NRC FORM 699 (03-2013)

U.S. NUCLEAR REGULATORY COMMISSION

CONVERSATION RECORD

DATE OF SIGNATURE: 05/14/2018

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU	DATE OF CONTACT	TYPE OF CONVERSATION
Frederick Hommel	05/14/2018	☐ E-MAIL ☑ TELEPHONE ☑ INCOMING ☐ OUTGOING
E-MAIL ADDRESS: frederick.hommel@vcimentos.com	TELEPHONE NUMBER: (231) 237-1367	

ORGANIZATION	DOCKET NUMBER(S)
St. Marys Cement U.S. LLC	030-34588
LICENSE NUMBER(S): 21-32044-01	CONTROL NUMBER(S): 602287

SUBJECT

License Renewal Request - Additional Information Required.

SUMMARY

You recently submitted additional information to support your request to renew your NRC license. After reviewing your response it appears that there are additional items that must be corrected or addressed. Please see Page 2 of this document for further details.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html.

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ACTION REQUIRED (IF ANY)

Please submit your response by no later than May 31, 2018.

Please feel free to contact me at 630-829-9712 or via email if you have any questions.

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NAME OF PERSON DOCUMENTING CONVERSATION

Laura B. Cender

SIGNATURE

Laura B. Cender 5/14/2018

CONVERSATION RECORD (continued)

SUMMARY: (Continued from page 1)

1. On March 20, 2018 you submitted a number of documents to the NRC regarding your license renewal request. Please provide a signed and dated cover letter referencing the documents submitted.

2. Please provide a second/separate signed and dated cover letter for your responses to the new items listed below.

3. In your response to Item 10.2 it appears that you will have your own survey meters at your facility. If this is the case, you must commit to using instruments that meet the criteria described in Section 8.10.2 of NUREG 1556 Vol. 4 Rev. 1 (box 2 on Page B-3) in addition to the third statement that you already committed to that confirms that survey instruments will be calibrated by an entity authorized by the NRC or an Agreement State. See attached.

4. In your response to Item 10.6 it appears that you selected the option for cases where the devices requested on the license do not meet the safety conditions specified in 8.10.6 of NUREG 1556 Vol. 4 Rev. 1. The devices authorized on your license actually do meet these requirements, and you may instead select the first option associated with Item 10.6 of your application. You may also request in the cover letter to withdraw the procedures submitted from being tied down on the license. See attached.

5. The information provided indicates that when switching out depleted sources with new replacements that the sources may be stored a temporary storage location on-site at your facility. Please provide a facility diagram showing the location of this temporary storage area in relation to the plant overall. You have flexibility with how you provide this information, for example you may use a satellite map image to show your overall facility, and then use markings to add the storage location. Drawings of the facility are also acceptable.

6. The reviewer noted a safety concern in your Radiation Safety Policy Section 2.2 "Cross Belt Analyzer is Threaten by Fire". In this section you describe a situation where the devices could be damaged by fire, but have not been damaged yet. As your procedure is currently written, in this situation the RSO would remove the sources from the device, seal them in a wax lined or water filled drum, and transport the sources to another secure area. With the information currently provided this procedure is unacceptable from a safety standpoint. At a minimum the following information would need to be provided for the NRC to approve your use of such a procedure:

1. A record showing that the RSO has completed source retrieval training with the device vendor.
2. Your procedure should describe your use of a survey meter during the source removal, sealing of the source, and during/after transportation to a new area.
3. The individual performing this task would need to be wearing dosimetry, which you are not currently committed to having available for workers.
4. There should be more defined consideration of the RSO's safety regarding the fire risk. Fires can move very quickly and unpredictably, and as the procedure is written and with the time required to complete the source removal task, the RSO may be taking on unnecessary risk to their own health and safety. An individuals health and wellbeing is always more important than protecting a source from damage. The RSO can help mitigate risk to themselves, to the public, and to the sources by coordinating with the responding fire department and working with the gauge vendor if there is fire in the area near a nuclear device.

Please confirm in your response that you will not implement or perform this emergency procedure without explicit NRC approval.

Item No. and Title	Suggested Response	Yes	Alternative Procedures Attached
9. Facilities and Equipment	We will ensure that the location of each fixed gauge meets the criteria in Section 8.9, "Facilities and Equipment," in NUREG-1556, Volume 4, Revision 1, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Fixed Gauge Licenses." **OR** Provide confirmation that the fixed gauge is secured to prevent unauthorized removal or access, and submit specific information demonstrating that the proposed conditions will not impact the safety or integrity of the source or device. Address any instances in which the proposed conditions exceed any conditions listed in the SSD registration certificate.	☐	☐
10.1 Radiation Safety Program – Audit Program	The applicant should not submit its audit program to the NRC for review during the licensing phase. The audit program will be reviewed during NRC inspections.	Need not be submitted with application.	
10.2 Radiation Safety Program – Radiation Monitoring Instruments	Surveys according to 10 CFR 20.1501 will be performed by a person specifically authorized by the NRC or an Agreement State to perform these surveys. **OR** We will use instruments that meet the criteria in Section 8.10.2, "Radiation Monitoring Instruments," in NUREG-1556, Volume 4, Revision 1, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Fixed Gauge Licenses" and *one* of the following two choices: Each radiation survey meter will be calibrated by the manufacturer or other person authorized by the NRC or an Agreement State to perform radiation survey meter calibrations. **OR** We will implement the model radiation survey instrument calibration program in Appendix F, "Model Radiation Survey Instrument Calibration Program," in NUREG-1556, Volume 4, Revision 1, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Fixed Gauge Licenses."	☐ ☐ ☐ ☐	☐

Item No. and Title	Suggested Response	Yes	Alternative Procedures Attached
10.3 Radiation Safety Program – Material Receipt and Accountability	Physical inventories will be conducted every 6 months or at other intervals approved by the NRC to account for all sealed sources and devices received and possessed under the license. **AND** We will develop, implement, and maintain procedures for ensuring accountability of licensed materials at all times.	☐	☐
10.4 Radiation Safety Program – Occupational Dose	We will maintain, for inspection by the NRC, documentation demonstrating that unmonitored individuals are not likely to receive a radiation dose in excess of the limits in 10 CFR 20.1502(a). **OR** We will provide and require the use of individual monitoring devices (dosimetry). All personnel dosimeters that require processing to determine the radiation dose will be processed and evaluated by a NVLAP-approved processor.	☐ ☐	☐
10.5 Radiation Safety Program – Public Dose	The applicant is *not* required to submit a response to the public dose section in a license application. This matter will be examined during NRC inspections.	Need not be submitted with application.	
10.6 Radiation Safety Program – Operating, Emergency, and Security Procedures	If the gauge meets one or more of the safety conditions specified in the "Discussion" part of Section 8.10.6, "Operating, Emergency, and Security Procedures," in NUREG-1556, Volume 4, Revision 1, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Fixed Gauge Licenses," state the following: Operating, emergency, and security procedures will be developed, implemented, maintained, and distributed and will meet the criteria in Section 8.10.6, "Operating, Emergency, and Security Procedures," in NUREG-1556, Volume 4, Revision 1. **OR** If each gauge requested does not meet any of the safety conditions specified in the "Discussion" part of Section 8.10.6, "Operating, Emergency, and Security Procedures," in NUREG-1556, Volume 4, Revision 1, provide your operating, emergency, security, and lock-out (if applicable) procedures.	☐ ☐ Procedures Attached	☐

Cender, Laura

From: Cender, Laura
Sent: Monday, May 14, 2018 11:34 AM
To: 'Frederick Hommel'
Subject: NRC License No. 21-32044-01 License Renewal - Conversation Record
Attachments: Conversation Record to St. Marys Cement U.S. LLC 5.14.2018.pdf; Application Items 10.2 & 10.6.pdf

Hello Frederick,

Thank you for taking time out of your day to discuss your pending NRC license renewal. As we discussed, attached is a record of our conversation. Please let me know if you have any questions or concerns about what is described in the record.

Additionally, attached is a partial copy of the NUREG 1556 Vol. 4 Rev. 1 Appendix B Licensing Application for your use regarding application Items 10.2 and 10.6.

Please feel free to contact me at 630-829-9712 if you have any questions.

Thank you,
Laura

Laura Cender
U.S. Nuclear Regulatory Commission
Materials Licensing Branch
E-mail: Laura.Cender@nrc.gov
Phone: (630) 829-9712
Fax: 630-515-1078