



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

August 11, 2021

EA-19-011

Derek Menchinger
Director of Operations & Exhibits
Air Zoo Aerospace &
Science Museum
6151 Portage Road
Portage, MI 49002

SUBJECT: AIR ZOO AEROSPACE & SCIENCE MUSEUM – DISPOSTION OF EXCESS GAUGES

Dear Mr. Menchinger:

On July 5, 2019, staff from the U.S. Nuclear Regulatory Commission (NRC) wrote to inform you of the findings identified during the initial site visit conducted on December 4-5, 2018 (available in NRC's Agencywide Documents Access and Management System [ADAMS] at Accession No. ML19066A369). In that letter, the NRC staff notified you that because you possessed more than 100 gauges and other luminous products containing radium-226 (Ra-226) that were not installed in aircraft, you would need to either obtain a specific license consistent with Title 10 of the *Code of Federal Regulations* (CFR), Part 30.3, "Activities requiring license," or reduce the number of Ra-226 gauges and other luminous products that are not installed in an aircraft to be considered a General Licensee under 10 CFR 31.12(a)(4).

On April 14, 2021, you began removal of the excess gauges with final disposition intended for disposal at EnergySolutions' land disposal facility in Clive, Utah. On June 14, 2021, the NRC completed inspection of the disposal paperwork for the excess gauges and interviews with facility and contractor personnel (ADAMS Accession No. ML21182A384). Because of final disposition of the excess gauges to an appropriate disposal facility, the NRC staff has concluded that no further action is necessary.

However, as a general licensee who possesses less than 100 gauges and luminous products containing Ra-226, you must continue to comply with the requirements under 10 CFR 31.12(c), which states that a general licensee:

1. Shall notify the NRC should there be any indication of possible damage, including additional damage, to the product so that it appears it could result in a loss of the radioactive materials. A report containing a brief description of the event, and the remedial action taken, must be furnished to the Director of the Office of Nuclear Material Safety and Safeguards (NMSS), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001 within 30 days.

2. Must not abandon products containing Ra-226. The product, and any radioactive material from the product, may only be disposed of in accordance with 10 CFR 20.2008, *Disposal of certain byproduct material*, or by transfer to a person authorized by a specific license to receive the Ra-226 in the product or as otherwise approved by the NRC.
3. Must not export (i.e., transfer to a person or an international organization in a foreign country) products containing Ra-226 except in accordance with 10 CFR Part 110, *Export and Import of Nuclear Equipment and Material*.
4. Must dispose of products containing Ra-226 only at a disposal facility authorized to dispose of radioactive material in accordance with any Federal or State solid or hazardous waste law, including the Solid Waste Disposal Act, as authorized under the Energy Policy Act of 2005, by transfer to a person authorized to receive Ra-226 by a specific license issued under 10 CFR Part 30, *Rules of General Applicability to Domestic Licensing of Byproduct Material*, or equivalent regulations of an Agreement State, or as otherwise approved by the NRC.
5. Must respond to written requests from the NRC to provide information relating to the general license within 30 calendar days of the date of the request, or other time specified in the request. If you cannot provide the requested information within the allotted time, you must, within that same time period, request a longer period to supply the information. A written justification for the request must be provided to the Director of NMSS by means of an appropriate method listed in 10 CFR 30.6(a).

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, you may contact Ms. Melissa Ralph, Acting Chief, Low-Level Waste and Projects Branch, Division of Decommissioning, Uranium Recovery and Waste Programs in the Office of Nuclear Materials Safety and Safeguards at (301) 415-5027, or Mr. Christopher Grossman, Project Manager, at (301) 415-0140.

Sincerely,

Patricia K. Holahan, Director
Division of Decommissioning, Uranium Recovery,
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Docket No.: 03039139

REGISTERED LETTER – RETURN RECEIPT REQUESTED

SUBJECT: AIR ZOO AEROSPACE & SCIENCE MUSEUM – DISPOSTION OF EXCESS
GAUGES DATE: August 11, 2021

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ADAMS Accession No.: ML21173A209***via e-mail**

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