

## MATERIALS LICENSE

Amendment No. 08

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 October 30, 1996	
1. BP Oil Toledo Refinery		3. License Number 34-07269-02 is amended in its entirety to read as follows:	
2. P. O. Box 696 Toledo, OH 43694		4. Expiration Date October 31, 2000	
		5. Docket or Reference No. 030-28576	
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. Cesium-137	A. Sealed source (Ohmart Corp. Model No. A-5771)	A. No single source to exceed 1,000 millicuries. Total not to exceed 1,000 millicuries.	
B. Cesium-137	B. Sealed source (Ohmart Corp. Model No. A-5771)	B. No single source to exceed 150 millicuries. Total not to exceed 150 millicuries.	
C. Cesium-137	C. Sealed source (Ohmart Corp. Model No. A-2102)	C. No single source to exceed 300 millicuries. Total not to exceed 300 millicuries.	
D. Cesium-137	D. Sealed source (Ohmart Corp. Model No. A-2102)	D. No single source to exceed 100 millicuries. Total not to exceed 100 millicuries.	

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**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number

34-07269-02

Docket or Reference Number

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- |   |  |  |
|---|--|--|
| 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     |
| E. Cesium-137   | E. Sealed source (Amersham Model CDC-808)                        | E. No single source to exceed 50 millicuries. Total not to exceed 600 millicuries. |
| F. Cobalt-60  | F. Sealed source (Amersham Model No. CKC.P1 or I.P.L. Model 225) | F. Six sources not to exceed 10 millicuries each.                                  |
| G. Cadmium-109  | G. Sealed source (Texas Nuclear Source Model No. 696-696873)     | G. One source not to exceed 5 millicuries.   |
| H. Iron-55  | H. Sealed source (Texas Nuclear Source Model No. 696-696873)     | H. One source not to exceed 45 millicuries.  |
| I. Cadmium-109  | I. Sealed source (Texas Nuclear Source Model No. 696782)         | I. One source not to exceed 5 millicuries.   |
| J. Iron-55  | J. Sealed source (Texas Nuclear Source Model No. 696782)         | J. One source not to exceed 45 millicuries.  |
| K. Cesium-137   | K. Sealed source (Texas Nuclear Source Model No. 57157C)         | K. One source not to exceed 1000 millicuries                                       |

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6. Byproduct, source, and/or special nuclear material
- L. Cesium-137
- M. Cesium-137
7. Chemical and/or physical form
- L. Sealed source (Texas Nuclear Source Model No. 57157C)
- M. Sealed source (Texas Nuclear Source Model No. 57157C)
8. Maximum amount that licensee may possess at any one time under this license
- L. Two sources not to exceed 200 millicuries each
- M. One source not to exceed 1000 millicuries
9. Authorized Use:
- A. To be used in Ohmart Corporation source well type gauging system (DWG. No. B-6298) for level measurement.
- B. To be used in Ohmart Corporation Model SHLM source holder for level measurement.
- C. To be used in Ohmart Corporation Model SHLG-1 source holder for level measurement.
- D. To be used in Ohmart Corporation Model SH-F2 source holder for level measurement.
- E. To be used in General Nucleonics, Incorporated, 13250 source housing (a component of the model 13050-1 level sensor system) for measurement height of coke and/or foam inside coke drum(s).
- F. To be used in General Nucleonics, Inc. Model 13210 source holder (a component of Model 13050-5 level sensor system for level measurement of coke or foam in drums).
- G. and H. To be used in a Texas Nuclear X-Ray Fluorescence Alloy Analyzer Model No. 9266 for metal inspection.
- I. and J. To be used in a Texas Nuclear Metallurgist X-Ray Analyzer Model No. 9277 for metal inspection.
- K. To be used in a Texas Nuclear Model No. 5207 gauge for level measurement.
- L. To be used in a Texas Nuclear Model No. 5206 gauge for level measurement.
- M. To be used in a Texas Nuclear Model No. 5207 gauge for level measurement.

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CONDITIONS

10. Licensed material shall be used only at the licensee's facilities located at the BP Oil Toledo Refinery, Toledo, Ohio.
11. A. Licensed material shall be used by, or under the supervision of, Maureen Sullivan or George Gregory.  
B. The Radiation Safety Officer for this license is Maureen Sullivan.  
C. The alternate Radiation Safety Officer for this license is George Gregory.
12. Sealed sources containing licensed material shall not be opened or removed from respective source holders by the licensee.
13. A. The source(s) specified in Item(s) 7.A. through 7.K. shall be tested for leakage and/or contamination at intervals not to exceed 3 years. Any source received from another person which is not accompanied by a certificate indicating that a test was performed within 6 months before the transfer shall not be put into use until tested.  
B. Any source in storage and not being used need not be tested. When the source is removed from storage for use or transfer to another person, it shall be tested before use or transfer.  
C. The test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie or more of removable contamination, the source shall be removed from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. A report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region III, 801 Warrenville Road, Lisle, Illinois 60532-4351, ATTN: Chief, Nuclear Materials Safety Branch. The report shall specify the source involved, the test results, and corrective action taken. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission. Records may be disposed of following Commission inspection.  
D. Tests for leakage and/or contamination shall be performed by the licensee or by other persons specifically licensed by the Commission or an Agreement State to perform such services.  
E. The licensee is authorized to collect leak test samples for analysis by the suppliers of the sources and holders or tests for leakage and/or contamination shall be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.

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14. Installation, initial radiation survey, relocation, or removal from service of devices containing sealed sources shall be performed by the source manufacturer or by persons specifically licensed by the Commission or an Agreement State to perform such services. Maintenance and repair of devices and installation, replacement, and disposal of sealed sources shall be performed only by persons specifically licensed by the Commission or an Agreement State to perform such services.
15. The licensee shall establish "lock-out" procedures to assure that prior to maintenance or repair in or around equipment to which licensed gauges are mounted, steps are taken to terminate the radiation beams, (e.g., "lock-out" shutters, placement of "beam stoppers," etc.) to prevent individuals from entering the radiation beam.
16. The licensee shall conduct a physical inventory every six (6) months to account for all gauges received and possessed under the license. The records of the inventories shall be maintained for two (2) years from the date of the inventory for inspection by the Commission, and shall include the quantities and kinds of byproduct material, manufacturer's name and model numbers, location of gauges and the date of the inventory.
17. 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. Applications dated June 4, 1990 and June 18, 1996; and
  - B. Letters dated August 10, 1990, November 30, 1993, April 13, 1994 (excluding the "Suggested Radiation Lockout Procedures"), September 27, 1995 and January 10, 1996.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date 15 November 1996

By

William D. Reinhold  
Nuclear Materials Licensing Branch, Region III

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(FOR LFMS USE)  
INFORMATION FROM LTS

BETWEEN:

License Fee Management Branch, ARM  
and  
Regional Licensing Sections

Program Code: 03120  
Status Code: 0  
Fee Category: 3P  
Exp. Date: 20001031  
Fee Comments:  
Decom Fin Assur Regd: N

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED

Applicant/Licensee: BP OIL TOLEDO REFINERY  
Received Date: 961101  
Docket No: 3028576  
Control No.: 302013  
License No.: 34-07269-02  
Action Type: Amendment

2. FEE ATTACHED

Amount: 300  
Check No.: 569486

3. COMMENTS

Signed  
Date

D. Hersey  
11-3-96

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

1. Fee Category and Amount: 3P \$300

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

Amendment ☒  
Renewal  
License

3. OTHER

Signed  
Date

SC  
11/14/96

NOV 18 1996

Log	NOV 5 III
Remitter	
Check No.	569486
Amount	\$300
Fee Category	3P
Type of Fee	AMD
Date Check Rec'd	11/12/96
Date Completed	11/14/96
By	SC

1996 NOV 12 AM 10:00

## APPLICATION FOR MATERIAL LICENSE

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.

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 2600  
ATLANTA, GA 30323-0199

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.

## 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  
811 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TX 76011-8084

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

- ☐ A. NEW LICENSE  
☒ B. AMENDMENT TO LICENSE NUMBER 34-07269-02  
☐ C. RENEWAL OF LICENSE NUMBER \_\_\_\_\_

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

BP Oil Toledo Refinery  
P.O. Box 696  
Toledo, Ohio 43697-0696

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

Same as 2

## 4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Maureen Sullivan  
TELEPHONE NUMBER

419-698-6390

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.	8. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED SAME AS PREVIOUS
7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE No change	8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.
9. FACILITIES AND EQUIPMENT	10. RADIATION SAFETY PROGRAM
11. WASTE MANAGEMENT	12. LICENSEE FEES (See 10 CFR 170 and Section 170.31) FEE CATEGORY AMOUNT ENCLOSED \$ 3.00
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 82 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

MAUREEN SULLIVAN IND. Hqs. CRSO

SIGNATURE

Maureen Sullivan

DATE

10-30-96

## FOR NRC USE ONLY

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

NOV 01 1996

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Please amend license 34-07269-02, item 7D. This source will have a new holder as the existing holder is no longer manufactured. The new model is Ohmart SH-F2-30. The source remains the same, Cs 137 100 mCi



NOV 15 1996

Maureen Sullivan  
Radiation Safety Officer  
BP Oil Toledo Refinery  
P.O. Box 696  
Toledo, OH 43694

Dear Ms. Sullivan:

Enclosed is Amendment No. 08 to your NRC Material License No. 34-07269-02 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 note, we have removed the license condition requiring decommissioning records because this requirement is in the regulations.

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;

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- 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  
W. P. Reichhold  
Nuclear Materials Licensing Branch

License No.: 34-07269-02  
Docket No.: 030-28576

Enclosure: Amendment No. 08

DOCUMENT NAME: M:\03028576.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/RIII <i>WPR</i>							
NAME	WREICHHOLD:jaw							
DATE	11/5/96							

OFFICIAL RECORD COPY



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION III  
801 WARRENVILLE ROAD  
LISLE, ILLINOIS 60532-4351  
November 12, 1996

Maureen Sullivan  
Radiation Safety Officer  
BP Oil Toledo Refinery  
P. O. Box 696  
Toledo, OH 43694-0696

SUBJECT: ACKNOWLEDGEMENT OF CORRESPONDENCE  
(Application Dated 10/30/96)

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 nonroutine and has been assigned to Bill Reichhold for an expedited review. If you should have any questions please contact Mr. Reichhold at (630) 829-9887.

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. 302013  
License No. 34-07269-02