

ACCEPTANCE REVIEW MEMO (ARM)

Licensee: Montana Refining Company Inc. License No.: 25-27488-01

Docket No.: 030-33433

Mail Control No.: 471451

Type of Action: Amend

Date of Requested Action: 07-17-07

Reviewer
Assigned:

ARM reviewer(s): Torres

Response	Deficiencies Noted During Acceptance Review
	<ul style="list-style-type: none">[] Open ended possession limits. Limit possession. Submit inventory.[] Submit copies of most recent leak test results.[] Add - delete IC license condition. Add IC paragraph in cover letter.[] Split license from cover letter. Add SUNSI marking to license.[] Ask the licensee if they have any type-amount of EPAct Material.

Reviewer's Initials: _____

Date: _____

- ☐ Yes ☐ No Unrestricted release Group 2 or >: Transfer memo to FCDB within 10 days.
- ☐ Yes ☐ No Decommissioning notification should be completed within 30 days.
- ☐ Yes ☐ No Termination request < 90 days from date of expiration
- ☐ Yes ☐ No Expedite (medical emergency, no RSO, location of use/storage not on license, RAM in possession not on license, other)
- ☐ Yes ☐ No TAR needed to complete action.

Branch Chief's and/or Sr. HP's Initials: _____

Date: _____

SUNSI Screening according to RIS 2005-31

☐ Yes ☒ No Non-Publicly Available, Sensitive if any item below is checked

General guidance:

- _____ RAM = or > than Category 3 (Table 1, RIS 2005-31), use Unity Rule
- _____ Exact location of RAM (whether = or > than Category 3 or not)
- _____ Design of structure and/or equipment (site specific)
- _____ Information on nearby facilities
- _____ Detailed design drawings and/or performance information
- _____ Emergency planning and/or fire protection systems

Specific guidance for medical, industrial and academic (above Category 3):

- _____ RAM quantities and inventory
- _____ Manufacturer's name and model number of sealed sources & devices
- _____ Site drawings with exact location of RAM, description of facility
- _____ RAM security program information (locks, alarms, etc.)
- _____ Emergency Plan specifics (routes to/from RAM, response to security events)
- _____ Vulnerability/security assessment/accident-safety analysis/risk assess
- _____ Mailing lists related to security response

Branch Chief's and/or Sr. HP's Initials: RTT

Date: AUG - 7 2007

Pre-Licensing Screening

Applicant Information:

Control No. 471451

Name: Montana Refining Company Inc.	Type of Request: Amend Program Code(s):
Location: MT	License No.: 25-27488-01 Docket No.: 030-33433

STEP 1—Radioactive Materials and Quantities Requested:

Instructions for Step 1: Complete Step 1 for all applications. If all your responses in Step 1 are "No" then do not complete Step 2 (Screening Criteria). Sign and date the completed step-sheet and add it as the sensitive and non-publicly available OAR in ADAMS. If a "yes" response is indicated for any item in Step 1, also complete Step 2. If the type of use is subject to a Security Order or the requirements for increased controls, complete Step 3 (Item A or Item B) without delay.		Yes or No
A.	The request is from a new applicant.	No
B.	NUREG-1556, Volume 20, Section 4.9 indicates a licensing site visit is needed for the requested type of use, e.g., (1) Type A broad scope license, (2) panoramic irradiator containing > 10000 curies, (3) manufacturers or distributors using unsealed radioactive material or significant quantities of sealed material, (4) radioactive waste brokers, (5) radioactive waste incinerators, (6) commercial nuclear laundries, and (7) any other application that in the judgement of the reviewer and cognizant supervisor involves complex technical issues, complex safety questions, or unprecedented issues that warrant a site visit.	No
C.	The applicant requested certain radionuclides and quantities that equal or exceed the Risk Significant Quantity (TBq) values in the table, below, that have been "highlighted" by the reviewer	No

Table of Risk Significant Quantities

(Category 2 Quantities, IAEA Safety Guide No. RS-G-1.9, Categorization of Radioactive Sources, August 2005)

Radionuclide	Risk Significant Quantity (TBq ¹)	Risk Significant Quantity (Ci ¹)	Radionuclide	Risk Significant Quantity (TBq ¹)	Risk Significant Quantity (Ci ¹)
Am-241	0.6	16	Pm-147	400	11,000
Am-241/Be	0.6	16	Pu-238	0.6	16
Cf-252	0.2	5.4	Pu-239/Be	0.6	16
Cm-244	0.5	14	Ra-226 ²	0.4	11
Co-60	0.3	8.1	Se-75	2	54
Cs-137	1	27	Sr-90 (Y-90)	10	270
Gd-153	10	270	Tm-170	200	5,400
Ir-192	0.8	22	Yb-169	3	81

¹ The primary values are TBq. The curie (Ci) values are for informational purposes only.

² The Atomic Energy Act, as amended by the Energy Policy Act of 2005, authorizes NRC to regulate Ra-226 and NRC is in the process of amending its regulations for discrete sources of Ra-226.

Calculations of the Total Activity or the Unity Rule are attached to document whether or not the screening criteria in Step 2 were also completed to evaluate the application. NOTE—If an amendment of an existing license is being requested, the calculations will include the previously authorized quantities for the radionuclide(s).	Yes, No, or Not Applicable (NA)
Total Activity—multiple activities are requested for a single radionuclide and the sum of the activities equals or exceeds the quantity of concern for the radionuclide	—
Unity Rule—multiple radionuclides are requested and the sum of the ratios equals or exceeds unity, e.g., [(total activity for radionuclide A) + (risk significant quantity for radionuclide A)] + [(total activity for radionuclide B) + (risk significant quantity for radionuclide B)] ≥ 1.0.	—

Signature and Date for Step 1:


License Reviewer and Date

AUG - 7 2007



MONTANA REFINING COMPANY, Inc.

1900 Tenth Street N.E. / Great Falls, Montana 59404-1955

July 17, 2007

US NRC Region 4
Attention: Licensing Agent
611 Ryan Plaza Drive
Suite 400
Arlington, TX 76011

RECEIVED
JUL 23 2007
DNMS

Dear Mr. Torres:

Per our conversation on the phone this morning I am sending this letter requesting that you add our newly purchased Niton XRF Analyzer to our Specific Materials License #25-27488-01. Listed below is the device information you requested.

Type: XRF Analyzer
Make: Niton
Model: XLP 818
Serial: 13817

Sealed Source Information

Make:	IPI	Isotope:	Am-241
Model:	XFB-4	Activity:	30 mCi
Serial:	05-442	Reference Date:	1/1/07

This device was purchased under a general license and I would like to add it to my Specific Materials License and then close out the General License so I only have one license to keep track of.

Thank you for your cooperation.

Sincerely,

Mark Johnson
Safety Director (RSO)
Montana Refining Company, Inc.

MJ:csj

→ Notify HQ since this is
a 10 CFR 31.5 notification
(GL group in HQ)

AUG - 8 2007

DATE

This is to acknowledge the receipt of your letter/application dated 7-17-07, and to inform you that the initial processing, which includes an administrative review, has been performed.



There were no administrative omissions. Your application will be assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.



Please provide to this office within 30 days of your receipt of this card:

The action you requested is normally processed within 90 days.



A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 471451.
When calling to inquire about this action, please refer to this mail control number.
You may call me at 817-860-8103.

Sincerely,

Colleen Murnahan

Licensing Assistant

: (FOR LFMS USE)
: INFORMATION FROM LTS
: -----
:
:
: Program Code: 03120
: Status Code: 0
: Fee Category: 3P
: Exp. Date: 20140831
: Fee Comments: _____
: Decom Fin Assur Req'd: N
:

BETWEEN:

License Fee Management Branch, ARM
and
Regional Licensing Sections

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED

Applicant/Licensee: MONTANA REFINING COMPANY INC
Received Date: 20070723
Docket No: 3033433
Control No.: 471451
License No.: 25-27488-01
Action Type: Amendment

2. FEE ATTACHED

Amount: _____
Check No.: /

3. COMMENTS

Signed Colleen Murashan
Date 8-02-07

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

1. Fee Category and Amount: _____

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

Amendment _____
Renewal _____
License _____

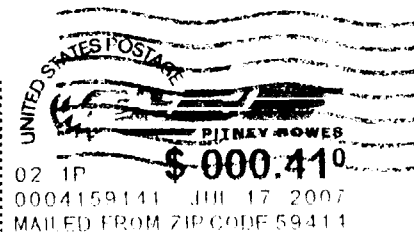
3. OTHER _____

Signed _____
Date _____



MONTANA REFINING COMPANY, INC.

1900 Tenth Street N.E. / Great Falls, MT 59404-1955



|||||
US NRC Region 4
Attention: Licensing Agent
611 Ryan Plaza Drive
Suite 400
Arlington, TX 76011

471457
25-27458-01
(036-33433)

7601114005 C024

