

MAY 02 1985

Docket No. 030-22060
Control No. ~~03234~~ 103722

MEMORANDUM FOR: Vandy L. Miller, Chief, Material Licensing Branch,
NMSS

FROM: James H. Joyner, Chief, Nuclear Materials Safety
and Safeguards Branch, Region I

SUBJECT: APPLICATION FROM NUCLEAR ENERGY SERVICES

Nuclear Energy Services has applied for a byproduct materials license. The proposed possession limits are stated in the application dated November 1, 1984, and the proposed uses are stated in Attachment 3 to that application, and are further clarified in Attachment I to the letter dated March 13, 1985. Clearly, 50,000 curies of byproduct material in "any" form meets the guidelines for requiring a contingency plan. In the March 13 letter, NES refers to similar licenses issued to Anefco, Inc. (L/N 06-21140-01) and Chem-Nuclear Systems, Inc. (L/N 12-21214-01).

Region I requests guidance on the following policy issues. We recognize that some of the answers, particularly relating to the submission of contingency plans, may impact on licenses already issued, such as the two cited above:

1. Should NES be required to file a contingency plan before this license is issued? Should other licensees of this type also be required to file plans? Can a workable contingency plan be written for temporary job sites?
2. If a contingency plan will not be required, what wording should be used to restrict the form of material authorized?
3. Should the NRC issue licenses that appear to authorize activities at unlicensed sites; that is, sites either never licensed or where the license has expired? Please note that the wording of the intended use of material in Attachment I to the letter dated March 13, 1985, is taken almost verbatim from the two Anefco licenses. NES filed an FOIA request and is quite familiar with how the NRC has handled this type of application in the past.
4. If we decide not to write licenses appearing to authorize activities at unlicensed, contaminated sites, how should the license be worded to restrict this kind of activity?

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We request your guidance as to how to treat this application.

Original Signed By:
John D. Kinneman

James H. Joyner, Chief
Nuclear Materials Safety and
Safeguards Branch

Enclosures:

1. Applicant letter dated 11/1/84, omit books
2. NRC letter dated 1/8/85
3. Applicant letter dated 3/13/85, with books
4. NRC letter dated 3/27/85
5. Applicant letter dated 4/12/85

RI:DRSS

Friedman

05/02/85

RI:DRSS

Glenn

05/02/85

RI:DRSS

Joyner

05/2/85

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