

MATERIALS LICENSE

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.

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|--|---|
| Licensee | |
| 1. BP Chemicals Inc. | 3. License Number SUB-908 Amendment No. 11 |
| 2. Fort Amanda and Adgate Roads Lima, Ohio 45802-0628 | 4. Expiration Date May 31, 1997 |
| | 5. Docket or Reference No. 40-7604 |

6. Byproduct, Source, and/or
Special Nuclear Material7. Chemical and/or Physical
Form8. Maximum Amount that Licensee
May Possess at Any One Time
Under This License

A. Depleted Uranium

A. Solid Waste Materials

A. See 9. below.

9. Authorized use: For possession and storage of depleted uranium waste incident to the performance of radiation surveys and decontamination of facilities and plant areas including the packaging of waste for transfer and disposal.
10. Licensed material shall be used only at the licensee's address stated in Item 2. above.
11. The licensee shall comply with the provisions of Title 10, Chapter 1, Code of Federal Regulations, Part 19, "Notices, Instructions and Reports to Workers; Inspections" and Part 20, "Standards for Protection Against Radiation."
12. DELETED
13. Except as specifically provided otherwise by this license, the licensee shall possess and use licensed material described in Items 6, 7, and 8 of this license in accordance with statements, representations, and procedures contained in letters dated September 19, 1978, December 1, 1978, July 2, 1979, April 29, 1992, and June 12, 1992. The Nuclear Regulatory Commission's regulations shall govern the licensee's statements in applications or letters, unless the statements are more restrictive than the regulations.
14. The licensee shall submit by November 15, 1988, a revised schedule for the decontamination of the ponds, grounds, buildings and other facilities on the Lima, Ohio site.

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number

SUB-908, Amendment No. 11

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- a. The concentration of pond waters to be injected into the system of underground injection wells is limited to 30 pCi/l of uranium based on a daily average limit.
- b. The licensee shall test and verify the activity of the pond water prior to each transfer to ensure that the water transferred to the underground injection wells does not exceed 30 pCi/l based on a daily average of analyses. This verification shall be documented and maintained by the licensee.
- c. A surface coating of alkaline, non-radioactive solids shall be maintained over radioactive sludges in the ponds to prevent any release of radioactivity greater than 30 pCi/l into the pond waters while the radioactive sludges are maintained in storage. In order to prevent resuspension and entrainment of the settled solids during water transfer, a flotation collar or its functional equivalent shall be employed to suspend the inlet of the pump suction hose near the top surface of the pond. A minimum vertical clearance of eighteen (18) inches shall be maintained between the suction hose inlet and the top of the alkaline surface coating layer.
- d. When it becomes necessary to mobilize the pond sludges for stabilization and burial, "additional treatment" shall be provided to limit the pond water to 30 pCi/l. The licensee shall demonstrate to the satisfaction of the Commission the acceptability of the "additional treatment" prior to mobilizing the pond sludges.
- e. The injection volume may be as necessary to accommodate the disposal within the OHIO EPA UIC Permit constraint of not exceeding 24 million gallons injected per month.
24. Except as specifically provided otherwise in this license, the licensee shall conduct its mixed waste pond closure program in accordance with the statements, representations, and procedures contained in the licensee's revised application dated February 7, 1994, as supplemented in submittals dated May 25, 1994, March 13, 1995, June 28, 1995, July 28, 1995, September 8, 1995, September 20, 1995, October 13, 1995, October 30, 1995, November 10, 1995, December 5, 1995, December 6, 1995, January 2, 1996, and April 2, 1996.

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. The licensee will conduct surveys to determine compliance with the unrestricted use criteria stated in the February 7, 1994 application, as supplemented, as follows:

MATERIALS LICENSE
SUPPLEMENTARY SHEET

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d. At the completion of construction of each closure cell, the licensee shall submit to the NRC a copy of the final report to the Ohio Environmental Protection Agency, as described in the revised application dated February 7, 1994 (Appendix E, Section 9.4 - Final Documentation) for license amendment.


25. The procedure for licensee-initiated and approved field changes as described in the letter, "Request for license amendment to establish a procedure and protocol for NRC review and approval of proposed field changes for the mixed waste pond closure project", dated October 24, 1996, may be used provided that:

- i. review of all proposed field changes to the "Mixed Waste Pond Closure Project" by the Project Manager or his designee is in accordance with the Administrative Procedure AP-02 "Field Changes;"
- ii. the licensee submits to the NRC for approval any changes that would result in an unreviewed safety question, a change in a license condition, or changes that would have significant adverse effect on the quality of the work, the mixed waste pond closure project objectives, or health and safety;
- iii. the licensee documents the changes made.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

DATE: 6/11/97

BY:


John W. N. Hickey, Chief
Low-Level Waste and Decommissioning
Projects Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

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Date: 6/11/97

By: [ORIGINAL SIGNED BY:]
John W. N. Hickey, Chief
 Low-Level Waste and Decommissioning
 Projects Branch
 Division of Waste Management
 Office of Nuclear Material Safety
 and Safeguards

Docket No. 040-07604
 License No. SUB-908

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- iii. the licensee documents the changes made.

Date: _____

By: _____
 John W. N. Hickey, Chief
 Low-Level Waste and Decommissioning
 Projects Branch
 Division of Waste Management
 Office of Nuclear Material Safety
 and Safeguards

Docket No. 040-07604
 License No. SUB-908

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W. Rupert

-2-

Please carefully review the enclosed amendment including the revised license condition 24(a)(iV). If you have any questions, immediately notify M. (Sam) Nalluswami at 301-415-6694.

Sincerely,

John W. N. Hickey, Chief
Low-Level Waste and Decommissioning
Projects Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 040-07604
License No. SUB-908

Enclosure: Amendment No. 11 with
Revised License
Condition 24(a)(iV)

cc: J. Ottarson, Ohio EPA
R. Vandegrift, Ohio DOH
D. Rosebrock, Combined Health Dt.

TICKET: LLDP-7090

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