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June 6, 1996

URGENT - PLEASE EXPEDITE

Mr. Frank Costello, Chief
Nuclear Materials Safety Branch
U.S. Nuclear Regulatory Commission
Region I
475 Allendale Road
King of Prussia, PA 19406-1415

Re: Request for a US NRC License for Offsite Remediation Projects

Dear Mr. Costello,

In response to our recent conversations with Mr. Duncan White of your office, this letter and its' attachments constitute a request by Teledyne Environmental Inc. for a U.S. NRC Radioactive Materials License for the purpose of remediation work at temporary job sites.

Due to recent changes in reporting structure, we are doing business as Teledyne Brown Engineering - Environmental Services (TBE-ES) and these changes have introduced a new area of growth for our company. In order to fully support those areas of growth, we will be providing our old and new clients with a remediation service.

The proposed remediation services will be performed at a remote (offsite) locations from our laboratories and will normally be the client's job site. These services may consist of site characterization for radioactive and hazardous wastes, sampling, decontamination of buildings, equipment and the environment, and surveillance for release. These services would be performed at the client's request by contract for the intention of releasing an area or areas to public use or simply to aid the client in recovering greater control of their work spaces. Our primary guidance document for our decontamination efforts is **NUREG/CR-5849**, *Manual for Conducting Radiological Surveys in Support of License Termination,* June 1992, reprinted February 1993; as well as release levels defined in guidance documents such as, *Guidelines for Decontamination of Facilities and Equipment Prior to Release for Unrestricted Use or Termination of Licenses for Byproduct, Source, or Special Nuclear Material.*

This license will be entered into as a Type A Broad Scope in accordance with 10 CFR Part 33 and other appropriate regulatory guidance. The license is designed for use in all areas of U.S. NRC jurisdiction and Agreement States; and control would be extended in these areas by utilizing a reciprocity structure. The reciprocity structure would normally be assigned within Item 5 of the *Application for Material License* by definition of the byproduct material, form, and amounts. It would be further defined in the Authorized Use section and in the Conditions section with wording such as;

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Item 5:

Byproduct, source and/or special nuclear material	Chemical and/or Physical Forms	Maximum amount which will be possessed at any one time
(1) Any, except as noted below	Any	Any
(2) Special Nuclear Material	Any	As per 10 CFR 70.22

Under Item 6, the addition would be:

6. Authorized Use,

(1) For use incidental to decontamination, decommissioning, surveying, packaging, and transfer.

(2) For possession as contamination incidental to sample analysis and, for use incidental to decontamination, decommissioning, surveying, packaging, and transfer.

Under "License Conditions", the addition would be:

"Incidental to decontamination of equipment, articles, or facilities at temporary job sites. A detailed work package shall be submitted to the appropriate regulatory agencies in writing at least two weeks in advance of the planned work and the project shall not begin until written approval is received from the NRC and/or the Agreement State. The work package will consist of, at a minimum, the Health and Safety Plan, the QA Plan, and the detailed job specific Work Plan.

The above is an example of the manner in which this type of statement has been previously presented and is noted for our ease of presentation and your ease of understanding.

In accordance with the discussion of the expected language in the "License Conditions" portion of the license application, the routine implementation of jobs performed under this license would require that a complete Work Package be presented to the regulatory agency and to the client's regulatory agency (if they are not the same) for review and approval. The periodicity will not be less than 14 days (10 working days) with review and approval normally expected within that time. The work package will consist of a Health and Safety Plan, Quality Assurance Plan, and a Job Specific Work Plan. By discussion with Mr. White, we have included a Table of Contents from each of the three documents for your review.

As discussed with Mr. White, the matter of financial responsibility is not an issue in this case. Radioactive materials being handled within the framework of this license would belong to the generator of those materials. TBE-ES would perform a remediation service for the generator (client), but the radioactive materials and any waste generated from those processes would normally be packaged, marked for shipment, and left at the generator's location.

The responsibility assumed by TBE-ES would be in the areas of cleanup, surveillance to prescribed limits, record keeping for the jobs being performed, proper packaging and labeling (in accordance with DOT), etc. The duties and responsibilities of the generator (client), TBE-ES, and any subcontractor will be 'spelled out' in the job specific Work Plan.

There could be one situation which would make TBE-ES responsible for a part of the radioactive materials, and that would be occasioned if samples were shipped to our laboratories for analysis. Depending on the size of the sample, the residue may or may not be returned to the generator for disposal. If not returned, that amount of activity would be transferred to one of the other TBE-ES licenses or an appropriate contractor lab license.

As with the several existing TBE-ES licenses, the Radiation Safety Officer will be Steve L. Black. For the purposes of job performance associated with this license, qualified personnel other than Mr. Black may be designated as holding responsibility for the proper and procedural execution of this license at a specific job site. This person would be designated in the Work Plan as the Health and Safety Officer (or designee) and his/her resume and credentials will be reviewed and approved by Mr. Black prior to assumption of the position. The documentation will be on file and available for inspection.

In review of the several licenses currently held by TBE-ES, the amounts of radioactive materials listed in Section 5c of the *Application or Material License* are adjusted to the general needs of each of those licenses. Since this is to be a 'broad scope' license, section 5c will reflect our need for greater maximum amounts. In spite of the need to expand those levels, it is not our desire to institute a 10 CFR 30.32 Emergency Plan. We would request that our limits be evaluated under the unity formula(s). Although the listed amounts appear to be greater than unity; by calculation, actual possession at any given time would be less than unity. As a license condition, we would be committed to perform unity calculations on a predetermined regularity and those records would be or retained for review by the NRC. As discussed in our previous example towards simplification, the wording may be similar to the following;

For radioactive material the possession limit shall not exceed limits specified in Item 5c of this license, or the limits determined from 10 CFR 30.72, Schedule C - Quantities of Radioactive Materials Requiring Consideration of the Need for an Emergency Plan for Responding to a Release, whichever is more restrictive. If more than one radionuclide is possessed, see footnote 1 to Schedule C. A written verification that limits are not exceeded shall be done (quarterly) by the licensee.

We have enclosed a check in the amount of $8,280.00 to cover the cost of this licensing action for the fee categories 1D, 2C, 3N, and 4B. We are requesting that the U.S. NRC review the license application fee with respect to refunding all of the above fees with the exception of the $3,200.00 that are required for the 4B category. We currently have licenses with the fee categories 1D, 2C, and 3N and were seeking an amendment to our 29-00055-06 license to cover remedial services. We were informed that the U.S. NRC policy is that remedial service licenses are to be separate and distinct from other licenses that the licensee may have. Therefore, this license is being sought instead of an amendment at the U.S. NRC's convenience. If an amendment had been issued, the fee for 1D, 2C and 3N categories, already on the license, would not have been incurred. We are also concerned that the U.S. NRC policy requiring a separate license will force us to pay duplicate annual fees.

I want to thank you in advance for your prompt attention to this matter. We are requesting that this license action be expedited as we have a client that is ready to have us perform remedial services for them and the job is time sensitive.

If there are any questions, please call Mr. Steve Black at 201-664-7070 ext. 225.

Sincerely,

TELEDYNE ENVIRONMENTAL Inc.

Eugene O'Brien, Assistant Secretary

cc: Donald F. Schutz, Vice President
Steven A. Black, RSO