

DASEKA Metalúrgica de México, S. A. de C. V.
Asencia al Obispaado 1730 Dpto. I
Colonia Obispaado Tel. 48 44-74
C. P. 64010 Monterrey, N. L.

LUBENAU, SP, AR 5233

Region 4 - Everett
to lead
OCTOBER 18, 1984

U.S. NUCLEAR REGULATORY COMMISSION
ATTN: MR. NUNZIO J. PALLADINO
CHAIRMAN

C.C. U.S. DEPARTMENT OF TRANSPORTATION

REGION 4
Everett/Doda - lead
11/9/84
Action

Dear Mr. Palladino, my name is David Segovia-Kane, I am from Monterrey, México and President of DASEKA METALURGICA DE MEXICO, S.A. DE C.V.

The purpose of this letter is to let you know that we have had many problems in trying to set up a plant that used to be own by EAD METALLURGICAL INC., located in Tonawanda, N.Y., U.S.A.; Mr. Lee Walker (EAD's president) has failed on delivering to us the assistance of technology (or know how), with such consequences that we have not been able to start any operation in our plant in Mexico; my belief is that he never will.

Thus, the actual situation is, that we are sending back the equipment to Mr. Walker, and our mainly reasons are the following:

- 1) EAD has failed to deliver technical assistance.
- 2) We have invested too much money in this venture.
- 3) Mr. walker assured us (letter enclosed), that he would accept full responsibility for the proper disposal of any waste material; from our stand stand point, all the equipment and inventory is waste material, since we can not use them for production.
- 4) Mr. Richard A. Ratliff, from the Texas departament of health (letter enclosed) that the radioactive materials shipped by EAD to us, are under the low specific activity limits of tittle 49 CFR 173.403 (n) (5) with 55 gallon drums containing americium 241 in accordance with the U.S. NUCLEAR REGULATORY COMMISSION CERTIFICATE of Compliance No. 6144 as amended. Thus, assuring that everything is in complete accordance with the rules and regulations of the U.S. DOT and Texas departament of health.
- 5) We have been inspected by the Mexican NRC (the persons in charge of the inspection were Mr. Andres Lopez Bautista and Mr. Amoregildo Maldonado), stating that everything is in accordance with the mexican and U.S. lules and regulations

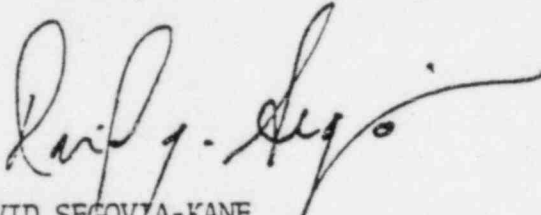
D, KA Metalúrgica de México, S. A. de C. V.
Ascenso al Obispado 1730 Depto. 1
Colonia Obispado Tel. 43-44-74
C. P. 64010 Monterrey, N. L.

Our procedure, to send back these equipment and inventory would be the following:

- 1) We will introduce the 55 gallon drums inside of 2 steel containers, in order to be transported safely.
- 2) The port of entry to the United States will be Laredo, Texas.
- 3) The transportation of this equipment and inventory will be made in the month of November/1984.
- 4) We are sending a letter to the U.S. DOT.

Please let me know if you have something more to add on this matter. I would really appreciate your assistance and understanding.

Thank you for everything, truly yours



DAVID SEGOVIA-KANE
DASEKA METALURGICA DE MEXICO, S.A. DE C.V.
PRESIDENT.

FAX TO LUBENAU, SP, AR 5233

DASEKA Metalurgica de Mexico, S. A. de C. V.

Ascenso al Obispedo 1733 Depto. 1

Colonia Obispedo Tel. 48-44-74

C. P. 64010 Monterrey, N. L.

4 Pages

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U.S. NUCLEAR REGULATORY COMMISSION
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CHAIRMAN

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Monterrey, Mexico

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LUBENAU, SP

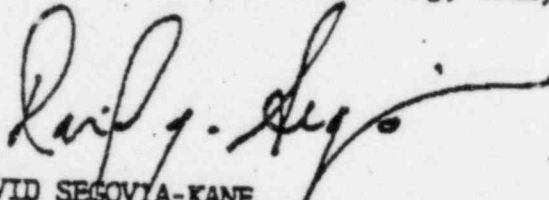
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DAVID SEGOVIA-KANE
DASEKA METALURGICA DE MEXICO, S.A. DE C.V.
PRESIDENT.

November 25, 1983

Mr. David Segovia Kane
President
Daseka Metalurgica De Mexico
Arbol #181
Col. Santa En Gracia
C.G. Nuevo Leon
MEXICO

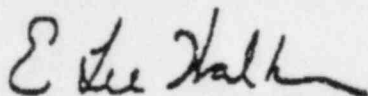
Dear David:

Enclosed is a letter from the Texas Department of Health providing the assurance that all of the equipment and inventory of EAD Metallurgical has been shipped in complete accordance with the rules and regulations of the United States Department of Transportation and the Texas Department of Health.

Also by copy of this letter I would like to provide you and your company with the assurance that we will take all necessary steps to assist you in removing any waste products that may develop as a consequence of your operations. I do not expect these amounts to be in any great quantity but should your operation develop any waste we will accept full responsibility for their proper disposal.

I look forward to a successful operation with you.

Sincerely,



E. Lee Walker
President

ead metallurgical inc.

P.O. Box 122
Tonawanda, New York 14150
516-877-1167



Texas Department of Health

Bert Bernstein, M.D., F.A.C.P.
Commissioner

1100 West 49th Street
Austin, Texas 78756
(512) 458-7111

Radiation Control
(512) 835-7000

Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services

Hermas L. Miller
Deputy Commissioner
Management and Administration

November 28, 1983

Mr. David Segonia Kane
Daseka Metalurgica De Mexico
ARBOL #181
Col. Santa En Gracia
C.G. Nuevo Leon, Mexico

Dear Mr. Kane:

This is to confirm observations made by my inspector, Mr. Gus E. Myers, concerning radioactive materials packaged by EAD Metallurgical for shipment to your company. He stated that three trailers were packaged with process equipment under the low specific activity limits of Title 49 CFR 173.403(n)(5), and one type B container (Model No. B-2) was loaded with 55 gallon drums containing Americium 241 in accordance with the U.S. Nuclear Regulatory Commission Certificate of Compliance No. 6144 as amended.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard A. Ratliff".

Richard A. Ratliff, P.E., Director
Division of Compliance and Inspection
Bureau of Radiation Control

TO EXPEDITE DELIVERY OF MAIL TO THIS PROGRAM, PLEASE USE THIS ZIP+4: 78756-3199.

November 25, 1983

Mr. David Segovia Kane
President
Daseka Metalurgica De Mexico
Arbol #181
Col. Santa En Gracia
C.G. Nuevo Leon
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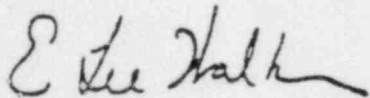
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P.O. Box 128
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512-477-1165



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Richard A. Ratcliff, P.E., Director
Division of Compliance and Inspection
Bureau of Radiation Control

TO EXPEDITE DELIVERY OF MAIL TO THIS PROGRAM, PLEASE USE THIS ZIP+4: 78756-3189.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

EDO PRINCIPAL CORRESPONDENCE CONTROL

FROM:

DAVID AXELROD
STATE OF NEW YORK

DUE: 01/14/85

EDO CONTROL: 000227
DOC DT: 12/11/84
FINAL REPLY:

TO:

CHAIRMAN PALLADINO

FOR SIGNATURE OF:

** GREEN **

SECY NO: 84-2064

MINOGUE

DESC:

REQUEST NRC RE-EXAMINE DISCHARGE LIMITS IN PART 20
- REFERENCE INCIDENTS INVOLVING CONTAMINATION OF
SEWAGE TREATMENT FACILITIES WITH AMERICIUM 241

ROUTING:

DAVIS
~~KEEL~~ SP
GCUNNINGHAM

ASSIGNED TO: RES
CONTACT: MINOGUE

DATE: 12/24/84

SPECIAL INSTRUCTIONS OR REMARKS:

cy WLC
DN
JS
NS
J. my Smith
(Reg I)