/RI
NAME <i>[Signature]</i>	EUTrich/gcb	JKinneman	RBernero E-MAIL	
DATE <i>[Signature]</i>	12/29/94	12/30/94	12/28/94	12/ /94

OFFICIAL RECORD COPY