



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

July 5, 2012

Agrium US, Inc.
ATTN: Richard L. Gearheard
President
4582 S. Ulster Street, Suite 1700
Denver, CO 80237

SUBJECT: POSSESSION OF RADIOACTIVE MATERIAL WITHOUT A LICENSE

Dear Mr. Gearheard:

On August 7, 2009, regulatory authority over radium-226 sealed sources contained in portable nuclear density gauges was transferred from the State of Alaska to the Nuclear Regulatory Commission (NRC). Companies in Alaska in possession of radium-226 were given the opportunity to apply for a license with the NRC by August 7, 2010.

The NRC has become aware that Agrium US may be in possession of radium-226 without a valid license issued by the NRC contrary to Title 10 of the Code of Federal Regulations, Part 30. If Agrium US is not in possession of radium-226 then provide a signed and dated written response indicating so. Send the response to: NRC Region IV, ATTN: Roberto J. Torres, 1600 East Lamar Boulevard, Arlington, TX 76011-4511.

If Agrium US is in possession of radium-226 without a license, you need to place the radioactive material in storage and not use the material. In addition, you need to submit a written response to the NRC confirming that the material has been placed in storage and will not be used until a license is obtained from the NRC. Furthermore, your company needs to submit a license application and corresponding application fee within 30 business days after receipt of this letter to: NRC Region IV, ATTN: DNMS Licensing Assistant, 1600 East Lamar Boulevard, Arlington, TX 76011-4511. You may contact Roberto J. Torres by telephone at 817-200-1189 or by e-mail at robertoj.torres@nrc.gov for information on how to obtain a license.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Thank you for your cooperation.

Sincerely,

/RA/

Roberto J. Torres, Senior Health Physicist
Nuclear Materials Safety Branch B

Agrium US, Inc.

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Cc: Agrium US, Inc.
9360 Glacier Highway, Suite 202
Juneau, AK 99801

Agrium US, Inc.
P.O. Box 575
Kenai, AK 99635