



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

October 26, 2005

Docket Nos. 03034246
03034247
Control Nos. 137788
137789

License Nos. 29-30342-01
29-30342-02G

John I. H. Patterson, Ph.D.
Radiation Safety Officer
Oxford Instruments Analytical
c/o Oxford Instruments
Measurement Systems
945 Busse Road
Elk Grove Village, IL 60007

SUBJECT: OXFORD INSTRUMENTS ANALYTICAL, REQUEST FOR ADDITIONAL
INFORMATION CONCERNING APPLICATION FOR AMENDMENT TO
LICENSE, CONTROL NOS. 137788 AND 137789

Dear Mr. Patterson:

This is in reference to your letter dated September 26, 2005 requesting to amend Nuclear Regulatory Commission License Nos. 29-30342-01, and 29-30342-02G. In order to continue our review, we need the following additional information:

1. On the NRC Form 314 "Certificate of Disposition of Materials", you checked boxes C.1. and C.2. indicating that surveys were performed. You did not check box C.3. that states "...a radiation survey is not required as only sealed sources were ever possessed under this license, and a) the results of the latest leak test are attached and/or b) no leaking sources have ever been identified." Based on our review of past licensing and inspection documents, only sealed sources (including foils or plated sources) were ever possessed, and that three iron-55 (Fe-55) sources leaked in the past but surveys at the time leakage was identified determined that no contamination of the facilities resulted from any of the three sources. In addition, a contamination event occurred when another Fe-55 source was punctured. Confirm if you possessed or used any unsealed materials at the Ewing, New Jersey facility, other than the material that leaked from the Fe-55 sources. If so, 1) describe the materials and uses and 2) perform surveys as required by NUREG-1757, "Consolidated NMSS Decommissioning Guidance", Volume 2, "Characterization, Survey and Determination of Radiological Criteria", Appendix B "Simple Approaches for Conducting Final Radiological Surveys" (NUREG-1757, Volume 2, Appendix B) and provide the required documentation.
2. The "Final Survey Report for License Termination" (the Report) states that Appendix 1 contains a description of a typical Metorex analyzer unit. However, no such description was attached. Confirm if the units were as described in the Registry of Sealed Sources and Devices. If not, submit a description of the analyzers.

3. The Report states that Metorex had "...a small inventory of sources as described in the referenced licenses (Appendix 2)...". However, no copy of any license was in the Appendices. We do not need a copy of the license, however, so no response to this item is required.
4. The three example survey reports included as Appendix 3 do not contain any information regarding radiation levels detected and are not sufficient to demonstrate that no residual contamination remained of the facilities where an Fe-55 source was punctured. However, the NRC inspection records contain information collected during a July 25, 2000, inspection during which this contamination event was reviewed. The contamination event occurred on November 3, 1999, and decontamination was completed on November 4, 1999. A copy of a July 28, 2000 memorandum from the health physicist who performed the surveys and decontamination of the facility was provided to the NRC during that inspection. Based on that report, contamination was limited to small isolated spots on equipment. Contaminated areas were isolated and controlled on November 3 by the health physicist. The areas were cleaned and contaminated items were disposed of as radioactive waste on November 4. No additional information regarding this contamination event is required.
5. The Report states that, during the final survey performed of your facilities on June 17, 2005, no sources were found in the facility; no contamination above the MDL was found; and the facility meets the criteria for decommissioning in Subpart E of 10 CFR Part 20 (that the maximally exposed individual will not receive more than 25 millirem in a year from residual contamination). However, the report did not specify what limits for wipe tests, static surveys, and scanning surveys were considered to meet the Subpart E criteria. Provide 1) the limits used to demonstrate that Subpart E criteria was met; and 2) the minimum detectable activity for the survey and analytical instruments used during the final surveys.
6. The Radiation Survey Report dated November 29, 1998, documents that rooms originally used at 250 Phillips Boulevard met release limits which are within the current NUREG-1757, Volume 2 guidance for demonstrating that the facilities meet the Subpart E criteria. No additional information is required for these rooms.
7. Provide the approximate total square footage of your facilities in Ewing, New Jersey and the square footage of space in which licensed activities were performed. In addition, describe the type of area in which the facilities are located (commercial, industrial, residential, etc.)
8. 10 CFR 32.52(a) requires, in part, that reports of transfers to general licensees be made within 30 days of each calendar quarter, and if no transfers were made, that the report so state. According to our records, the last report was submitted November 9, 2004, for the third calendar quarter of 2004. Confirm if additional reports were submitted, or provide the required information.

J. Patterson
Oxford Instruments Analytical

3

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, industrial, and academic uses of nuclear material**; then **toolkit index page**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

We will continue our review upon receipt of this information. Please reply to my attention at the Region I Office and refer to Mail Control Nos. 137788, and 137789. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5040.

If we do not receive a reply from you within 30 calendar days from the date of this letter, we will assume that you do not wish to pursue your application.

Sincerely,

Original signed by James P. Dwyer

Betsy Ullrich
Senior Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

cc:
Laura Ziegler, Radiation Safety Officer

DOCUMENT NAME: E:\Filenet\ML053000024.wpd

SISP Review Complete: EUllrich

After declaring this document "An Official Agency Record" it will be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	N	DNMS/RI	N	DNMS/RI			
NAME	EUllrich/JPD for EXU		J Dwyer/JPD					
DATE	10/25/2005		10/26/2005					

OFFICIAL RECORD COPY