

FEB 13 1997

Docket No. 030-14914

License No. 37-18356-01 (Expired)

Mr. Robert Mumma
President
Adams County Asphalt
P. O. Box 2255
Harrisburg, PA 17110

SUBJECT: DECOMMISSIONING TIMELINESS REQUIREMENTS

Dear Mr. Mumma:

On May 17, 1996, you submitted correspondence to the NRC requesting that your January 4, 1996 application for a new license be amended for "storage only". You stated in the above letter that Adams County Asphalt had gone out of business and that you were seeking a buyer for the gauges covered under your license. On September 20, 1996, the license application was voided at your request because a member of your staff stated that a buyer for the gauge had been found. However, as of this date, you have not made a request to retire your license as required by 10 CFR 30.36 (enclosed).

This letter serves as notification of the requirements of 10 CFR 30.36. 10 CFR 30.36(d)(2) requires, in part, that each licensee provide, within 60 days, notification to the NRC in writing and begin decommissioning if the licensee decides to permanently cease principal activities, as defined in Part 30. Your May 17, 1996 correspondence serves as the required 60 day notification and states that principal activities under the license ceased as of May 17, 1996. 10 CFR 30.36(h) requires that licensees complete decommissioning of the site and request termination of its license as soon as practicable, but no later than 24 months following the initiation of decommissioning. The only action necessary to decommission your site is the transfer of the sealed sources to an authorized recipient such as a licensed waste disposal company, the gauge manufacturer, or a company licensed to possess portable gauges of the type you possess after ensuring that a leak test for contamination has been performed within the last six months. If you do not divest yourself of this material by May 17, 1998, you will be in violation of 10 CFR 30.36(h) and such violations may result in significant enforcement action, including imposition of monetary civil penalties. Upon completion of decommissioning, you must provide written notification to the NRC that you have divested yourself of all licensed materials. This notification must include a clear description of all material possessed and a receipt or other documentation that the material has been received by an authorized recipient as defined in 10 CFR 30.41. You should use the enclosed NRC Form 314 for this purpose.

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R. Mumma
Adams County Asphalt

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In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter will be placed in the Public Document Room (PDR). No reply to this letter is required.

Your cooperation with us is appreciated.

Sincerely,

Jenny M. Johansen, Chief
Nuclear Materials Safety Branch 3
Division of Nuclear Materials Safety

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Enclosures:

1. 10 CFR Part 30
2. List of Disposal Firms
3. NRC Form 314

cc w/o enclosures:
Commonwealth of Pennsylvania

R. Mumma
Adams County Asphalt

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