

MATERIALS LICENSE

Amendment No. 05

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.

Licensee		In accordance with application dated November 8, 1996	
1. Miller Brewing Company		3. License Number 48-06405-02 is amended in its entirety to read as follows:	
2. 3939 W. Highland Blvd. Milwaukee, WI 53201		4. Expiration Date October 31, 2005 <i>2004/4</i>	
		5. Docket or Reference No. 030-21083	
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. Hydrogen-3	A. Any	A. 40 millicuries	
B. Carbon-14	B. Any	B. 30 millicuries	
C. Phosphorus-32	C. Any	C. 20 millicuries	
D. Sulfur-35	D. Any	D. 10 millicuries	
E. Phosphorus-33	E. Any	E. 20 millicuries	
9. Authorized Use:			
A. through E. To be used for research and development as defined in 10 CFR Part 30, Section 30.4(q).			

CONDITIONS

10. Licensed material shall be used only at the licensee's facilities located at Miller Brewing Company, Technical Center Building 36, 3939 W. Highland Blvd., Milwaukee, Wisconsin.
11. Licensed material listed in Items 6.A. through 6.E. shall be used by, or under the supervision of, Dr. Patricia A. Bower or Lance Lusk.
12. A. The Radiation Protection Officer for the activities authorized by this license is Dr. Patricia A. Bower.

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PDR ADOCK 03021083
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COPY 2

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number

48-06406-02

Docket or Reference Number

030-21083

Amendment No. 05

13. The licensee is authorized to hold radioactive material with a physical half-life of less than 65 days for decay-in-storage before disposal in ordinary trash provided:
- A. Radioactive waste to be disposed of in this manner shall be held for decay a minimum of 10 half-lives.
 - B. Before disposal as normal waste, radioactive waste shall be surveyed to determine that its radioactivity cannot be distinguished from background. All radiation labels shall be removed or obliterated.
14. Licensed material shall not be used in or on human beings or in field applications where activity is released except as provided otherwise by specific condition of this license.
15. This license does not authorize commercial distribution of licensed material.
16. 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 January 26, 1995 and letter dated September 11, 1995.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date December 17, 1996

By

Richard W. [Signature]

Nuclear Materials Licensing Branch, Region III

(FOR LFMS USE)
INFORMATION FROM LTS

BETWEEN:

License Fee Management Branch, ARM
and
Regional Licensing Sections

Program Code: 03620
Status Code: 0
Fee Category: 3M
Exp. Date: 20031031
Fee Comments:
Decom Fin Assur Req'd: N

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED

Applicant/Licensee: MILLER BREWING COMPANY
Received Date: 961113
Docket No: 3021083
Control No.: 302044
License No.: 48-06406-02
Action Type: Amendment

2. FEE ATTACHED

Amount: 610
Check No.: 03260331

3. COMMENTS

Signed
Date

D. Harney
11-14-96

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered ☒)

1. Fee Category and Amount: 3M \$610

2. Correct Fee Paid. Application may be processed for:

Amendment ☒
Renewal
License

3. OTHER

Signed
Date

SC
11/20/96

NOV 26 1996

Log	Nov 9 III
Remitter	
Check No.	3260331
Amount	\$610
Fee Category	3M
Type of Fee	Amd
Date Check Rec'd	11/19/96
Date Completed	11/20/96
By	SC

NOV 19 1996 11:41



PO Box 482
Milwaukee WI 53201-0482
Shipping Address
3939 W Highland Blvd
Milwaukee WI 53208-2866
Phone: (414) 931-2000

November 8, 1996

United States Nuclear Regulatory Commission
Region III
801 Warrenville Road
Lisle, IL 60532-4351

Attention: Nuclear Material Licensing Branch

Re: Amendment of NRC Material License
No. 48-06406-02

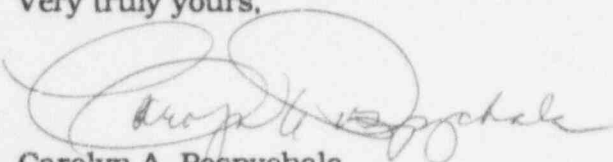
To Whom It May Concern:

We request that the NRC material license no. 48-06406-02 be amended. Dr. Susan K. Bromberg is leaving the Company and we request that she be removed as the Radiation Safety Officer and as an authorized user. Dr. Patricia A. Bower, a currently authorized user, has been appointed the new Radiation Safety Officer for this license. Lance T. Lusk, also authorized user, is the alternate.

Enclosed is a check in the amount of \$610.00 for the license amendment.

Thank you for your consideration.

Very truly yours,


Carolyn A. Pospychala
Paralegal

CAP/sal

Enclosure

cc: M. C. Barney
P. A. Bower
D. P. Dockery
L. T. Lusk
G. W. Reich
D. S. Ryder
B. J. Wisniewski

RECEIVED
NOV 13 1996
REGION III

302044
NOV 13 1996

pm: 11-8-96

DEC 26 1996

William G. Schmus
Senior Vice President
Miller Brewing Company
3939 W. Highland Blvd.
Milwaukee, WI 53201

Dear Mr. Schmus:

Enclosed is Amendment No. 05 to your NRC Material License No. 48-06406-02 in accordance with your request.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

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

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC, in writing, within 30 days:
 - a. When the Radiation Safety Officer permanently discontinues performance of duties under the license or has a name change; or
 - b. When the licensee's mailing address changes (no fee is required if the location of byproduct material remains the same).
3. In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license when you decide to terminate all activities involving materials authorized under the license.
4. Request and obtain a license amendment before you:
 - a. Change Radiation Safety Officers;

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

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

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

Sincerely,

Original Signed By
Gidget Watson
Nuclear Materials Licensing Branch

License No.: 48-06406-02

Docket No.: 030-21083

Enclosure: Amendment No. 05

DOCUMENT NAME: M:\03021083.CL6

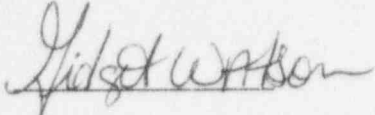
To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	DNMS/R:ll							
NAME	GWATSON:jaw							
DATE	11/17/96 GW							

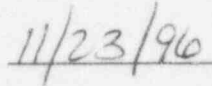
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OFFICIAL RECORD COPY

This action was reviewed in accordance with the standard review plan.



Signature



Date



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

November 14, 1996

Patricia A. Bower
Radiation Safety Officer
Miller Brewing Company
Technical Center
3939 W. Highland Boulevard
Milwaukee, WI 53201

SUBJECT: ACKNOWLEDGEMENT OF CORRESPONDENCE
(Letter Dated 11/08/96)

Dear Licensee:

In response to your request, we have completed the initial processing, which is an administrative review of your application for a(n):

☐ New License ☒ Amendment ☐ Renewal
☐ Termination ☐ Auth User (Amendment not required)
☐ Other _____

No administrative deficiencies were identified during this initial review. However, it should be noted that a technical review may identify omissions in the submitted information.

It appears that your request is routine (see 1-3 below, as applicable).

1. New and amendment actions are normally processed within 90 days, unless we find major deficiencies, or policy issues requiring central program office assistance.
2. Renewal actions are normally processed within 180 days, however, under timely filing (before expiration), you may continue to operate under your existing license.
3. Termination actions are normally processed within 90 days, unless confirmatory surveys following decontamination/decommissioning activities are involved.

A copy of your correspondence has been forwarded to our Licensing Fee and Debt Collection Branch (301/415-6097) for approval of the fee category and amount, if required.

If you have a compelling safety or business-related reason for requesting expedited review, please contact the Materials Licensing Branch at (630) 829-9887. We will try to complete your request as soon as practicable. Any correspondence about this request should reference the control number.

Nuclear Materials Support Branch

Mail Control No. 302044
License No. 48-06406-02