

MATERIALS LICENSE

Amendment No. 07

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

301711

Licensee		In accordance with letter dated July 31, 1996	
1. CDR Pigments & Dispersions Division of Flint Ink Corporation		3. License Number 21-16971-02 is amended in its entirety to read as follows:	
2. 471 Howard Ave. Holland, MI 49424		4. Expiration Date May 31, 2002	
		5. Docket or Reference No. 030-32671	
6. Byproduct, Source, and/or Special Nuclear Material	7. Chemical and/or Physical Form	8. Maximum Amount that Licensee May Possess at Any One Time Under This License	
A. Nickel-63	A. Foil source (Tracor Detector Cell Model No. 115500)	A. No single cell to exceed 20 millicuries	
9. Authorized Use:			
A. To be used in gas chromatographs for sample analysis.			

CONDITIONS

10. Licensed material shall be used only at the licensee's facilities located at 471 Howard Avenue, Holland, Michigan.
11. Licensed material shall be used by, or under the supervision of, Thomas L. Praamsma.
12. Detector cells containing licensed material shall not be opened or the sources removed from the detector cell by the licensee.
13. Except as otherwise specified in this license, the licensee shall have available and follow the instructions contained in the manufacturer's instruction manual for the chromatography device.
14. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 2 years from the date of each inventory.
15. The licensee shall dispose of sources by returning to the manufacturer when their use has been discontinued.

9610070136 940916
PDR ADOCK 03032671
C PDR

COPY

230
50

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number

21-16971-02

Docket or Reference Number

030-32671

Amendment No. 07

16. A. Sealed sources and detector cells shall be tested for leakage and/or contamination at intervals not to exceed 6 months or at such other intervals as specified by the certificate of registration referred to in 10 CFR 32.210.
- B. In the absence of a certificate from a transferor indicating that a leak test has been made within 6 months prior to the transfer, a sealed source or detector cell received from another person shall not be put into use until tested.
- C. Sealed sources need not be leak tested if:
- (i) they contain only hydrogen-3; or
 - (ii) they contain only a radioactive gas; or
 - (iii) the half-life of the isotope is 30 days or less; or
 - (iv) they contain not more than 100 microcuries of beta and/or gamma emitting material or not more than 10 microcuries of alpha emitting material; or
 - (v) they are not designed to emit alpha particles, are in storage, and are not being used. However, when they are removed from storage for use or transferred to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source or detector cell shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.
- D. The leak test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(b)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. The report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region III, ATTN: Chief, Nuclear Materials Safety Branch, 801 Warrenville Road, Lisle, Illinois 60532-4351. The report shall specify the source involved, the test results, and corrective action taken.
- E. The licensee is authorized to collect leak test samples for analysis by National Leak Test Center. Alternatively, tests for leakage and/or contamination may be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.

COPY

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number
21-16971-02

Docket or Reference Number
030-32671

Amendment No. 07

17. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.
18. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents including any enclosures, listed below. The Nuclear Regulatory Commission's regulations shall govern unless the statements, representations and procedures in the licensee's application and correspondence are more restrictive than the regulations.
- A. Application dated February 7, 1992; and
- B. Letter dated July 31, 1996.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date Sept 16, 1996

By *Robert R. Matton*
Nuclear Materials Licensing Branch, Region III

COPY

(FOR LFMS USE)
INFORMATION FROM LTS

BETWEEN:

LICENSE FEE MANAGEMENT BRANCH, ARM
AND
REGIONAL LICENSING SECTIONS

PROGRAM CODE: 03123
STATUS CODE: 0
FEE CATEGORY: 3P
EXP. DATE: 20020531
FEE COMMENTS:
DECOM FIN ASSUR REQ'D: N

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED
APPLICANT/LICENSEE: CDR PIGMENTS & DISPERSIONS
RECEIVED DATE: 960812
DOCKET NO: 3032671
CONTROL NO.: 301711
LICENSE NO.: 21-16971-02
ACTION TYPE: AMENDMENT

2. FEE ATTACHED

AMOUNT:

CHECK NO.: 0

3. COMMENTS

SIGNED
DATE

B. LICENSE FEE MANAGEMENT BRANCH (CHECK WHEN MILESTONE 03 IS ENTERED / ☒ /)

1. FEE CATEGORY AND AMOUNT: 3P \$300

2. CORRECT FEE PAID. APPLICATION MAY BE PROCESSED FOR:

AMENDMENT

RENEWAL

LICENSE

3. OTHER

SIGNED
DATE

SEP 23 1996

Log	Aug 8 III
Remitter	
Check No.	153934
Amount	\$300
Fee Category	3P
Type of Fee	AMSD
Date Check Rec'd	9/20/96
Date Completed	9/20/96
By:	SC



Pigments & Dispersions

CERTIFIED MAIL #P 230 433 368
RETURN RECEIPT REQUESTED

July 31, 1996

U.S. Nuclear Regulatory Commission
Region 3
Materials Licensing Section
801 Warrenville Road
Lisle, IL 60532-4351

Dear Sir or Madam:

RE: CDR Pigments & Dispersions, Division of Flint Ink Corporation
471 Howard Avenue, Holland, MI 49424
Amendment to NRC License No. 21-16971-02

CDR Pigments & Dispersions, Division of Flint Ink Corporation, has recently purchased the BASF Holland site and all associated equipment listed in License No. 21-1691-02.

The attached letter from BASF to the NRC documents the notification of change of ownership and control of the above referenced NRC license and radiation source equipment.

This letter is also provided to request appropriate amendments to the NRC Materials License No. 21-16971-02 (copy enclosed) and specifically addresses the information needed for change of ownership application as described in NRC Information Notice 89-25, Rev. 1, Attachment 1.

On behalf of CDR Pigments & Dispersions, Division of Flint Ink Corporation, The following information is being provided which reflects the change of ownership and control of radiation source equipment:

1. The new name of the licensed organization is CDR Pigments & Dispersions, Division of Flint Ink Corporation.
2. The new license contact and telephone number to facilitate communications is Thomas L. Praamsma (616) 393-5346.
3. Licensed material shall be used by or under the supervision of Thomas L. Praamsma.

RECEIVED

AUG 12 1996

REGION III

Pm 8/5/96

12 1996

30/7/1

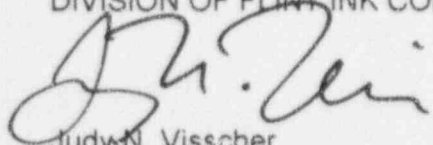
4. The transferor, BASF Corporation, is no longer located in Holland, MI but still has licensed facilities in several state throughout the United States.
5. A change of ownership as reflected by the attached letter which was submitted by BASF Corporation to the NRC.
6. The CDR Howard Avenue facility in Holland, MI will incorporate transferred radiation source equipment into its existing radiation safety program including appropriate emergency procedures.
7. The gas chromatograph is now located at 471 Howard Avenue, Holland, MI 49424, and is used for sample analysis. The instrument is a Tracor Model 540 Gas Chromatograph equipped with two electron capture detectors, model 115500, serial numbers 5236 and 5227. All other detectors listed on the license have been returned to the manufacturers for disposal.
8. The change of location of the Gas Chromatograph noted in item #1 above, and the change in personnel supervising licensed activities noted in item #3, would require a license amendment even without the change of ownership.
9. All records of leak tests and inventories are current in accordance with 1- CFR-20 requirements.
10. The facility possesses only two foil detector cells of less than 15 millicuries of Ni(63). All detectors not in use were returned to the manufacturer prior to the sale of the facility.
11. The foil detectors have remained sealed, and the leak tests have not shown any leakage of radiation.
12. There is no contamination of the previous site.

CDR Pigments & Dispersions, Division of Flint Ink Corporation agrees to abide by all commitments and representations previously made to NRC by BASF Corporation in the existing license.

Should you have any questions or comments regarding the proposed amendments to the NRC Materials License No. 21-16791-02, please contact me at (616) 393-5345.

Sincerely,

CDR PIGMENTS & DISPERSIONS
DIVISION OF FLINT INK CORPORATION



Judy N. Visscher
Division Environmental & Safety Coordinator

/jv
attachment

CORRECTED COPY

Amendment No. 06

MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 39, 40 and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee

1. BASF Corporation

3. License number 21-16971-02

2. 491 Columbia Ave.
Holland, MI 49423

4. Expiration date May 31, 1997

5. Docket or
Reference No 030-32671/21-16971-026. Byproduct, source, and/or
special nuclear material7. Chemical and/or physical
form8. Maximum amount that licensee
may possess at any one time
under this license

A. Nickel-63

A. Foil source
(Hewlett-Packard
Detector Cell Model
No. 18803-60520)A. No single cell
to exceed 15
millicuries

B. Nickel-63

B. Foil source
(Varian Dectector
Cell Model No.
02-000965-00)B. No single cell
to exceed 15
millicuries

C. Nickel-63

C. Foil source (Tracor
Detector Cell Model
No. 115500)C. No single cell
to exceed 20
millicuries

9. Authorized Use

A., B. and C. To be used in gas chromatographs for sample analysis.

CONDITIONS

10. Licensed material shall be used only at the licensee's facilities located at 491 Columbia Avenue, Holland, Michigan.

11. Licensed material shall be used by, or under the supervision of, William M. Witzel.

12. In lieu of using the conventional radiation caution colors (magenta or purple on yellow background) as provided in Section 20.203(a)(1), of 10 CFR Part 20, the licensee is hereby authorized to label detector cells and cell baths, containing licensed material and used in gas chromatography devices, with conspicuously etched or stamped radiation caution symbols without a color requirement.

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License number

21-16971-02

Docket or Reference number

030-11990/

CORRECTED COPY

Amendment No. 06

13. Detector cells containing licensed material shall not be opened or the sources removed from the detector cell by the licensee.
14. Except as otherwise specified in this license, the licensee shall have available and follow the instructions contained in the manufacturer's instruction manual for the chromatography device.
15. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 2 years from the date of each inventory.
16. The licensee shall dispose of sources by returning to the manufacturer when their use has been discontinued.
17. A. (1) The source(s) specified in Item(s) 7.A. thru 7.C. shall be tested for leakage and/or contamination at intervals not to exceed 6 months. Any source received from another person which is not accompanied by a certificate indicating that a test was performed within 6 months before the transfer shall not be put into use until tested.
(2) Notwithstanding the periodic leak test required by this condition, any licensed sealed source is exempt from such leak tests when the source contains 100 microcuries or less of beta and/or gamma emitting material or 10 microcuries or less of alpha emitting material.
B. Any source in storage and not being used need not be tested. When the source is removed from storage for use or transfer to another person, it shall be tested before use or transfer.
C. The test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie or more of removable contamination, the source shall be removed from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. A report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region III, 799 Roosevelt Road, Glen Ellyn, Illinois 60137, ATTN: Chief, Nuclear Materials Safety Branch. The report shall specify the source involved, the test results, and corrective action taken. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission. Records may be disposed of following Commission inspection.
D. The licensee is authorized to collect leak test samples for analysis by the National Leak Test Center or tests for leakage and/or contamination shall be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License number

21-16971-02

Docket or Reference number

030-11990

CORRECTED COPY

Amendment No. 06

18. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.
19. The licensee shall maintain records of information important to safe and effective decommissioning at the location listed in Condition 10. of this license per the provisions of 10 CFR 30.35(g) until this license is terminated by the Commission.
20. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents including any enclosures, listed below. The Nuclear Regulatory Commission's regulations shall govern unless the statements, representations and procedures in the licensee's application and correspondence are more restrictive than the regulations.

A. Application dated February 7, 1992.



For the U.S. Nuclear Regulatory Commission

Date: JUN 25 1992

By

Patricia M. Ackelson
Materials Licensing Section, Region III

BASF Corporation

BASF

Certified Mail Z236 155 348
Return Receipt Requested

030-32671

July 30, 1996

U.S. Nuclear Regulatory Commission
Region 3
Materials Licensing Section
801 Warrenville Road
Lisle, IL 60532-4351

Dear Sir or Madam:

RE: BASF CORPORATION CHANGE OF OWNERSHIP

In accordance with regulatory requirements, I am notifying you of a change of ownership and control of our NRC Materials License No. 21-16971-02 (copy enclosed).

Specifically, the BASF Corporation facility at 471 Howard Avenue in Holland, MI has been sold to CDR Pigments and Dispersions, Division of Flint Ink Corporation located in Detroit, MI.

The BASF Corporation facility at 491 Columbia Avenue was closed and limited equipment was transferred to the CDR Pigments and Dispersions, Division of Flint Ink Corporation site at 471 Howard Avenue.

Equipment Description

Radioisotope/Quantity

1. Tracor Model 540
Gas Chromatograph

2 detectors each containing
Ni⁶³/ less than 15 millicuries

Should you have any questions or comments regarding this change of ownership and control of equipment, please contact me at (313) 246-6493.

Sincerely,

BASF Corporation

Thomas Ozimek

Thomas Ozimek
Occupational Safety/Industrial Hygiene

Attachment

RECEIVED

AUG 12 1996

REGION 11

CORRECTED COPY

Amendment No. 06

MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 39, 40 and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee		
1. BASF Corporation		3. License number 21-16971-02
2. 491 Columbia Ave. Holland, MI 49423		4. Expiration date May 31, 1997
		5. Docket or Reference No. 030-32671/21-16971-02
6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
A. Nickel-63	A. Foil source (Hewlett-Packard Detector Cell Model No. 18803-60520)	A. No single cell to exceed 15 millicuries
B. Nickel-63	B. Foil source (Varian Detector Cell Model No. 02-000965-00)	B. No single cell to exceed 15 millicuries
C. Nickel-63	C. Foil source (Tracor Detector Cell Model No. 115500)	C. No single cell to exceed 20 millicuries
9. Authorized Use		
A., B. and C. To be used in gas chromatographs for sample analysis.		

CONDITIONS

10. Licensed material shall be used only at the licensee's facilities located at 491 Columbia Avenue, Holland, Michigan.
11. Licensed material shall be used by, or under the supervision of, William M. Witzel.
12. In lieu of using the conventional radiation caution colors (magenta or purple on yellow background) as provided in Section 20.203(a)(1), of 10 CFR Part 20, the licensee is hereby authorized to label detector cells and cell baths, containing licensed material and used in gas chromatography devices, with conspicuously etched or stamped radiation caution symbols without a color requirement.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License number

21-16971-02

Docket or Reference number

030-11990/

Amendment No. 06

CORRECTED COPY

13. Detector cells containing licensed material shall not be opened or the sources removed from the detector cell by the licensee.
14. Except as otherwise specified in this license, the licensee shall have available and follow the instructions contained in the manufacturer's instruction manual for the chromatography device.
15. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 2 years from the date of each inventory.
16. The licensee shall dispose of sources by returning to the manufacturer when their use has been discontinued.
17. A. (1) The source(s) specified in Item(s) 7.A. thru 7.B. shall be tested for leakage and/or contamination at intervals not to exceed 6 months. Any source received from another person which is not accompanied by a certificate indicating that a test was performed within 6 months before the transfer shall not be put into use until tested.
(2) Notwithstanding the periodic leak test required by this condition, any licensed sealed source is exempt from such leak tests when the source contains 100 microcuries or less of beta and/or gamma emitting material or 10 microcuries or less of alpha emitting material.
B. Any source in storage and not being used shall be tested. When the source is removed from storage for use or transfer to another person, it shall be tested before use or transfer.
C. The licensee shall be responsible for determining the presence of 0.005 microcurie of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie or more of removable contamination, the source shall be removed from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. A report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region III, 799 Roosevelt Road, Glen Ellyn, Illinois 60137, ATTN: Chief, Nuclear Materials Safety Branch. The report shall specify the source involved, the test results, and corrective action taken. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission. Records may be disposed of following Commission inspection.
D. The licensee is authorized to collect leak test samples for analysis by the National Leak Test Center or tests for leakage and/or contamination shall be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License number 21-16971-02

Docket or Reference number
030-11990

Amendment No. 06

CORRECTED COPY

18. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.
19. The licensee shall maintain records of information important to safe and effective decommissioning at the location listed in Condition 10. of this license per the provisions of 10 CFR 30.35(g) until this license is terminated by the Commission.
20. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents including any enclosures, listed below. The Nuclear Regulatory Commission's regulations shall govern unless the statements, representations and procedures in the licensee's application and correspondence are more restrictive than the regulations.

A. Application dated February 7, 1992.



For the U.S. Nuclear Regulatory Commission

Date: JUN 25 1992

By Leticia M. Schulen
Materials Licensing Section, Region III

LICENSE FEE REQUIREMENTS

LICENSE FEE AND DEBT COLLECTION BRANCH
DIVISION OF ACCOUNTING AND FINANCE
OFFICE OF THE CONTROLLER
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-6001

CDR PIGMENTS AND DISPERSIONS
ATTN: JUDY N. VISSCHER
471 HOWARD AVENUE
HOLLAND, MICHIGAN 49424

TYPE OF ACTION

- ☐ NEW LICENSE
☐ RENEWAL OF LICENSE
☒ AMENDMENT TO LICENSE

REQUESTED DATE

7-31-96

LICENSE NUMBER

21-16971-02

CONTROL NUMBER

301711

I. APPLICATION FEE DUE

Your request for a licensing action is subject to the fee(s) in the category(ies) noted below in accordance with Section 170.31 of the enclosed Federal Register notice. Payment of the fee is required prior to the issuance of the license, renewal, or amendment.

FEE CATEGORY	APPLICATION	RENEWAL	AMENDMENT
3P	\$	\$	\$ 300.00
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$

FEE(s) DUE	\$	300.00
PAYMENT RECEIVED	\$	0.00
AMOUNT DUE	\$	300.00

☒ Your request was received without the prescribed application fee.

☐ We received your Check No. _____ in the amount of \$ _____. Payment of the additional fee noted above is required.

☐ Your request will increase the scope of your license program. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(d)(2).

☐ Your license expired prior to the receipt of your application for renewal. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(a).

MAKE PAYMENT OF THE FEE(S) TO THE U.S. NUCLEAR REGULATORY COMMISSION AND MAIL THE PAYMENT TO THE ADDRESS LISTED AT THE TOP OF THIS FORM. IF WE DO NOT RECEIVE A REPLY FROM YOU WITHIN 30 CALENDAR DAYS FROM THE DATE LISTED BELOW, WE SHALL ASSUME THAT YOU DO NOT WISH TO PURSUE YOUR APPLICATION AND WILL VOID THIS ACTION.

SIGNATURE - LICENSE FEE ANALYST

LFDCB

LFDCB

SHIRLEY CRUTCHFIELD

8/26/96

II. FEE NOT REQUIRED

☐ Enclosed is Check No. _____ which accompanied your request. The fee is not required because:

☐ We received your Check No. _____ in payment of the fee.

☐ The Licensing staff has informed us that your request is to be considered as a continuation of your request dated _____, Control No. _____.

☐ Your request was combined, prior to review, with your _____ request, Control No. _____.

III. CHECK RETURNED

☐ Enclosed is Check No. _____ which was returned to us by the bank for:

- ☐ INSUFFICIENT FUNDS
☐ ACCOUNT CLOSED
☐ OTHER

MAIL THE REPLACEMENT CHECK TO THE ADDRESS LISTED AT THE TOP OF THIS FORM AND REFERENCE THE ABOVE CONTROL NUMBER.

IV. LICENSE ISSUED WITHOUT THE REQUIRED FEE

☐ License No. _____, Amendment No. _____, issued on _____ was issued without the required fee being collected. The fee required is noted in Section I of this form.

☐ The scope of your licensed program was increased. Therefore, your request is subject to the application fee(s) noted in Section I of this form. Refer to Section 170.31 and Footnote 1(d)(2).

☐ Because of the urgency of your request, the license was issued without remittance of the prescribed fee noted in Section I of this form.

Distribution

Pending Fee File

LFARB R/F (2)

OC/DAF/R/F

OC/DAF/SF(LF-3.2.7)

Region 3

DATE

Aug. 26, 1996

SEP 23 1996

Judy N. Visscher
Division Environmental &
Safety Coordinator
CDR Pigments & Dispersions
Division of Flint Ink Corporation
471 Howard Avenue
Holland, MI 49424

Dear Ms. Visscher:

Enclosed is Amendment No. 07 to NRC Material License No. 21-16971-02 in accordance with your request.

Review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office so that we can provide appropriate corrections and answers.

This refers to your letter dated July 31, 1996, requesting NRC consent to the change of ownership of BASF Corporation, License No. 21-16971-02. Based upon information submitted in your letter, the NRC consents to the transfer as stated.

As the new license holder, you should note your new responsibility and liability as an NRC licensee. Specifically, responsibility is emphasized concerning any ongoing NRC inspection and enforcement issues, investigations, facility decontamination, and decommissioning funding resources.

As discussed with you on August 27, 1996, failure to obtain NRC consent before the transfer is an apparent violation of 10 CFR 30.34(b) and is addressed in the attached Notice of Violation. It appears that your staff addressed the root cause and corrective action for the violation. Therefore, the NRC requires no reply by you to the violation. However, you are cautioned that the NRC expects you to conduct licensed activities with the necessary meticulous attention to detail and a high standard of compliance. The NRC will strongly address further violations of this nature.

Please note that we have deleted License Condition 19 which required that you, as the licensee, maintain records of information important to safe and effective decommissioning until the NRC terminates this license. The condition is deleted because the NRC states the same requirement in the regulations under 10 CFR 30.35(g). We advise you that the NRC still requires that you comply with that requirement.

In addition, we have deleted License Condition 12 which granted an exemption from the requirement to use color on radiation labels placed on detector cells. The NRC now states this exemption in 10 CFR 20.1901(b).

We have extended your expiration date by five years. Please refer to our letter dated May 7, 1996, which discusses the recent regulatory change that grants a one-time five-year extension for certain licenses.

Please be advised that your license expires at the end of the day, in the month, and year stated in the license. Unless your license has been terminated, you must conduct your program involving byproduct materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC, in writing, within 30 days:
 - a. When an authorized user or Radiation Safety Officer presently discontinues performance of duties under the license or has a name change; or
 - b. When the licensee's mailing address changes (no fee is required if the location of byproduct material remains the same).
3. In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
 - a. When you decide to terminate all activities involving materials authorized under the license; or
 - b. If you decide not to complete the facility, acquire equipment, or possess and use authorized material.
4. Request and obtain a license amendment before you:
 - a. Receive or use byproduct material for any use not permitted by your license;
 - b. Permit anyone, except individuals described in the license to work as an authorized user under the license;
 - c. Change Radiation Safety Officers;
 - d. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;

- e. Add or change the areas of use or address or addresses of use identified in the license application or on the license; or
 - f. Change ownership of your organization.
5. Submit a complete renewal application with proper fee or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations. A license will not normally be renewed, except on a case-by-case basis, in instances where licensed material has never been possessed or used.

In addition, please note that NRC Form 313 requires the applicant, by his/her signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Policy and Procedures for NRC Enforcement Actions, 10 CFR Part 2, Appendix C. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

Sincerely,
Original Signed By
Cynthia D. Pederson, Director
Division of Nuclear Materials Safety

License No.: 21-16971-02

Docket No.: 030-32671

- Enclosures:
- 1. Amendment No. 07
 - 2. Notice of Violation
 - 3. NUREG-1600
 - 4. 10 CFR 30
 - 5. NRC ltr dtd 05/06/96

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DATE	09/16/96		09/16/96		09/16/96					

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NOTICE OF VIOLATION

BASF Corporation
Holland, Michigan

License No. 21-16971-02
Docket No. 030-32671

During an NRC review on August 20, 1996, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

10 CFR 30.34(b) states that no license issued or granted pursuant to the regulations of this part or, Parts 31 through 39, nor any right under a license shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any other person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of the ACT and shall give its consent in writing.

Contrary to the above, on May 1, 1996, BASF Corporation transferred License Number 21-16971-02 to CDR Pigments & Dispersions, Division of Flint Ink Corporation without obtaining prior consent of the Commission in writing.

This is a Severity Level IV violation (Supplement VI).

The review showed that steps had been taken to correct the identified violation and to prevent recurrence. Consequently, the NRC requires no reply to the violation and we have no further questions regarding this matter.

Dated at Lisle, Illinois
this 23rd day of September 1996

UNITED STATES NUCLEAR REGULATORY COMMISSION
REGION III
CONVERSATION RECORD

(X) TELEPHONE (X) OUTGOING () INCOMING () CONVERSATION

TIME: DATE: 8/27/96

NAME OF PERSON(S) CONTACTED: ORGANIZATION: TELEPHONE NO.:

Judy Visscher
Division of Environmental and Safety Coordinator
CDR Pigments & Dispersions

SUBJECT:

License No. 21-16971-02
Control No. 301711
Letter dated July 31, 1996
Change of ownership violation for failure to obtain NRC's consent prior to sale.

SUMMARY:

I explained that the NRC was issuing a violation for their failure to obtain NRC consent prior to the sale. Ms. Visscher indicated that she was not aware of the requirement until after the sale and not until after the material had been moved to the new location. The individual in charge of the gas chromatograph discovered the failure and informed her of the requirement after the sale. She stated that it was her decision to file the amendment request and that her thought was that they made a mistake but "it was better to do it late then never". She stated that the authorized user, herself and her management were now aware of their responsibilities and that prior to any future sale, CDR would obtain NRC's consent.

I did not perceive any indication that the violation was willful and it appeared that the licensee took corrective actions on their own accord after they discovered their error.

ACTION REQUIRED:

Issue a NOV with the license amendment and provide NRC's consent to the sale.

ACTION TAKEN:

NAME OF PERSON DOCUMENTING CONVERSATION

Evelyn R. Matson
630-829-9822

SIGNATURE



DATE

9/9/96