

MATERIALS LICENSE

Amendment No. 14

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.

OFFICIAL RECORD COPY

Licensee

1. CIBA-GEIGY Corporation
Toms River Plant
2. P.O. Box 71
Toms River, New Jersey 08754

In accordance with letter dated
August 9, 1996,

3. License Number 29-09009-02 is amended in
its entirety to read as follows:

4. Expiration Date October 31, 2002

5. Docket or
Reference No. 030-08786

6. 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. Plated sources or foils | A. Not to exceed 20
millicuries per source
and 200 millicuries total |
| B. Cesium 137 | B. Sealed sources | B. 100 millicuries |
| C. Americium 241 | C. Sealed neutron sources | C. 500 millicuries |

9. Authorized use

- A. For use in electron capture detectors in gas chromatographs which are distributed under a license issued by the Nuclear Regulatory Commission or an Agreement State.
- B. and C. For possession and use in Troxler Electronic Laboratories, Inc., Campbell Pacific Nuclear Corp., Humboldt Scientific, Inc., Seaman Nuclear Corporation, or Soiltest, Incorporated devices which have been evaluated and approved for licensing purposes under a license issued by the U.S. Nuclear Regulatory Commission of any Agreement State.

CONDITIONS

10. Licensed material may be used only at the licensee's facilities on Route 37, Toms River, New Jersey.
11. A. Licensed material in Item 9.A. shall be used by, or under the supervision of, Peter A. Henige. Licensed material in Item 9.B. and 9.C. shall only be used by, or under the supervision and in the physical presence of, Thomas Smith or individuals who have successfully completed the manufacturer's training program for gauge user, have been instructed in the licensee's routine and emergency operating procedures and who have been designated in writing by the Radiation Safety Officer.
B. The Radiation Safety Officer for this license is Peter A. Henige.
12. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders or detector cells by the licensee.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number

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030-08786

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13. 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 are specified by the certificate of registration referred to in 10 CFR 32.210, not to exceed 3 years.
- B. Notwithstanding Paragraph A of this Condition, sealed sources designed to emit alpha particles shall be tested for leakage and/or contamination at intervals not to exceed 3 months.
- C. In the absence of a certificate from a transferor indicating that a test has been made within six months prior to the transfer, a sealed source or detector cell received from another person shall not be put into use until tested.
- D. Each sealed source fabricated by the licensee shall be inspected and tested for construction defects, leakage, and contamination prior to any use or transfer as a sealed source.
- E. Sealed sources and detector cells need not be leak tested if:
- (i) they contain only hydrogen 3; or
 - (ii) they contain only a 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 transfer 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.
- F. The test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission. 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 and the source shall be removed 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 I, ATTN: Chief, Nuclear Materials Safety Branch, 475 Allendale Road, King of Prussia, Pennsylvania 19406. The report shall specify the source involved, the test results, and corrective action taken.

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- G. The licensee is authorized to collect leak test samples for analysis by the licensee. 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.
14. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
15. The licensee shall conduct a physical inventory every six months to account for all sealed sources and devices containing licensed material received and possessed under the license.
16. The licensee shall not acquire licensed material in a sealed source or device unless the source or device has been registered with the U.S. Nuclear Regulatory Commission pursuant to 10 CFR 32.210 or equivalent regulations of an Agreement State.
17. Each portable nuclear gauge shall have a lock or outer locked container designed to prevent unauthorized or accidental removal of the sealed source from its shielded position. The gauge or its container must be locked when in transport, storage or when not under the direct surveillance of an authorized user.
18. Any cleaning, maintenance, or repair of the gauge(s) that requires removal of the source rod shall be performed only by the manufacturer or by other persons specifically licensed by the Commission or an Agreement State to perform such services.
19. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number

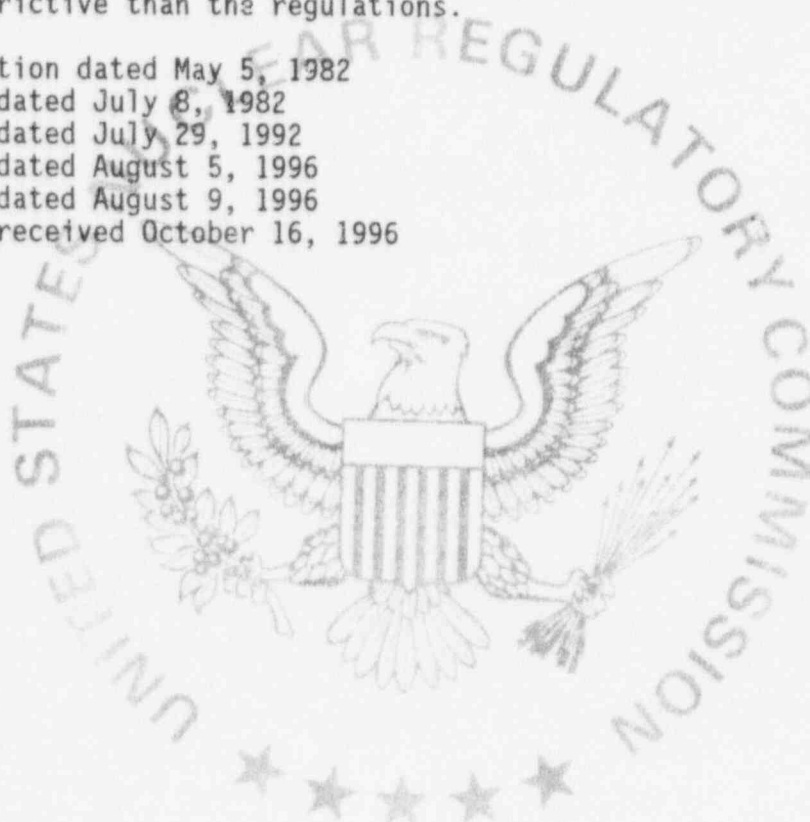
29-09009-02

Docket or Reference Number

030-08786

Amendment No. 14

20. Maintenance, repair, cleaning, replacement, and disposal of foils contained in detector cells shall be performed only by the device manufacturer or other persons specifically authorized by the Commission or an Agreement State to perform such services.
21. 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 May 5, 1982
 - B. Letter dated July 8, 1982
 - C. Letter dated July 29, 1992
 - D. Letter dated August 5, 1996
 - E. Letter dated August 9, 1996
 - G. Letter received October 16, 1996



For the U.S. Nuclear Regulatory Commission

Original Signed By
James M. Bondick

By

Nuclear Materials Safety Branch
Region I
King of Prussia, Pennsylvania 19406

Date OCT 24 1996

OCT 24 1996

Mr. Peter A. Henige, Manager
Safety and Industrial Hygiene
Ciba-Geigy Corporation
Toms River Plant
P.O. Box 71
Toms River, NJ 08754

Dear Mr. Henige:

This refers to your license amendment request. Enclosed with this letter is the amended license. Please note that as part of this amendment, in accordance with 10 CFR 30.36, effective February 15, 1996, the expiration date of your license has been extended by a period of five years. Your new expiration date is stated in Item 4 of the license.

Note that Condition 14 as it appeared in Amendment No. 13 has been deleted from the license. This condition is no longer necessary as an exception has been granted in 10 CFR 20.1901(2)(b) of the regulations.

Also note that Conditions 17, 18, 19 and 20 have been added to this amendment to the license. These conditions are required for the possession and use of portable nuclear gauges.

Please review the enclosed document carefully and be sure that you understand and fully implement all the conditions incorporated into the amended license. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5093 or 5239, so that we can provide appropriate corrections and answers.

Thank you for your cooperation.

Sincerely,

Original Signed By
James M. Bondick

James M. Bondick
Health Physicist
Division of Nuclear Materials Safety

License No. 29-09009-02
Docket No. 030-08786
Control No. 123542

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ML 10

P. Henige
Ciba-Geigy Corporation

-2-

Enclosure:
Amendment No. 14

DOCUMENT NAME: R:\WPS\MLTR\L2909909.02

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	N	DNMS/RI				
NAME	JBondick/jmb <i>JB</i>						
DATE	10/24/96	10/ /96	10/ /96	10/ /96	10/ /96	10/ /96	

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**CORPORATE ENVIRONMENTAL PROTECTION
REGIONAL REMEDIATION TEAM**

P. O. BOX 71, ROUTE 37W
TOMS RIVER, NJ 08754

BLDG. 216 - 2ND FLOOR

FAX NO.: (908) 914-2917

29-09009-02

FACSIMILE TRANSMISSION

TO: JAMES BONDICK NRC

LOCATION: MAIL CONTROL# 123542

FACSIMILE #: 610 337 5393

FROM: Tom Smith

TELEPHONE NO.: 908-914-2867

COMMENTS: THIS CERTIFICATE DOES NOT SEEM TO DARKEN
VERY WELL. IF YOU CANNOT USE EITHER OF THESE
I CAN SCAN IT HERE AND SEND IT TO YOU ON
DISK. PLEASE LET ME KNOW - THANK YOU

TODAY'S DATE: 10/27

NUMBER OF PAGES INCLUDING COVER 3

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123542

FAX REC'D OCT 24 1996

TROXLER ELECTRONIC LABORATORIES, INC.

HEREBY CERTIFIES THAT

THOMAS SMITH

of

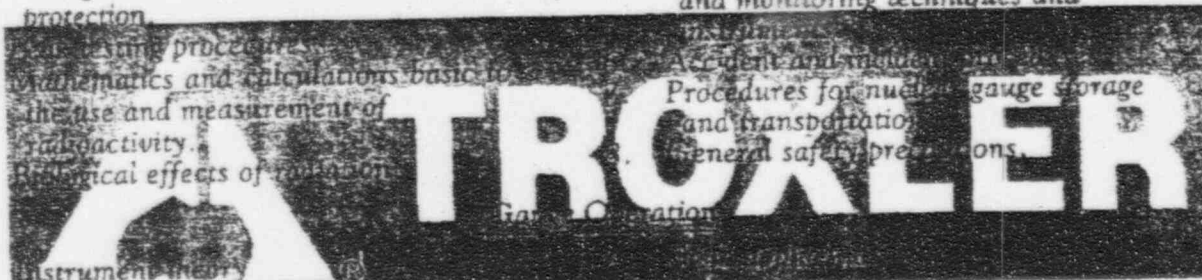
CIBA-GEIGY

HAS SUCCESSFULLY COMPLETED THE TROXLER ELECTRONIC LABORATORIES, INC.
TRAINING COURSE FOR THE USE OF NUCLEAR TESTING EQUIPMENT.

SUBJECTS INCLUDED IN THIS COURSE WERE AS FOLLOWS:

Radiological Safety

1. Principles and practices of radiation protection
2. Testing procedures
3. Mathematics and calculations basic to the use and measurement of radioactivity
4. Biological effects of radiation
5. Radioactivity measurement standardization and monitoring techniques and
6. Instrumentation
7. Accident and emergency procedures for nuclear gauge storage and transportation
8. General safety precautions
9. Instrumentation
10. Gauge calibration



Frank D. Jones
FRANK D. JONES
INSTRUCTOR

CERTIFICATE #: 074389

8/06/96
DATE

WILLIAM F. TROXLER
PRESIDENT

123542
OCT 24 1996

Toms River Site

ciba

Ciba-Geigy Corporation
P.O. Box 71
Toms River, NJ 08754
Telephone 908 914 2500

License No. 29-09009-02
Docket No. 030-08786
Control No. 123542

MS-16
96

Mr. James M. Bondick
Health Physicist
Division of Nuclear Materials Safety
Nuclear Regulatory Commission Region 1
475 Allendale Rd
King of Prussia Pa, 19406-1415

Subject: Responses to Deficiency Letter.

Mr. Bondick

Enclosed are the responses to questions dealing with the Ciba Geigy amendment request of August 5, 1996.

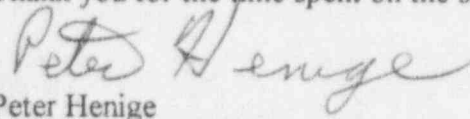
Enclosed find;

Responses to the deficiencies noted.
Training Documentation for Tom Smith, Gauge operator.
Diagram of Building 743 Gauge Storage area.
Corrected Form 313 items 5-10
Corrected Appendix A, Special Procedures for Gauge operators.

If any questions feel free to call

Peter Henige
Radiation Safety Officer, Ciba Geigy, Toms River Site
908-914-2840, 908-914-2901 Fax

Thank you for the time spent on the site's behalf.


Peter Henige
Radiation Safety Officer, Ciba Geigy, Toms River Site.

Responses to Deficiencies James Bondick Letter dated 9/3/96

123542

OCT 16 1996

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Responses to Deficiencies James Brondick Letter dated 9/3/96

1. Item 5.A. corrected to state 1 gauge maximum
2. Item 6 corrected to state SOP and Emergency Procedures revised.
Standard Operating Procedures Revised.
- 3.A. Enclosed
- 3.b Only Tom Smith will operate the gauge
- 3.c Added that the duties and responsibilities of the of the RSO will include those listed in Appendix C of Draft Regulatory Guide DG-0008.
- 3.d. The Toms River site undergoes a yearly Corporate Regulatory Audit. The auditors review the site to OSHA and NRC requirements as well as specific License requirements. The results of this audit are made available to senior Corporate officials for action plans.

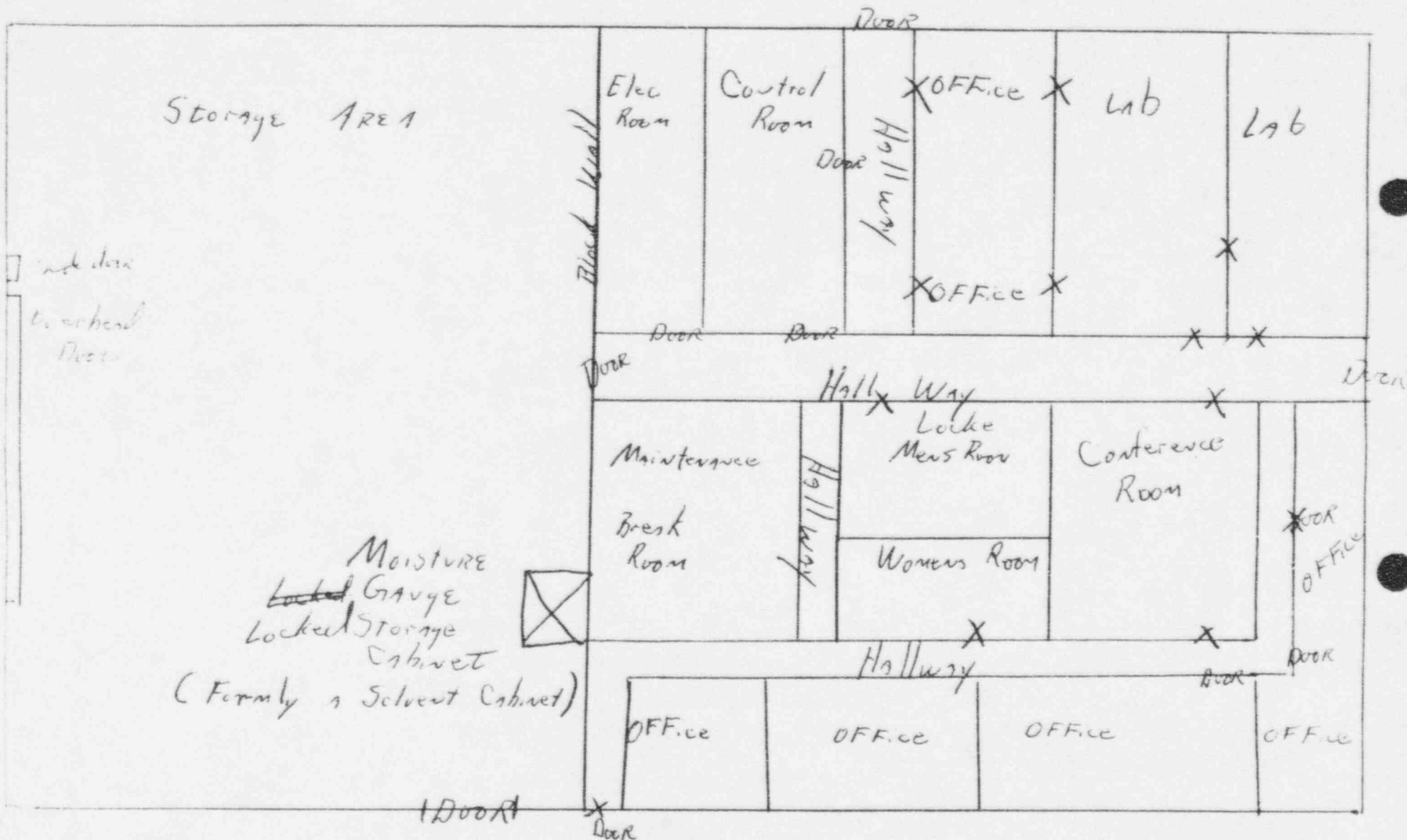
The management of the Toms River site is committed to meeting all regulatory and safety requirements. To that end the Radiation Safety Officer has been given the responsibility and authority to stop any unsafe actions and fulfill all duties required of the Radiation Safety officer.

- 4.a The operator must complete Vendors Safety Course. Dropped or equivalent.
- 4.b Gauge users will annually complete refresher provided by Troxler Radiation Services including:
 - Operating and Emergency Procedures including table top exercise
 - DOT requirements
 - Changes in applicable regulations or license conditions
 - Any deficiencies noted in annual audit.
5. Have amended Emergency Procedures to include additional information.
- 6.a The Toms River site consists of 1400 acres. The Remediation trailer has not yet been purchased. We have deleted storage in the Remediation Trailer. The Gauge will be in a Locked cabinet in Building 743. At the current time we are not requesting to use the gauge at temporary job sites. If that needs arises we will file an amendment at that time.
- 6.b Drawing Enclosed. The gauge will be stored in a locked cabinet. The cabinet will be labeled "Radiation Source, Portable Moisture Gauge, Authorized Personal Only In Event of Emergency Contact Tom Smith or Peter Henige" There is nothing stored above or below this cabinet. Only the gauge operator will have keys to this cabinet. The area will be surveyed before and after gauge use to detect any leakage.

7. Equalivalent Personnel Monitoring vendor will be NVLAP approved if we do not use Troxler Monitoring Services.
8. Have amended Item 2, Appendix A to meet Survey Instrument Calibration requirements. Each job site will have at least one survey meter capable of measuring 0.1 microsievert per hour (.01 millirem per hour) and 1 millisievert per hour (100 millirems per hour). This instrument will be used to perform surveys after an accident. Each instrument will be calibrated and inspected by the manufacturer , **at intervals not to exceed 6 months or as required by the regulation.** Before using instrument the survey instrument, we will check the response of the instrument with a dedicated check source supplied by the manufacturer, and if the instrument does not respond properly, we will not use the instrument until it is repaired..
9. Have amended Item 3, Appendix A to meet leak Testing Requirements.
to All portable moisture gauges will be leak tested at intervals not to exceed six months. The leak test will be preformed using the Troxler Model 3880 Leak test kit. The Leak test will be preformed using the manufacturers instructions. When preforming the Leak test, personnel monitoring devices will be worn. Troxler Radiation Monitoring Services will analyzes all leak tests using the 3880 kit,. Troxler License number, 032-01-82-1NC. Any analysis with the removable activity of >0.005 uCi will cause the affected gauge to be immediately removed from use. The gauge will be sent to the manufacture for repair or disposal. A report will be sent to the NRC in the event of a Leaking source. Leak Tests shall only be taken by individuals authorized by the RSO.
10. Have amended Item 3 Appendix A to meet Inventory Requirements
11. Have amended Item 6 Appendix A to meet your requirements.
12. Have included "We will conduct audits as described in appendix I of Draft Regulatory Guide DG-008".

Building 743
 17 People in Building
 0 People in Storage Area

OFFICIAL RECORD COPY ML 10



123542

THIS DOCUMENT MAY BE USED TO VERIFY TRAINING REQUIRED BY 49CFR172, SUBPART H

THOMAS SMITH

NAME

3/10/96

TRAINING DATE

This document is part of the Troxler Electronic Laboratories Inc. Nuclear Gauge Safety Training Course. It is intended for use in preparation for transport, transportation, regulatory compliance, emergency response, and other activities apply to radioactive White I and Yellow II portable gauging devices.

TROXLER ELECTRONIC LABORATORIES, INC.
3008 CORNWALLIS ROAD
P.O. BOX 12057
RESEARCH TRIANGLE PARK, NC 27709

INSTRUCTOR

I hereby certify that the above named employee has been properly trained and tested in accordance with the requirements of 49CFR172, Subpart H.

COMPANY OFFICIAL

EXPIRATION DATE



COMPANY AND ADDRESS

Appendix A

Special Requirements for Portable Moisture Gauges.

1. Monitoring Program

All gauge operators will wear personnel monitoring devices when utilizing the equipment. Personnel monitoring equipment will consist of TLD's supplied by Troxler Radiation monitoring services or equivalent approved NVLAP vendor for monitoring purposes, on a quarterly exchange period.

Troxler Radiation Monitoring Services Division of Troxler electronic Labs Inc.
License # 032-01-82-1 NC

2. Radiation Detection Instrument

Each job site will have at least one survey meter capable of measuring 0.1 microsievert per hour (.01 millirem per hour) and 1 millisievert per hour (100 millirems per hour). This instrument will be used to perform surveys after an accident. Each instrument will be calibrated and inspected by the manufacturer, **at intervals not to exceed 6 months or as required by the regulation.** Before using instrument the survey instrument, we will check the response of the instrument with a dedicated check source supplied by the manufacturer, and if the instrument does not respond properly, we will not use the instrument until it is repaired..

3. Leak Testing

All portable moisture gauges will be leak tested at intervals not to exceed six months.

The leak test will be preformed using the Troxler Model 3880 Leak test kit. The Leak test will be preformed using the manufacturers instructions. When preforming the Leak test, personnel monitoring devices will be worn. Troxler Radiation Monitoring Services will analyzes all leak tests using the 3880 kit,. Troxler License number, 032-01-82-1NC. Any analysis with the removable activity of >0.005 uCi will cause the affected gauge to be immediately removed from use. The gauge will be sent to the manufacture for repair or disposal. A report will be sent to the NRC in the event of a Leaking source. Leak Tests shall only be taken by individuals authorized by the RSO.

4. Inventories

Every Six Months, an inventory shall be taken to account for all gauges possessed under the license. Inventory Records will be maintained for at least 5 years.

Inventory Records shall include: radionuclide and amount (curies), of by product material in each sealed source; the manufactures name, model number and serial number of each device containing byproduct material, the location of each sealed source and device, and date of inventory.

5. Maintenance

All extended maintenance will be done by the vendor of the equipment. When performing any cleaning or maintenance (non source work) the operator will wear a personnel monitoring device. At all times the source rod shall be in the locked safe, shielded position in accordance with the manufacturers recommendations. At no time shall cleaning be preformed with the source rod exposed, out of the shield or the source rod removed from the gauge.

6. Transportation of Gauges to Field Locations

Before shipping a nuclear gauge, the gauge case shall be inspected to ensure that the case is in proper condition "unimpaired physical condition except for superficial marks" and that each device, (hinge, closure, hasp, latch, etc.,) is properly installed, secured and free of defects. Each case has the proper labeling, and that the labels are legible. The gauge case is to be sealed or locked. Copy of Type A Package Test results are on file for appropriate gauge case. Copies of IAEA Certificates of Competent Authority are on file for each type of source used in the nuclear gauge.. Records of Hazmat training for each gauge operator are on file. The Bill of Lading for each gauge must be in the transport vehicle, visible and immediately accessible to the driver. EMERGENCY RESPONSE INFORMATION for each gauge must be in the transport vehicle, visible and available to the transport driver.

No gauge will be shipped without a current leak test. Area survey of gauges shall be preformed with a survey meter. The manufacturer Radiation Profiles for each gauge model shall be used for reference. We currently have and will maintain copies of DOT regulations as appropriate to Yellow Label II portable gauges. We will transport NRC licensed material in accordance with the requirements of the Department of Transportation.

7. Operating Procedures for Portable Moisture Gauge.

All gauge operators will read and understand the procedures before they can operate the gauge. All gauge operators must be approved the Site Radiation Safety Operator.. All gauge operators must pass the a vendors Safety Training course.

Copies of Operating and Emergency Procedures shall be provided to all users and must be available at all job sites.

7.1. Before any operator removes a gauge from storage for the purpose of transport, check to see that the source rod is in the locked and safe position. Check to see that the gauge is structurally sound and that all hinges, clasps, and locks are in operating positions. Additionally check that all labels are legible and intact. Before removing the gauge ensure that the case is locked or secured.

7.2. Each gauge removed from storage shall be accounted for on the utilization log.

7.3. Each gauge shall have proper shipping documentation in the transport vehicle. A proper completed bill of lading and Emergency Response Information shall be in the vehicle, immediately accessible to the driver and visible.

7.4. When the gauge is in the field the authorized user must maintain control over the gauge at all times and keep unauthorized personnel out of the gauge operating area. The user will at no time leave the gauge unattended.

7.5. Never at any time expose the source rod and guide it visually into the ground. Never permit any contact of the source by your hands, fingers, or any part of your body. After each measurement ensure that the source has been retracted into the locked and safe position.

7.6. When using the equipment you will wear the personnel monitoring device assigned to you. Never wear another operators TLD or film badge. When not wearing the TLD badge, it shall be stored in the Radiation free zone that has been designated for badge storage.

7.7. When not making measurements keep the source rod in the safe and locked position. The gauge should be placed in the transportation case and returned to its permanent storage area as soon as possible. Upon return to storage, an annotation will be made in the utilization log.

7.8. If gauge is to be lowered more than 3 feet the gauge must be protected by a sampling sleeve or monitoring tube.

7.9 To make gauges more visible to operators of heavy equipment at construction sites, always "stake and Flag" each gauge, being sure that the flags are tall enough to be seen by the heavy equipment operators.

7.10 Never look under the gauge when the source rod is being lowered into the ground.

7.11 After each measurement, always return the source to the shielded position and lock it there.

Emergency Procedure

a. Immediately notify the RSO if a gauge is damaged lost, or stolen, or if the source fails to return to shielded position..

Peter Henige, Site RSO

908-914-2840 office, pager 908-840-2969, home 908-449-7942

Follow the RSO directions.

b. Locate the gauge and immediately secure the area around the gauge (15 ft radius). Keep unauthorized personnel from entering the area.

c. If a vehicle is involved it must be immediately stopped and checked for contamination.

d. A visual inspection is made of the gauge to determine if the source housing and shield has been damaged.

Emergency Response. (Site Management)

a. Arrange for a survey to be conducted as soon as possible by a knowledgeable person using appropriate radiation equipment.

b. Make necessary notifications to local authorities.

Dover Township Red phone

NRC 301-816-5100

Report any lost, stolen, damaged gauges, or any incident that involves doses in excess of dose limits. These reports are to be made as soon as possible.

C. Review the reporting requirements, 10 CFR 20.2201-2203 and 10 CFR 30.50

8. Annual Audit

The RSO is responsible to schedule, implement and document an yearly audit that meets the requirements of 10 CFR 20.1101. "We will conduct audits as described in appendix I of Draft Regulatory Guide DG-008".

9. Financial Assurance

The Toms River site does not store or maintain quantities of radioactive material that requires a Financial Assurance requirement.

10 Record keeping

All records required by the site Radiation License or Nuclear Regulatory Department will be maintained by the site Radiation Safety Officer as required by 10. CFR 30.35 (g).

Amendment items are in italics

5. **Radioactive Material**

	Radionuclide	Sealed Source	Max Activities/Source (Millicuries)
A.	Nickel 63	Plated or foil source	20 Millicuries per source 200 Millicuries maximum
B.	<i>Am-241:Be</i>	<i>Special Form</i>	<i>11 Millicuries/source</i> 1 Gauge maximum.

6. **Purpose for which licensed material will be used.**

- A. For use in electron capture detectors in gas chromatographs which are distributed under a license issued by the Nuclear Regulatory Commission or an Agreement State.
- B. *For use in Troxler Model 4300 series portable moisture measuring gauge. Gauge may be lowered more than 3 feet. Special procedures added to Operating and Emergency Procedures*

7. **Individuals Responsible For Radiation Safety Program**

Peter Henige C.I.H. is the current Radiation Safety Officer, this does not change. Copy of Company Organizational Chart enclosed, qualifications submitted in 1992 licence renewal. *The Radiation Safety Officer duties and Responsibilities include those listed in A Appendix C of the Regulatory Guide (Draft Regulatory Guide D-008). The Radiation Safety Officer keeps current by subscribing to an Electronic Media update service for all CFR regulations. (In 1996 the site is using BNA on CD ROM). The individual operating the portable moisture gauge will be Ciba employee, Tom Smith. Mr. Smith will be taking Troxler Nuclear Gauge Safety Training class 8/6/96 in Philadelphia. Training document enclosed*

The management of the Toms River site is committed to meeting all regulatory and safety requirements. To that end the Radiation Safety Officer has been given the responsibility and authority to stop any unsafe actions and fulfill all duties required of the radiation safety officer. The Toms River site undergoes a yearly Corporate Regulatory Audit. The auditors review the site to OSHA and NRC requirements as well as specific License requirements. The results of this audit are made available to Senior Corporate officials for action plans

Any individual operating the portable moisture gauge will take this course before being allowed to operate the equipment. Only Tom Smith will operate gauge. If additional employees are needed, the site will file for an amendment to NRC license.

8. *Any operator of the portable moisture gauge must complete the Troxler Nuclear gauge Safety training course.*

Operators of the gas chromatograph containing the electron capture sources have been trained in the requirements of the site radiation license. All maintenance work is done by the vendor of the equipment. No sources are ever opened.

Site has a radiation safety policy which all impacted employees receive training on an annual basis.

Refresher training for gauge operators will be accomplished by sending all gauge operators to the Troxler Nuclear Gauge Safety Training Course once per year. Copies of individual training certificates will be maintained on file to reflect the refresher requirements. Training to include; Operating and Emergency Procedures including table top exercise, DOT requirements, Changes in applicable regulations or license conditions, Any deficiencies noted in annual audit. Training to be done by an individual whose qualifications are described in Appendix D of Draft Regulatory Guide DG-008.

9. *The portable moisture gauge will be in a locked cabinet in building 743. If the gauge is to be used at an offsite location, the site will file for an amendment to the current license.*

Only the RSO or an individual who has successfully passed the Vendors radiation safety course will have access to the portable gauge or the cabinets. When the gauge is in use it will be under the direct control of an individual that has passed the vendor radiation safety course. The Ni 63 Electron Capture sources are located in gas chromatograph located in Buildings 216 and Building 743.

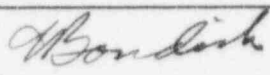
When gauges are transported to the field they will be secured to the vehicle by a chain and lock, or locked in the trunk of a car, or hidden from view in a locked van. The gauge will never be left unattended. When making measurements with the gauge, all unauthorized personnel shall be kept out of the operating area. The gauge will be under constant physical surveillance in the field.

10. **Radiation Safety Program**

See attached Site Radiation Safety Program, Appendix A

11. **Waste Management**

Disposition of any radioactive source will be by either transfer to another licensee specifically licensed to possess the radioactive material or to a licensed disposal facility

TELEPHONE CONVERSATION RECORD	Date: 10/03/96	Time: 3:30
Mail Control No.: 123542	License No.: 29-09009-02	Docket No.: 030-08786
Person Called: J. Bondick	Licensee: Ciba-Geigy	Telephone No.: 908-914-2840
Person Calling: Peter Heinge, RSO		
Subject: Response to deficiency letter, requests extension of 2 weeks		
Summary: Mr. Heinge expects that he can prepare the response to the deficiency letter today, but is requesting a two week extension until October 17, 1996.		
Action Required/Taken: Note to file; expect response by 10/17/96.		
Signature: James M. Bondick	 Date: 10/03/96	

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SEP - 3 1996

License No. 29-09009-02
Docket No. 030-08786
Control No. 123542

Mr. Peter A. Henige, Manager
Safety and Industrial Hygiene
Ciba-Geigy Corporation
Toms River Plant
P.O. Box 71
Toms River, NJ 08754

Dear Mr. Henige:

This is in reference to your letter dated August 5, 1996 informing the NRC of the pending merger of Ciba-Geigy Corporation with Sandoz Limited, and your application dated August 8, 1996 to amend byproduct material License No. 29-09009-02.

With regard to the information provided pending the merger, thank you for this notification. We have no further questions at this time, however, please provide the additional information regarding the merger when the information becomes available.

In order to continue our review for the request to amend byproduct material License No. 29-09009-02, we need the following additional information:

1. Item 5.A. of your application did not specify the number of gauges you wish to possess and use. Please provide the number of Troxler Model 4300 gauges and the maximum possession limit you wish to have listed on this license, or confirm that you will limit the number of source/device combinations so that you do not exceed the quantities of byproduct material that would require financial assurance for decommissioning. These limits are defined in 10 CFR 30.35(d) and discussed in Item 10.9 of Draft Regulatory Guide DG-0008, dated May 1995. A copy of this guide is provided for your convenience.
2. Item 6. of your application states: "For use in Troxler Model 4300 series portable moisture measuring gauge." Please review Item 6 of Draft Regulatory Guide DG-0008, and specify whether the sealed source will be lowered into the ground more than 3 feet. If you plan to make measurements at depths exceeding 3 feet, you will need to make revisions in your operating and emergency procedures (refer to Item 10.7 in Draft Regulatory Guide DG-0008).

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3. The following questions are in regard to Item 7. of your application.

- a. Item 7. states: "The individual operating the portable moisture gauge will be Ciba employee, Tom Smith. Mr. Smith will be taking Troxler Nuclear Gauge Safety Training class 8/6/96 in Philadelphia." Please provide a copy of the manufacturer's training certificate for Mr. Tom Smith.
- b. Item 9. states: "Only the RSO or an individual who has successfully passed the Vendor's radiation safety course will have access to the portable gauge or the cabinets. If you wish to have other individuals named as authorized users of the portable nuclear gauges, including the Radiation Safety Officer (RSO), on the license, provide a copy of the training certificate for each of the individuals.
- c. Your application references your "Site Safety and Health Policies and Procedures." In Section 3.1.1., you list the responsibilities of the RSO. There are additional responsibilities required of the RSO for the use of nuclear gauges. Confirm that you will modify your procedures to include all the duties and responsibilities included in Appendix C of Draft Regulatory Guide DG-0008. In lieu of submitting the requested description, you may state, "The RSO's duties and responsibilities will include those listed in Appendix C of this Regulatory Guide (Draft Regulatory Guide DG-0008)."
- d. Provide a statement of management's commitment that the RSO has independent authority to stop unsafe operations and will be given sufficient time to fulfil the radiation safety duties and responsibilities. Also provide a description of the methods and checks that management will use to ensure that the RSO has current copies of the regulations, reviews all new and revised regulations, and makes changes, as needed, in licensee procedures to comply with the regulations.

4. The following questions are in regard to Item 8. of your application.

- a. The first sentence in Item 8 states: "Any operator of the portable moisture gauge must complete the Troxler Nuclear gauge Safety training course or equivalent." Describe this equivalent training course and respond to questions 1 through 5 in Section 8.2 of Draft Regulatory Guide DG-0008.

- b. The last sentence in Item 8. states: "Site has a radiation safety policy which all impacted employees receive training on an annual basis." Annual refresher training for gauge users needs to be specific. Please confirm that refresher will be provided by the RSO or an instructor whose qualifications are those described in Part II of Appendix D of Draft Regulatory Guide DG-0008, to all gauge users at intervals not to exceed one year. This refresher training should include participating in "dry runs" of your emergency procedures and reviewing (1) operating and emergency procedures, (2) DOT requirements, (3) changes in applicable regulations or license conditions, and (4) deficiencies identified during the performance of annual audits or the radiation safety program. Refer to Section 8.1 of Item 8 in Draft Guide DG-0008 for additional details to include in your response.
5. Appendix A submitted with your application does not contain all the required elements in the operating and emergency procedures. In addition, a copy of these operating and emergency procedures must be provided to all users, and a copy of the operating and emergency procedures must be at each jobsite. Provide a copy of your revised operating and emergency procedures which contain all the elements in Appendix H of Draft Regulatory Guide DG-0008, including Section 6 of Appendix H. Confirm that you will provide a copy of these revised operating and emergency procedures to each gauge user, and that a copy will be present at each jobsite.
6. The following questions are in regard to Item 9. of your application.
- a. The first paragraph in Item 9 states: "The portable moisture gauge will be in a locked cabinet in the field remediation trailer." "If the trailer is not available the portable gauge will be in a locked cabinet in building 743." Where is the field remediation trailer located? Is this trailer always on the physical site listed in Item 3 of your application, or is the field remediation trailer at a remote, off-site location? It is unclear whether you are requesting the use of the nuclear gauges at temporary jobsites. Please state whether you wish to use nuclear gauges at temporary jobsites.
- b. Provide a drawing of where the gauge will be stored in building 743. In this drawing include the proposed restricted area or areas, adjacent areas, including areas above and below the restricted areas, and explain how radiation levels in unrestricted areas will be controlled and monitored to comply with 10 CFR 20.1301. In addition, describe the security measures that will be taken during storage of gauges at the address listed in Item 3 of Form 313.

7. Item 1. in Appendix A submitted with your application states: " All gauge operators will wear personnel monitoring devices when utilizing the equipment. Personnel monitoring equipment will consist of TLD's supplied by Troxler Radiation monitoring services, or equivalent, on a quarterly exchange period." Confirm that the "equivalent" personnel monitoring vendor will be NVLAP approved, as required by 10 CFR 20.1501.
8. Item 2. in Appendix A submitted with your application states: "Each instrument will be calibrated and inspected as per manufacturer's specifications." The required interval for calibration for this instrument may not exceed 6 months. Also, it is unclear whether you intend to return the survey instrument to the manufacturer for calibration. Please confirm the following: 1) at each jobsite, you will have at least one survey instrument capable of measuring between 1 microsievert per hour (0.1 millirem per hour) and 1 millisievert per hour (100 millirems per hour, 2) each survey instrument will be calibrated by the manufacturer at intervals not to exceed 6 months, and 3) before using a survey instrument, you will check the response of the instrument with a dedicated check source supplied with the instrument and, if the instrument does not respond properly, you will not use the instrument until it is repaired and operable or until you obtain an operable instrument. If the survey instrument is not returned to the manufacturer for calibration, identify by name, address, and license number an organization that is specifically licensed by NRC or an Agreement State to calibrate survey instruments for other licensees.
9. Item 3. in Appendix A submitted with your license states: " All gauges will be leak tested as per 3.1.5 of site radiation procedure." Section 3.1.5 in the procedure submitted with your application states: "The supervisor who has responsibility for the use of the source shall assure that appropriate wipe testing is performed every 6 months." "Results of all wipe testing shall be forwarded to the Manager of Safety & Industrial Hygiene." This procedure does not meet the requirements for leak testing of nuclear gauges. The recommended options for leak testing are discussed in Section 10.3 of Draft Regulatory Guide DG-0008. Review and select one of the options in Section 10.3 of Draft Regulatory Guide DG-0008 in response to this question.
10. Item 4., Inventories, in Appendix A of your application states: " Inventories of all radioactive sources shall be done as specified in 3.1.1.b of site radiation policy." The records of the inventory of portable nuclear gauges must contain additional information. Confirm that you will conduct inventories, at intervals not to exceed 6 months (as opposed to semi-annual, twice a year), to account for all sealed sources and devices received and possessed under the license. In addition, confirm that your inventory records will include the radionuclide and amount (in units of becquerels or curies) of byproduct material in each sealed source; the manufacturer's name, model number and serial number (if appropriate) of each device containing byproduct material, the location of each sealed source and device; and the date of the inventory.

11. Item 6. in Appendix A of your application states: "Transportation of any radioactive material shall be done as specified in 3.1.1.i of site Radiation Procedure." "We currently have and maintain copies of DOT regulations as appropriate to Yellow Label II portable gauges." Section 3.1.1.i of your Site Safety and Health Policies and procedures states: "Assure proper packaging and labelling of any shipment of return of radioactive materials or devices." Confirm that you will transport NRC licensed material in accordance with all applicable requirements of the Department of Transportation (DOT), found in Title 49 of the Code of Federal Regulations. Refer to Section 10.6 and Appendix G in Draft Regulatory Guide DG-0008 for additional information. Note the example of a Straight Bill of Lading, to be transported with each gauge, on page G-11 of this guide.
12. Item 8. in Appendix A of your application states: "The RSO is responsible to schedule, implement and document a yearly audit that meets the requirements of 10 CFR 20.1101." The description of this audit needs to be more explicit. Refer to Section 10.8 of Draft Regulatory Guide DG-0008 for the requirements of an annual audit of a radiation protection program. In lieu of describing the scope and extent of the audits, you may state, "We will conduct audits as described in Appendix I of Draft Regulatory Guide DG-0008."

Refer to Section 10.9.2 of Draft Regulatory Guide DG-0008 for a discussion on the type of records required to be maintained by licensees to comply with 10 CFR 30.35(g).

We will continue our review upon receipt of this information. Please reply in duplicate to my attention at the Region I Office and refer to Mail Control No. 123542. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-6951.

P. Henige
Ciba-Geigy Corporation

-6-

If we do not receive a reply from you within 30 calendar days from the date of this letter, we shall assume that you do not wish to pursue your application.

Sincerely,

ORIGINAL SIGNED BY:

James M. Bondick
Health Physicist
Division of Nuclear Materials Safety

License No. 29-09009-02
Docket No. 030-08786
Control No. 123542

Enclosures:

1. 10 CFR Parts 20, 30, and 71
2. Draft Regulatory Guide DG-0008

DOCUMENT NAME: R:\WPS\DLTR\D2909009.02

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	<input checked="" type="checkbox"/> N	DNMS/RI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME	JBondick\jmb <i>AB</i>						
DATE	09/03/96	09/	/96	09/	/96	09/	/96

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Toms River Site

ciba

Ciba-Geigy Corporation
P.O. Box 71
Toms River, NJ 08754
Telephone 908 914 2500

Licensing Assistant Section
Nuclear Materials Safety Branch
US Nuclear Regulatory Commission Region I
475 Allendale Rd
King Of Prussia, Pa. 19406-1415

030-08786

To Whom it May Concern:

The Toms River Ciba Geigy site wishes to file an amendment to its site Radiation license # 29-09009-02.

Enclosed find;

Form 313
Site Radiation Safety Procedure
Copy of current License
Organizational Chart for RSO
Check for \$300

Any questions feel free to call Peter Henige
908-914-2840

Thank you,

Peter Henige 8/9/96

Peter Henige C.I.H.
Radiation Safety Officer

Wish to add portable moisture gauge containing 123542

Am 241: Be.

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APPENDIX A

NRC FORM 313

U. S. NUCLEAR REGULATORY COMMISSION

APPROVED BY OMB NO. 3150-0120

EXPIRES 6-30-96

(10-94)
10 CFR 30.32, 33
34, 35, 36, 39 and 40

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST 9 HOURS. SUBMITTAL OF THE APPLICATION IS NECESSARY TO DETERMINE THAT THE APPLICANT IS QUALIFIED AND THAT ADEQUATE PROCEDURES EXIST TO PROTECT THE PUBLIC HEALTH AND SAFETY. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE INFORMATION AND RECORDS MANAGEMENT BRANCH (T-6 F33), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20555-0001, AND TO THE PAPERWORK REDUCTION PROJECT (3150-0120), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

APPLICATION FOR MATERIAL LICENSE

INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION. SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.

APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:

DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:

IF YOU ARE LOCATED IN:

CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA, RHODE ISLAND, OR VERMONT, SEND APPLICATIONS TO:

LICENSING ASSISTANT SECTION
NUCLEAR MATERIALS SAFETY BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, PUERTO RICO, SOUTH CAROLINA, TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA, SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION II
101 MARIETTA STREET, NW, SUITE 2900
ATLANTA, GA 30323-0199

IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:

MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION III
801 WARRENVILLE RD.
LISLE, IL 60532-4351

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR WYOMING, SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TX 76011-6064

030-08786

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.

1. THIS IS AN APPLICATION FOR (Check appropriate item)

- ☐ A. NEW LICENSE
☒ B. AMENDMENT TO LICENSE NUMBER 29-09009-02
☐ C. RENEWAL OF LICENSE NUMBER _____

2. NAME AND MAILING ADDRESS OF APPLICANT (Include Zip code)

Ciba Geigy Corporation
Highway 37 West, PO 71
Toms River, NJ 08754

3. ADDRESS(ES) WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

Ciba - Geigy Corporation
Highway 37 West, PO 71
Toms River NJ 08754

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Peter A. Henige

TELEPHONE NUMBER

908-914-2840

SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.

5. RADIOACTIVE MATERIAL
a. Element and mass number, b. chemical and/or physical form, and c. maximum amount which will be possessed at any one time

6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE

8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS

9. FACILITIES AND EQUIPMENT

10. RADIATION SAFETY PROGRAM

11. WASTE MANAGEMENT

12. LICENSE FEES (See 10 CFR 170 and Section 170.31)

FEE CATEGORY 3P AMOUNT ENCLOSED \$ 300

13. CERTIFICATION (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.

THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 39 AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.

WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.

CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE

Peter A. Henige / Radiation Safety Officer

SIGNATURE

Peter A. Henige

DATE

8/9/96

FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	

NRC FORM 313 (10-94)

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PRINTED ON RECYCLED PAPER

AUG 19 1996

Amendment items are in italics

5. **Radioactive Material**

	Radionuclide	Sealed Source	Max Activities/Source (Millicuries)
A.	Nickel 63	Plated or foil source	20 Millicuries per source 200 Millicuries maximum
B.	<i>Am-241:Be</i>	<i>Special Form</i>	<i>11 Millicuries/source</i>

6. **Purpose for which licensed material will be used.**

- A. For use in electron capture detectors in gas chromatographs which are distributed under a license issued by the Nuclear Regulatory Commission or an Agreement State.
- B. *For use in Troxler Model 4300 series portable moisture measuring gauge.*

7. **Individuals Responsible For Radiation Safety Program**

Peter Henige C.I.H. is the current Radiation Safety Officer, this does not change. Copy of Company Organizational Chart enclosed, qualifications submitted in 1992 licence renewal. *The individual operating the portable moisture gauge will be Ciba employee, Tom Smith. Mr. Smith will be taking Troxler Nuclear Gauge Safety Training class 8/6/96 in Philadelphia.*

Any individual operating the portable moisture gauge will take this course or equivalent before being allowed to operate the equipment.

8. *Any operator of the portable moisture gauge must complete the Troxler Nuclear gauge Safety training course or equivalent.* Operators of the gas chromatograph containing the electron capture sources have been trained in the requirements of the site radiation license. All maintenance work is done by the vendor of the equipment. No sources are ever opened.
- Site has a radiation safety policy which all impacted employees receive training on an annual basis. Radiation procedure enclosed.

9. *The portable moisture gauge will be in a locked cabinet in the field remediation trailer. If the trailer is not available the portable moisture gauge will be in a locked cabinet in building 743.*

Only the RSO or an individual who has successfully passed the Vendors radiation safety course will have access to the portable gauge or the cabinets. When the gauge is in use it will be under the direct control of an individual that has passed the vendor radiation safety course. The Ni 63 Electron Capture sources are located in gas chromatograph located in Buildings 216 and Building 743.

When gauges are transported to the field they will be secured to the vehicle by a chain and lock, or locked in the trunk of a car, or hidden from view in a locked van. The gauge will never be left unattended. When making measurements with the gauge, all unauthorized personnel shall be kept out of the operating area. The gauge will be under constant physical surveillance in the field.

10. **Radiation Safety Program**

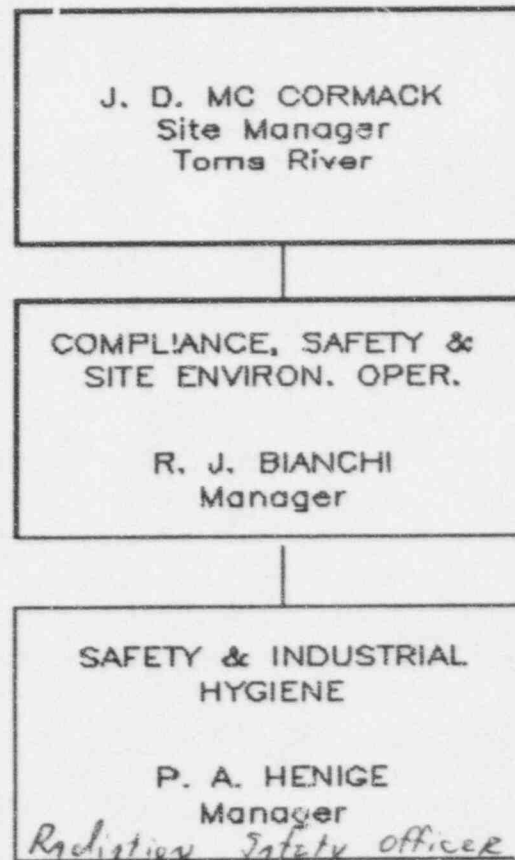
See attached Site Radiation Safety Program, Appendix A

11. **Waste Management**

Disposition of any radioactive source will be by either transfer to another licensee specifically licensed to possess the radioactive material or to a licensed disposal facility

Ciba-Geigy Corporation
Toms River Site

Compliance, Safety &
Site Environmental Operations
Chart 2



MATERIALS LICENSE

Amendment No. 13

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. CIBA-GEIGY Corporation
Toms River Plant

2. P.O. Box 71
Toms River, New Jersey 08754

In accordance with letter dated
July 29, 1992,

3. License number 29-09009-02 is amended in
its entirety to read as follows:

4. Expiration date October 31, 1997

5. Docket or
Reference No 030-08786

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. Plated sources or foils

A. Not to exceed 20
millicuries per source
and 200 millicuries total

9. Authorized use

A. For use in electron capture detectors in gas chromatographs which are distributed under
a license issued by the Nuclear Regulatory Commission or an Agreement State.

CONDITIONS

10. Licensed material may be used only at the licensee's facilities on Route 37, Toms
River, New Jersey.

11. A. Licensed material shall be used by, or under the supervision of, Peter A.
Henige.

B. The Radiation Safety Officer for this license is Peter A. Henige.

12. Sealed sources or detector cells containing licensed material shall not be opened or
sources removed from source holders or detector cells by the licensee.

13. 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 are specified by the certificate of registration referred to in 10 CFR
32.210, not to exceed 3 years.

B. Notwithstanding Paragraph A of this Condition, sealed sources designed to emit
alpha particles shall be tested for leakage and/or contamination at intervals
not to exceed 3 months.

C. In the absence of a certificate from a transferor indicating that a test has
been made within six months prior to the transfer, a sealed source or detector
cell received from another person shall not be put into use until tested.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License number

29-09009-02

Docket or Reference number

030-08786

Amendment No. 13

(13. continued)

CONDITIONS

- D. Each sealed source fabricated by the licensee shall be inspected and tested for construction defects, leakage, and contamination prior to any use or transfer as a sealed source.
- E. Sealed sources and detector cells need not be leak tested if:
- (i) they contain only hydrogen 3; or
 - (ii) they contain only a 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 transfer 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.
- F. The test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission. 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 and the source shall be removed 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 I, ATTN: Chief, Nuclear Materials Safety Branch, 475 Allendale Road, King of Prussia, Pennsylvania 19406. The report shall specify the source involved, the test results, and corrective action taken.
- G. The licensee is authorized to collect leak test samples for analysis by the licensee. 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.
14. In lieu of using the conventional radiation caution colors (magenta or purple on yellow background) as provided in 10 CFR 20.203(a)(1), 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.
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 5 years from the date of each inventory.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License number

29-09009-02

Docket or Reference number

030-08786

Amendment No. 13

(Continued)

CONDITIONS

16. Maintenance, repair, cleaning, replacement, and disposal of foils contained in detector cells shall be performed only by the device manufacturer or other persons specifically authorized by the Commission or an Agreement State to perform such services.
17. The licensee shall not acquire licensed material in a sealed source or in a device that contains a sealed source unless the source or device has been registered with the Nuclear Regulatory Commission under 10 CFR 32.210 or with an Agreement State.
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 May 5, 1982
 - B. Letter dated July 8, 1982
 - C. Letter dated July 29, 1992



For the U.S. Nuclear Regulatory Commission

Date OCT 20 1992

By John V. Lambaugh

Nuclear Materials Safety Branch
Region I
King of Prussia, Pennsylvania 19406

SUBJECT:

RADIATION SAFETY

POLICY/PROCEDURE NUMBER: 2b

PAGE: 1 OF 3

DATE ISSUED: 4/95

DATE EFFECTIVE: 4/95

EDITION: 95-1st

ISSUED BY: P. Henige

APPROVED BY: J. McCormack

1. PURPOSE

To establish procedures and responsibilities for controlling the purchase, use, change in status, and maintenance of all radioactive materials or radiation devices used on Site.

2. SCOPE

This procedure applies to all radioactive materials or radiation devices used at the Site by any person other than a contractor with a current, specific license from the Nuclear Regulatory Commission (NRC). The Radiation Safety Officer's (RSO) approval is required to allow a contractor using radioactive materials to function on Site.

3. PROCEDURE

Activities involving radioactive materials or ionizing radiation devices will be conducted under the authority and with the approval of the RSO (Manager of Safety & Industrial Hygiene).

3.1 Responsibilities

3.1.1 The RSO will:

- a. Maintain the instructions and pertinent equipment which are used for monitoring of the Site's radiation sources.
- b. Conduct a semi-annual physical inventory of all radioactive materials. The records of the inventories will be maintained for 5 years or as required by the NRC license. The inventory will include quantities and kinds of licensed materials, date of installation, location, date and time of inventory, name of supervisor who has responsibility for the use of the source, and the dates of last and next wipe tests.

SUBJECT: RADIATION SAFETY

PAGE: 2 OF 3

POLICY/PROCEDURE: 2b

EDITION: 95-1st

-
- c. Keep abreast of changes in NRC rules and regulations. He will contact manufacturers and obtain complete details as to the proper storage, handling, leak test procedures, and disposition of all radioactive materials. This information will be passed on to Site personnel who use the material or device.
 - d. Make reports to Joint Safety & Health Committee of all inspections by outside agencies and Site surveys.
 - e. Maintain a complete file on all licenses for radioactive materials. The RSO will review all license expiration dates and file the timely renewals.
 - f. Assure that all labels and signs indicating radioactive materials are properly posted to comply with federal regulations.
 - g. Assure that all devices are tested for leakage, the operation of the ON/OFF mechanism and indicator, if any, at the time of installation of the device or replacement of the source and retested every 3 years (unless required otherwise by the NRC). The RSO will maintain a complete file on the results of such leak tests as required under the NRC license.
 - h. Assure that all regulations are followed pertaining to use of field x-ray equipment for checking welds, seams, etc. by Site personnel or outside agencies. The originator of the request for field x-rays is responsible for notifying the Safety & Industrial Hygiene Department before this work is done.
 - i. Assure proper packaging and labelling of any shipment or return of radioactive materials or devices.
- 3.1.2 The Health Services Unit will keep records showing the radiation exposures of all individuals for whom personnel monitoring is required under federal and state regulations. Employees will be advised annually of their exposures.
- 3.1.3 Approval of the RSO is needed prior to the purchase, rental, or trial of any equipment containing radioactive material or a radiation device. The RSO must be notified prior to installing, removing, disconnecting, connecting, relocating, and/or, in any way, changing the status of any radioactive material or radiation device.

SUBJECT: RADIATION SAFETY

PAGE: 3 OF 3

POLICY/PROCEDURE: 2b

EDITION: 95-1st

3.1.4 The Manager of Safety & Industrial Hygiene will apply for and renew all by-product material licenses with the NRC. Renewals will be made no later than 30 days prior to the expiration of the license.

3.1.5 The supervisor who has responsibility for use of the source shall assure that appropriate wipe testing is performed every 6 months. Results of all wipe testing shall be forwarded to the Manager of Safety & Industrial Hygiene.

3.2 Confined Space Entry Permit

The Confined Space Entry Permit is an integral part of this procedure. During system preparation of a confined space which utilizes a radioactive material or radiation device, the device must be turned off. The section which contains the radiation source and is being opened, must be tagged with the sign, "Radiation Source Blocked Off". This condition must be verified by a supervisor from the Maintenance Department indicating that the source is indeed off. The work area is to be designated "Authorized Personnel Only - Radiation Area".

NOTE: There are no radiation devices used in confined spaces as of June 1, 1993.

Appendix A

Special Requirements for Portable Moisture Gauges.

1. Monitoring Program

All gauge operators will wear personnel monitoring devices when utilizing the equipment. Personnel monitoring equipment will consist of TOLD's supplied by Troxler Radiation monitoring services or equivalent, on a quarterly exchange period. Troxler Radiation Monitoring Services Division of Troxler electronic Labs Inc. License # 032-01-82-1 NC

2. Radiation Detection Instrument

Each job site will have at least one survey meter capable of measuring 0.1 microsievert per hour (.01 millirem per hour) and 1 millisievert per hour (100 millirems per hour). This instrument will be used to perform surveys after an accident. Each instrument will be calibrated and inspected as per manufacturers specifications.

3. Leak Testing

All gauges will be leak tested as per 3.1.5 of site radiation procedure.

4. Inventories

Inventories of all radiative sources shall be done as specified in 3.1.1 b of site radiation policy.

5. Maintenance

All extended maintenance will be done by the vendor of the equipment. When performing any cleaning or maintenance (non source work) the operator will wear a personnel monitoring device. At all times the source rod shall be in the locked safe, shielded position in accordance with the manufacturers recommendations. At no time shall cleaning be performed with the source rod exposed, out of the shield or the source rod removed from the gauge.

6. Transportation of Gauges to Field Locations

Transportation of any radioactive material shall be done as specified in 3.1.1 i of site Radiation Procedure. We currently have and will maintain copies of DOT regulations as appropriate to Yellow Label II portable gauges.

7 Operating Procedures for Portable Moisture Gauge

All gauge operators will read and understand the procedures before they can operate the gauge. All gauge operators must be approved the Site Radiation Safety Operator. All gauge operators must pass the vendors Safety Training course.

7.1. Before any operator removes a gauge from storage for the purpose of transport, check to see that the source rod is in the locked and safe position. Check to see that the gauge is structurally sound and that all hinges, clasps, and locks are in operating positions. Additionally check that all labels are legible and intact. Before removing the gauge ensure that the case is locked or secured.

7.2. Each gauge removed from storage shall be accounted for on the utilization log.

7.3. Each gauge shall have proper shipping documentation in the transport vehicle. A proper completed bill of lading and Emergency Response Information shall be in the vehicle, immediately accessible to the driver and visible.

7.4. When the gauge is in the field the authorized user must maintain control over the gauge at all times and keep unauthorized personnel out of the gauge operating area. The user will at no time leave the gauge unattended.

7.5. Never at any time expose the source rod and guide it visually into the ground. Never permit any contact of the source by your hands, fingers, or any part of your body. After each measurement ensure that the source has been retracted into the locked and safe position.

7.6. When using the equipment you will wear the personnel monitoring device assigned to you. Never wear another operators TLD or film badge. When not wearing the TLD badge, it shall be stored in the Radiation free zone that has been designated for badge storage.

7.7. When not making measurements keep the source rod in the safe and locked position. The gauge should be placed in the transportation case and returned to its permanent storage area as soon as possible. Upon return to storage, an annotation will be made in the utilization log.

Emergency Procedure

- a. Immediately notify the RSO if a gauge is damaged lost or stolen.
Peter Henige, Site RSO
908-914-2840 office, pager 908-840-2969, home 908-449-7942
- b. Locate the gauge and immediately secure the area around the gauge (15 ft radius).
- c. If a vehicle is involved it must be immediately stopped and checked for contamination.
- d. A visual inspection is made of the gauge to determine if the source housing and shield has been damaged.

8. Annual Audit

The RSO is responsible to schedule, implement and document an yearly audit that meets the requirements of 10 CFR 20.1101.

9. Financial Assurance

The Toms River site does not store or maintain quantities of radioactive material that requires a Financial Assurance requirement.

10 Record keeping

All records required by the site Radiation License or Nuclear Regulatory Department will be maintained by the site Radiation Safety Officer as required by 10. CFR 30.35 (g).

James D. McCormack
Toms River Site Manager

ciba

Ciba-Geigy Corporation
P.O. Box 71
Toms River, New Jersey 08754
Telephone 908 914 2800
Fax 908 914 2901

August 5, 1996

030-08786

Mr. Francis Costello
Chief, Nuclear Material Safety Branch
Nuclear Regulatory Commission
Region I
475 Allendale Road
King of Prussia, Pennsylvania 19406

Dear Mr. Costello:

**Re: License No. 29-09009-02 / Toms River, New Jersey Site
Ciba-Geigy Corporation Facility
Merger of Parent Corporation and Subsequent Demerger**

I am writing to inform you of the pending merger of Ciba-Geigy Corporation's parent company, Ciba-Geigy Limited ("Ciba"), a Swiss corporation, with another Swiss corporation, Sandoz Limited ("Sandoz"). The merger in Switzerland may take place as early as late summer. The exact date is still not known since the merger still must be approved by both U.S. and European anti-trust authorities. The new company will be called Novartis.

Both Ciba and Sandoz have U.S. subsidiaries, which will be merged after the merger in Switzerland. Towards the end of this year or in the first quarter of next year, a group of five businesses, possibly including the Toms River site, will be demerged from Novartis to form a new company which is currently known as "Speciality Chemicals", but which will receive a new name before the demerger takes place. It is not known at this time whether the Toms River Site will become part of Novartis or part of Speciality Chemicals.

We informed John McGrath of your office of these facts and asked for his guidance on how and when to file for an amendment to the license for the Toms River facility. He recommended that we reply the same way the Ciba-Geigy, Newport Site had, answering the questions in Attachment 1 to IN 89-25, Rev. 1, dated December 7, 1994. This will provide the necessary information to enable you to decide what further steps will be necessary. We will update these answers when significant additional information becomes available.

OFFICIAL RECORD COPY

ML 10

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AUG - 7 1996

- 1) Q: The new name of the licensed organization. If there is no change, the licensee should so state.
- A: The Toms River site may have two name changes -- first, to Novartis later this summer or early fall and, possibly, second to a name yet to be chosen later this year.
2. Q: The new licensee contact and telephone number(s) to facilitate communications.
- A: The licensee contact will remain the same: Peter Henige at 908-914-2840.
3. Q: Any changes in personnel having control over licensed activities (e.g., officers of a corporation) and any changes in personnel named in the license such as radiation safety officer, authorized users, or any other persons identified in previous license applications as responsible for radiation safety or use of licensed material. The licensee should include information concerning the qualifications, training, and responsibilities of new individuals.
- A: James McCormack, who is currently Manager of the Toms River Site, will continue to be the corporate officer with primary responsibility for the Toms River site until further notice. The president of Novartis in the United States will be Douglas Watson, who is the current president of Ciba-Geigy Corporation. The president-designate of Speciality Chemicals is Stan Sherman, who is currently vice-president of Finance of Ciba-Geigy Corporation. There will be no change in the personnel identified in the license applications as responsible for radiation safety or use of licensed material.
4. Q: An indication of whether the transferor will remain in nonlicensed business without the license.
- A: In the first stage, the Toms River facility will become part of the merged company, Novartis, so there is no transferor. In the second (demerger) stage, Novartis will retain an NRC license for its Summit, New Jersey (Pharmaceuticals Division) facility, see letter from George Stone, Ciba-Geigy Pharmaceuticals Division, re: License No. 29-00459-03, to the NRC, Region I office (dated July 1, 1996).

The license for the Newport facility will be transferred to the demerged company (see letter from John Deming, Pigments Division, to NRC, Region I office dated July 10, 1996, re: License No. 07-20696-01).

It is not yet known whether the Toms River Site will stay part of Novartis or be demerged into the Speciality Chemicals group. However, no unlicensed nuclear or radioactive business will be conducted by either of the new companies at the Toms River Site.

5. Q: A complete, clear description of the transaction, including any transfer of stocks or assets, mergers, etc., so that legal counsel is able, when necessary, to differentiate between name changes and changes of ownership.
- A: In Switzerland, there will be a merger and consolidation of Ciba and Sandoz into Novartis, and all the assets of both companies will be transferred to Novartis. The exact form of the merger in the United States has not yet been decided. There will be a merger and consolidation of the U.S. subsidiaries of both companies. In the demerger stage, the assets of Speciality Chemicals will be spun off to a new as yet unnamed company. We will inform you of the details as soon as they become known.
6. Q: A complete description of any planned changes in organization, location, facility, equipment, or procedures (i.e., changes in operating or emergency procedures).
- A: No change.
7. Q: A detailed description of any changes in the use, possession, location, or storage of the licensed materials.
- A: No change.
8. Q: Any changes in organization, location, facilities, equipment, procedures, or personnel that would require a license amendment even without the change of ownership.
- A: The site will file shortly for an amendment to add a source for a portable-gauging device unrelated to the merger.
9. Q: An indication of whether all surveillance items and records (e.g., calibrations, leak tests, surveys, inventories, and accountability requirements) will be current at the time of transfer. A description of the status of all surveillance requirements and records should also be provided.

- A: All surveillance items and records will be current. Surveys, inventories, and leak tests will continue to be conducted and records maintained according to our current license.
10. Q: Confirmation that all records concerning the safe and effective decommissioning of the facility, pursuant to 10 CFR 30.35 (g), 40.36(f), 70.25(g), and 72.30(d); public dose; and waste disposal by release to sewers, incineration, radioactive material spills, and on-site burials, have been transferred to the new licensee, if licensed activities will continue at the same location or to the NRC for license terminations.
- A: All records will remain at the Toms River site under the control of the same individuals currently responsible for decommissioning and demolition activities.
11. Q: A description of the status of the facility. Specifically, the presence or absence of contamination should be documented. If contamination is present, will decontamination occur before transfer? If not, does the successor company agree to assume full liability for the decontamination of the facility or site?
- A: The only licensed materials at the facility are sealed-source Ni63 for electron-capture device gauges. According to the license, these gauges are wipe (leak) tested at regular intervals, and no leaks have been identified. Therefore, there is no basis for believing that any radioactive contamination exists at the facility. (The facility has been designated a Superfund site and is being remediated under the supervision of EPA.)
12. Q: A description of any decontamination plans, including financial assurance arrangements of the transferee, as specified in 10 CFR 30.35, 40.36, and 70.25. This should include information about how the transferee and transferor propose to divide the transferor's assets and responsibility for any cleanup needed at the time of transfer.
- A: There are no decontamination plans and no perceived need for any cleanup of licensed materials.
13. Q: Confirmation that the transferee agrees to abide by all commitments and representations previously made to NRC by the transferor. These include, but are not limited to: maintaining decommissioning records required by 10 CFR 30.35(g); implementing decontamination activities and decommissioning of the site; and completing corrective actions for open inspection items and enforcement actions.

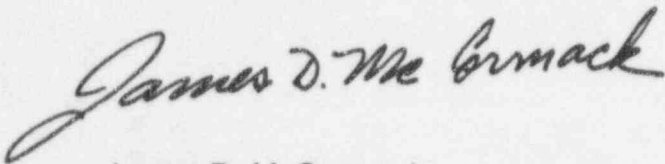
AUGUST 5, 1996

- A: The Toms River facility confirms that it will continue to abide by all its commitments and representations previously made to the NRC. As stated above, there is no known contamination from licensed material. There are no open inspection items.
14. Q: Documentation that the transferor and transferee agree to the change in ownership or control of the licensed material and activity, and the conditions of transfer; and the transferee is made aware of all open inspection items and its responsibility for possible resulting enforcement actions.
- A: There will be no change of control of the licensed material and activities at the facility level, and there are no open inspection items.
15. Q: A commitment by the transferee to abide by all constraints, conditions, requirements, representations, and commitments identified in the existing license. If not, the transferee must provide a description of its program to ensure compliance with the license and regulations.
- A: The Toms River facility commits to continuing to abide by all terms in the existing license.

Any questions should be referred to Peter Henige (Radiation Safety Officer) at 908-914-2840.

Very truly yours,

CIBA-GEIGY CORPORATION



James D. McCormack
Site Manager

kco
Enclosures

c: R. Bianchi → NRC File
P. Henige
B. Rosenfeld

20-000-1 11-01

RECEIVED-REGIONS

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 20555-0001Ciba-Geigy Corporation
ATTN: James D. McCormack
Site Manager
P.O. Box 71
Toms River, NJ 08754

TYPE OF ACTION

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

REQUESTED DATE

8-5-96

LICENSE NUMBER

29-09009-02

CONTROL NUMBER

123542

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.

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.

SIGNATURE -- LICENSE FEE ANALYST

LFDCB

LFDCB

Distribution:

DATE

Brenda Brown

BB *BA*
8/14/96MAF Correspondence FY
LFDCB Chief LFDCB Analyst
Invoice File w/encl LFDCB R/F*Pending File*
OC/DAF/IF (CF-32-7)
DAF R/F 8-14-96


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:      (FOR LFM USE)
:      INFORMATION FROM LTS
:      -----
:
: PROGRAM CODE: 03123
: STATUS CODE: 0
: FEE CATEGORY: 3P
: EXP. DATE: 20021031
: FEE COMMENTS: -----
: DECOM FIN ASSUR REQD: N
: .....

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Peter Heinzeon called, the letter dated 8/5/96 request must be rescinded, at this time, due to incomplete plans regarding the merger. I want the request dated after 8/5 (Pending to 8/11/96) substantiated and the \$300 fee used for this request. Will submit ownership / name change at a later date.