

From: [Lawyer, Dennis](#)
To: David.M.Collins@dla.mil
Cc: [Cassata, James](#)
Subject: Defense Logistics Agency, Request for Additional Information Concerning License Renewal, Control 609785
Date: Wednesday, December 12, 2018 5:42:00 PM

License No.: 37-30062-01
Docket No: 030-33261
Control Nos: 609785
Program Codes: 03225
Licensee Name: Defense Logistics Agency
Certifying Officer: Joseph D. Cassel, Director, Current Operations, J3 Defense Logistics Agency Distribution
RSO: David Collins, DLA INSTALLATION SUPPORT, RSO, David.M.Collins@dla.mil

SUBJECT: Request for Information (RAI)

Mr. Collins (RSO);

This refers to the license amendment application submitted by Mr. Joseph Cassel dated August 29, 2018, (ML18248A201). In order to complete the review of the application, please reply to each of the following items within 30 days of this correspondence. Your responses must be in the form of a signed and dated letter from Mr. Cassel, who has been designated as the licensee Certifying Officer for the Defense Logistics Agency Distribution. Preferably the letter will be scanned and submitted as a pdf document attached to an email to Jim Cassata. Alternatively, it may be transmitted by facsimile to (610) 337-5269 or it may be sent by regular paper delivery (such as US mail) to the Region I address on the NRC from 313.

1. Regarding your list of material and quantities, on page 5/6-3, on row 1, you requested 25 per source and 500,000 total of H-3. Please confirm that you wanted to decrease the amounts on the current license that were listed as 75 and 900,000, respectively (Units withheld).
2. Regarding your list of material and quantities, on page 5/6-3, on row 2, you requested 0.5 per source and 1,000 total of H-3 (Liquid). Please confirm that you wanted to increase the total to 1,000 from the 1.0 listed on the current license. Please note any total quantity of H-3 in liquid form greater than 1 will required additional financial assurance consideration in your financial assurance calculations and may result in changes on your statement of intent.
3. In order to retain current license condition 13 for relief of submitting an emergency plan for responding to a release, you will need to state that Defense Logistics Agency (DLA) will restrict the storage locations to licensed quantities at or below those stated in 10 CFR 30.72, Schedule C, with the exception of tritium stored at the Anniston, AL, DLA Distribution Center (DC), which will need to have its own evaluation or emergency plan in accordance with 10 CFR 30.32(i). Please also state that a storage location for the purposes of this application is defined as "an area that is physically separated from another storage area by a fire wall, barrier or distance that will prevent the inclusion of more than one location in a fire (fire walls are nominally rated as 4-hour barriers).

4. In accordance with 10 CFR 30.32(i), please provide either an emergency plan or an evaluation showing the maximum off-site dose due to the release of radioactive materials would not exceed 1.0 rem Effective Dose Equivalent (EDE) or 5 rem to the thyroid for the maximum tritium that would be stored at the Anniston, AL, DC.
5. Regarding the duties and responsibilities of the RSO listed on page 7-5, please provide a copy of an organizational chart by position showing the relationship of the RSO position within the safety and command organization. The RSO shall have sufficient independence and direct communication with responsible management officials.
6. Regarding the duties and responsibilities of the RSO listed on page 7-5, in accordance with Appendix B of NUREG 1556 Volume 18, Revision 1, Consolidated Guidance About Materials Licenses, Program-Specific Guidance About Service Provider Licenses (NUREG 1556-v18-r1), please confirm and state that the RPOs as defined on page 7-6, will be available for emergencies at their location and can be on-site within 24-48 hours and will provide immediate notification to the RSO or an alternate qualified person designated by the RSO when the RSO isn't available to receive emergency notification.
7. Per our discussion on the phone on November 20, 2018, regarding your request for providing DC flexibility to make programmatic changes without amendment to the license, you stated that it would not be worth pursuing due to the necessary change in program code that would be required along with a substantial financial increase in licensing costs. Please confirm, you accepted that you are not authorized to change programmatic changes commitments in your application.
8. Regarding Section IV, Material Receipt Accountability, in your application, please state that you will comply with the National Source Tracking System (NSTS) reporting requirements as described in 10 CFR 20.2207, when applicable.
9. Regarding Section III, Radiation Monitoring Instruments, in your application, please state, "We reserve the right to upgrade our survey instruments as necessary", per item 10.3 of Appendix B of NUREG 1556-v18-r1.
10. Per item 10.5 of Appendix B of NUREG 1556-v18-r1, please state, "Leak tests sample collection and analysis will be performed by an organization authorized by NRC or an Agreement State to provide leak testing services to other licensees. Leak tests may be collected by the licensee using a leak test kit supplier's instructions. Such leak test kits will be supplied by an organization authorized by the NRC or an Agreement State to provide leak testing services."
11. The residual contamination limits specified in your application at the top of page 10-7 are not sufficiently stated.

To determine acceptable surface contamination levels (residual, i.e., fixed, and removable) for uncontrolled release of equipment, please state that you will use guidance in NRC Regulatory Guide 8.23 and the values found in Table 3 of NRC Regulatory Guide 8.23.

To determine unrestricted release criteria for buildings and other locations as required by 10 CFR 20.1402 (residual radioactivity that is distinguishable from background radiation results in a total effective dose equivalent (TEDE) to an average member of the critical group that does not exceed 25 mrem per year, etc.), please state that you will follow the guidance in NUREG-1757, "Consolidated Decommissioning Guidance."

12. There are two issues with the Statement of Intent you submitted for your financial assurance (per NUREG-1757, Vol. 3, Rev. 1, Checklist 11-A-1).

a. First, your reference to DODD 5118.03, January 6, 1997, appears to be incorrect because that directive had been superseded by DODD 5118.03, April 20, 2012; that has underwent substantial changes.

b. Second, your statement that the DLA Comptroller (DLAC) had been given delegated authority pursuant to DODD 5118.03 appears to be was incorrect since that directive is written for the Under Secretary of Defense Comptroller (USDC). Under paragraph 6 (AUTHORITIES) the USDC may;

"Redelegate these authorities, as appropriate, and in writing, except as otherwise specifically indicated in this Directive, or as otherwise provided by law, Executive order, or regulation."

To correct both of these issues please either provide; a statement of intent signed by the USDC; or both a statement of intent signed by the DLAC and a letter from the USDC redelegating this authority to the DLAC.

Please do not hold up the rest of reply to this request for information pertaining to item 13. Please send the reply back in the form of a signed and dated letter by Mr. Cassel as soon as possible and acknowledge that the financial assurance documents requested in item 13 will be sent as a separate signed and dated reply.

If you have any questions please don't hesitate to contact, James R. Cassata, at 610-337-5303, james.cassata@nrc.gov.

Sincerely,

Dennis Lawyer
NRC Health Physicist

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).

You may also find the NUREG 1556 "Consolidated Guidance About Materials Licenses:" series of references very helpful at: <http://www.nrc.gov/reading-rm/doc->

[collections/nuregs/staff/sr1556/](https://www.nrc.gov/collections/nuregs/staff/sr1556/)

Note: Failure to submit a reply within 30-days of this email will result in the NRC voiding your request and you will need to resubmit a new request for an amendment.

Dennis Lawyer
U.S. NRC Region 1
Health Physicist
610-337-5366